

508 RETAIL COMMERCIAL DISTRICT (RTL)

508.01 PURPOSE

Section 508 is adopted to implement the policies of the Comprehensive Plan for Retail Commercial areas.

[Amended by Ord. ZDO-224, 5/31/11]

508.02 AREA OF APPLICATION

Property may be zoned Retail Commercial District when the site has a Comprehensive Plan designation of Retail Commercial and the criteria in Section 1202 are satisfied.

[Amended by Ord. ZDO-224, 5/31/11]

508.03 PRIMARY USES

The following are primary uses in the Retail Commercial District:

- A. Office, retail, and service commercial uses provided that:
 - 1. Outdoor display and storage shall be limited to less than five percent of the building coverage. (See the exception in Subsection 508.03(A)(4).)
 - 2. Most activities shall be conducted within a completely enclosed structure.
 - 3. Uses with drive-thru window service shall be subject to Section 827. Within the Clackamas Regional Center Area shown on Comprehensive Plan Map X-CRC-1, *Clackamas Regional Center Area Design Plan, Regional Center, Corridors and Station Community*, drive-thru window service also shall be subject to Section 1700.
 - 4. Auto body, recreational vehicle, and boat repair businesses shall store within a completely enclosed structure those vehicles and equipment that are damaged or being repaired;
- B. Multifamily residential uses, subject to Section 303;
- C. Colleges, educational institutes, private schools, commercial schools, and trade schools; art, music, and dance studios; and radio and television studios, excluding transmission towers;
- D. Galleries, museums, assembly or convention facilities, theaters for performing arts, exhibition halls, libraries, senior centers, and fraternal organizations;
- E. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835; and

- F. Mobile vending units, subject to Section 837.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12]

508.04 ACCESSORY USES

The following are accessory uses in the Retail Commercial District:

- A. Uses and structures customarily accessory and incidental to a primary use;
- B. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- C. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker;
- D. Bus shelters, subject to Section 823;
- E. Bike racks, pedestrian amenities, and transit amenities;
- F. Solar energy systems;
- G. Rainwater collection systems;
- H. Electric vehicle charging stations;
- I. Accessory uses listed in Subsection 303.04 in conjunction with any residential use;
- J. Parking structures; and
- K. Park-and-ride lots.

[Amended by Ord. ZDO-224, 5/31/11]

508.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

The Planning Director may approve the following use, pursuant to Subsection 1305.02:

- A. Wireless telecommunication facilities listed in Subsection 835.05, subject to Section 835.

[Amended by Ord. ZDO-224, 5/31/11]

508.06 CONDITIONAL USES

- A. The Hearings Officer may approve conditional uses, pursuant to Section 1300. Approval shall not be granted unless the proposal complies with Section 1203 and any applicable provisions of Section 800. In addition, the proposed use:
1. Shall not interfere with, or intrude into or between, pedestrian-oriented uses or developments;
 2. Shall provide pedestrian and landscaping amenities which are comparable to those provided in conjunction with primary uses listed in Subsection 508.03;
 3. Shall not require, or result in a demand for, additional traffic signals or street improvements beyond those planned for the area without the proposed use;
 4. Shall use buildings and building materials which are comparable to those used for primary use developments; and
 5. Shall limit outdoor display/storage areas to five percent of the building coverage area.
- B. Uses allowed subject to the above conditions are:
1. Service stations, subject to Section 820;
 2. Electric vehicle charging stations that exceed an accessory use;
 3. Telephone exchanges, utility substations, radio and television transmission and receiving earth stations;
 4. Heliports;
 5. Car washes;
 6. Mini-storage facilities; and
 7. Hydroelectric facilities, subject to Section 829, and not subject to Subsections 508.06(A)(1) through (5).

[Amended by Ord. ZDO-224, 5/31/11]

508.07 PROHIBITED AND PREEXISTING USES

- A. The following uses shall be prohibited:
1. Uses of structures and land not specifically allowed in Sections 501, 502, and 508;

2. The use of a residential trailer or mobile home, except as an office in a recreational vehicle or mobile home sales lot, unless authorized pursuant to Section 1204; and
 3. New single-family dwellings, except when incidental to a primary use;
- B. Lawfully established dwellings shall be allowed to remodel or expand without review under Section 1206.
- C. A lawfully established dwelling may be converted to any use permitted in the district, subject to all requirements of this Ordinance for new development.
- D. No minimum lot size shall be required for a lot containing a preexisting dwelling.

[Amended by Ord. ZDO-224, 5/31/11]

508.08 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
1. Provide for protection of adjacent properties;
 2. Provide for efficient utilization of Retail Commercial (RTL) areas;
 3. Ensure that the minimum operational requirements of the development are provided on-site; and
 4. Establish the maximum limits of the development.
- B. Minimum Lot Size: One-half acre. However, primary and accessory uses may be established on sites smaller than one-half acre, provided such sites are physically separated from all other undeveloped or underdeveloped properties in the RTL District.
- C. Minimum Front Yard Setback: 15 feet.
- D. Maximum Front Yard Setback: 20 feet for buildings at or near a transit stop along a major transit street, as more specifically set forth in Section 1005.
- E. Minimum Side and Rear Yard Setbacks: None, except when a side or rear yard abuts a more restrictive district, in which case the minimum shall be 15 feet. The minimum setback shall increase 10 feet for each 10-foot increment in building height over 35 feet.
- F. Minimum Landscaping Area: 10 percent of the lot.
- G. Modifications: The requirements of Subsections 508.08(B) through (F) may be modified pursuant to Section 1102 when such modification is consistent

with the purposes set forth under Subsection 508.08(A) and with the Comprehensive Plan. The effect of the proposed modification on the natural features of the site and the use and preservation of solar access shall be considered when applicable.

[Amended by Ord. ZDO-224, 5/31/11]

508.09 DEVELOPMENT STANDARDS

- A. General: Development shall be subject to the applicable provisions of Sections 1000 and 1100.
- B. Community and Design Plans: Development within a Community or Design Plan area identified in Chapter 10 of the Comprehensive Plan shall comply with the specific policies and standards for the adopted Community Plan or Design Plan.
- C. Master Plans: A master plan shall be required for phased development and shall be submitted for design review with the application for the first phase of development.
- D. Improvements: The County may require the provision of, or participation in the development of, public facility improvements to implement adopted design plans or special standards. Such improvements may include, but are not limited to, the following:
 - 1. Road dedications and improvements;
 - 2. Signalization;
 - 3. Sidewalks;
 - 4. Crosswalks;
 - 5. Storm drainage facilities;
 - 6. Sewer and water service lines and improvements;
 - 7. Underground utilities;
 - 8. Street lights;
 - 9. Street trees and landscaping;
 - 10. Parks and open space; and
 - 11. The Urban Design Elements shown on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*, for sites within the Clackamas Regional Center Area shown on

Comprehensive Plan Map X-CRC-1, *Clackamas Regional Center Area Design Plan, Regional Center, Corridors and Station Community.*

- E. Road and Access Easement Vacations: Road vacations shall be prohibited in developments unless replaced with a new road or walkway that serves the same function. The replacement does not have to be in the same alignment as long as it provides access to the same areas the vacated road would have if constructed.
- F. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

[Amended by Ord. ZDO-224, 5/31/11]