

606 BUSINESS PARK DISTRICT (BP)

606.01 PURPOSE

Section 606 is adopted to implement the policies of the Comprehensive Plan for Business Park areas.

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

606.02 AREA OF APPLICATION

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

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

606.03 PRIMARY USES

- A. Uses: The following uses may be established when they comply with Subsections 606.03(B) through (H):
1. Research: Research offices and laboratories, including testing facilities;
 2. Offices: Corporate headquarters, regional headquarters, and administrative offices. Business service offices identified in Subsection 606.04(C) shall be allowed as accessory uses;
 3. Manufacturing Uses: Any manufacturing or assembly use, except primary processing of raw materials;
 4. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835. These uses shall not be subject to Subsections 606.03(B) through (H);
 5. Indoor recreational facilities for such sports as gymnastics, martial arts, soccer, basketball, and skating. These facilities may be used for instruction, practice, and competitions. Health and fitness clubs are specifically excluded; and
 6. Any use that the Planning Director finds to be compatible with one or more of those specified above, provided the use satisfies the purposes and performance standards of the Business Park District. In determining the status of a proposed use, the Planning Director shall exclude prohibited uses under Subsection 606.07, conditional uses under Subsection 606.06 and accessory uses under Subsection 606.04. A request for a determination under Subsection 606.03(A)(6) shall be processed as an Interpretation pursuant to Subsection 1305.03. Application for an interpretation under this provision shall include a detailed description of

the use and operational requirements of the use, approximate number of employees, estimated volume of truck traffic to be generated, a site plan, building elevations, and preliminary landscaping plans.

- B. Site Plan and Design: Structures, circulation, parking, loading, and landscaping shall be designed to:
1. Avoid undue disturbance of significant vegetation, slopes, stream corridors, and floodplains;
 2. Incorporate and use significant natural features to enhance the quality of the development and preserve the visual character of the site;
 3. Project a positive image as viewed from both inside and outside the site; and
 4. Minimize the impact of truck loading and maneuvering areas.
- C. Building Types and Design: The use shall occupy only the types of buildings described below:
1. Office Buildings having the following characteristics:
 - a. Are designed by an architect for the specific site to accomplish the objectives of Subsection 606.03(B);
 - b. Are generally two or more stories in height;
 - c. Provide for natural light penetration into work areas using such features as windows, skylights, atriums, and courtyards;
 - d. Have distinctive public entrances;
 - e. Use high-image exterior materials and finishes such as masonry, architecturally treated tilt-up concrete, glass, wood, or stucco;
 - f. Devote no more than 20 percent of the floor area exclusively to storage. Uses exempt from this standard include those providing storage and retrieval of records/information, needing additional storage for materials and finished products produced in the same building, and similar uses.
 2. Multi-use and multi-tenant buildings having the following characteristics:
 - a. Are designed for the specific site to accomplish the objectives of Subsection 606.03(B);
 - b. Are generally one to three stories in height;

- c. May be designed to facilitate internal alterations to accommodate changes in spatial needs over a period of time (i.e. "flex-space" design);
 - d. Incorporate architectural features, including distinctive entrances to office or lobby areas of the building;
 - e. Provide for natural light penetration into office areas;
 - f. Use exterior materials and finishes such as masonry or tilt-up concrete, with materials such as wood, stucco, or glass panels used to create texture and visual interest;
 - g. Are designed to accommodate either a number of tenants in one structure, or a single tenant that has various space needs, such as office, research, assembly, and storage.
- D. Outdoor Storage and Process Areas: No outdoor storage of materials or products shall be allowed. No outdoor processes shall be employed in the operation of the business. Waste and recycle receptacles shall be maintained within an enclosed structure.
- E. Display Areas: All display areas shall be located within an office, multi-use, or multi-tenant building. No outdoor display areas shall be allowed.
- F. Transportation Requirements: Loading areas shall be located to the side or rear of buildings unless topography, natural features, rail service, or other requirements of this section dictate front-yard loading bays. Loading dock areas shall be recessed, screened, or otherwise designed to buffer this use from adjacent properties and roads. The use shall provide good access to a road of at least a collector classification and shall not draw traffic through a local residential street.
- G. Operational Impacts:
- 1. The operation of the use shall not produce noise, odors, fumes, gases, or vibrations that exceed the standards of the Oregon Department of Environmental Quality.
 - 2. No hazardous materials in quantities classified under Group H, Division 1 or Division 2 Occupancies under the Oregon Structural Specialty Code shall be stored or used on the premises, except as specifically approved pursuant to Subsection 606.06.

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

606.04 ACCESSORY USES

The following are allowed as accessory uses in the Business Park District:

- A. Incidental Uses: Structures and uses customarily accessory and incidental to a primary use, such as:
1. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
 2. Bus shelters, subject to Section 823;
 3. Pedestrian amenities;
 4. Solar energy systems;
 5. Rainwater collection systems;
 6. Electric vehicle charging stations;
 7. Satellite dishes, provided such use is buffered from periphery and internal circulation roads;
 8. Utility carrier cabinets, subject to Section 830;
 9. Signs, subject to Section 1010;
 10. Employee lounges, indoor recreation areas and facilities, and cafeterias;
 11. Outdoor recreational facilities for employees, such as tennis courts, jogging and exercise courses, playfields, and similar uses;
 12. Signs identifying the developer, contractor, or real estate agency responsible for leasing or selling land or buildings within the project. Such signs shall be removed upon sale or lease of the premises advertised;
 13. Parking structures;
 14. Indoor areas for display and sale of products manufactured by the same business occupying the premises, provided that the floor area of such display area constitutes no more than 10 percent of the floor area of the primary use, or no more than 3,000 square feet, whichever is less; and
 15. 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.

- B. Warehouse Structures: Within a planned business park site area occupying at least 10 acres, separate warehouse or storage structures in conjunction with a primary use may be developed concurrently with or after the primary use provided that:
1. The warehouse shall be located on a site with easy access to periphery roads where impacts on other uses may be minimized, and the use shall satisfy the loading area requirements of Subsection 606.03(F).
 2. Such structures shall be compatible with the primary use structure(s) on the site in the use of materials and design.
- C. Business Services: Service uses customarily provided within a business park to serve the needs of other businesses shall be allowed when such accessory uses constitute no more than 10 percent of the developed floor area of the development. Such limited uses shall be integrated within structures that also house primary uses. Such uses may include the following:
1. Employment agencies;
 2. Real estate offices specializing in commercial or industrial properties;
 3. Delicatessens, pastry shops, cafes, and takeout food services offering breakfast and/or lunch items; and
 4. Any use that the Planning Director finds to be similar to one or more of those specified in Subsections 606.04(C)(1) through (3). A request for a determination under Subsection 606.04(C)(4) shall be processed as an Interpretation pursuant to Subsection 1305.03.
- D. Level one mobile vending units, subject to Section 837.

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

606.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

The following use may be approved by the Planning Director pursuant to Subsection 1305.02:

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

606.06 CONDITIONAL USES

- A. Criteria: Conditional uses may be approved subject to Section 1203 and any applicable provisions of Section 800. In addition, the proposed use:

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1. Shall have minimal adverse impact on the appropriate development of primary uses on abutting properties and the surrounding area considering location, size, design, and operating characteristics of the use;
 2. Shall not create offensive odor, dust, smoke, fumes, noise, glare, heat, vibrations, or truck traffic that are incompatible with primary uses allowed in this district;
 3. Shall be located on a site occupied by a primary use and/or in a structure that is compatible with the character and scale of uses allowed within the district; and
 4. Shall provide vehicular and pedestrian access, circulation, parking, and loading areas that are compatible with similar facilities for uses on the same site or adjacent sites.
- B. Uses: The following uses are allowed subject to the above criteria:
1. Heliports;
 2. Uses that comply with Subsections 606.03(A) through (G) but require the storage or use of potentially hazardous materials in quantities classified as Group H, Division 1 or Division 2 Occupancies under the Oregon Structural Specialty Code;
 3. Daycare facilities, subject to Section 807;
 4. Business or vocational schools and college or university extension facilities;
 5. City, county, state, federal, or municipal corporation uses or buildings, telephone exchanges, railroad right-of-way, public utility facilities, fire stations and associated uses;
 6. Indoor and outdoor arenas and stadiums;
 7. Radio and television transmission and receiving towers and earth stations, provided that the base of such towers shall be not closer to the property line than a distance equal to the height of the tower;
 8. Destination restaurants that comply with Subsection 1016.05(B)(4) and provide lunch service;
 9. Hotels and associated convention facilities, gift shops, and restaurants; and
 10. Multi-use developments, subject to Section 1016;

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

606.07 PROHIBITED AND PREEXISTING USES

A. Prohibited Uses: The following uses are prohibited in the Business Park District (BP):

1. Uses that do not comply with Subsections 606.03(B) through (G), except as approved pursuant to Subsection 606.06;
2. Separate warehouse and distribution structures and activities, except as allowed in Subsection 606.04(B);
3. Motor freight terminals;
4. Auto or truck storage or repair;
5. Uses identified as conditional uses in the Light Industrial or General Industrial Districts but not as a conditional use in the BP District;
6. Retail and service commercial uses except as allowed in Subsections 606.04(C) or 606.06(B).

B. Preexisting Uses:

1. Preexisting single-family dwellings shall be allowed to remodel or expand without review under Section 1206.
2. Any change in the use of a preexisting dwelling shall be subject to all requirements for new developments in the BP District, except as approved pursuant to Subsection 1204.01.
3. No minimum lot size shall be required for a lot containing a preexisting dwelling.
4. Preexisting dwellings and their accessory structures shall comply with the setback standards of Section 301.
5. All other preexisting uses and structures not allowed by this section shall be nonconforming uses subject to Section 1206.

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

606.08 DIMENSIONAL STANDARDS

A. Purpose: The dimensional standards are intended to:

1. Assure that developments have a positive image and attractive appearance from within the site, from public roads, and from adjacent properties;

2. Encourage the retention of large sites and their development in a coordinated, pleasing, and efficient manner;
 3. Ensure that the minimum operational requirements of the development are provided on-site; and
 4. Establish the maximum limits of development.
- B. Site Area Requirements: A "site area" for purposes of this section shall be the total land area to be developed as a unit, prior to the creation of any new parcels or lots within the land area. A site area may be either of the following:
1. A single tax lot, or two or more contiguous tax lots, under the same ownership; or
 2. Two or more contiguous tax lots under separate ownership, provided that:
 - a. All individual property owners are members of a group formed for the purpose of developing the properties as a single planned development; and
 - b. All individual tax lot ownerships are converted into development shares, or other satisfactory arrangement, allowing all lots to be combined into one lot prior to any building permit being issued for the project.
- C. Site Area Standards: The following standards shall apply:
1. Minimum Site Area: Developments shall have a minimum site area of three acres.
 2. Preexisting Undersized Site Areas: Developments may be established on a site of less than three acres if the site is physically separated from all other undeveloped or underdeveloped properties in this district.
 3. Property Line Adjustments and Land Divisions: Design review approval pursuant to Section 1102 of the overall development plan for the site area, including access, circulation, parking, landscaping, and proposed building locations, shall be required prior to the approval of a property line adjustment or division of land.
- D. Setback Requirements: For purposes of Section 604, a "perimeter access road" shall be any state, county, or public road that provides access to the site area, and an "internal circulation road" shall be any public or private roadway that provides direct access to more than one use, building, or parcel within a site area but not including connecting driveways within or between parking areas.

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1. **Minimum Rear and Side Perimeter Access Road Setbacks:** A minimum 30-foot setback shall be maintained between structures in a development and any perimeter access road, except:
 - a. An additional five feet of setback shall be required for each five feet, or portion thereof, of building height over 35 feet.
 - b. No setback shall be required between a structure and any railroad right-of-way.
 2. **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.
 3. **Minimum Perimeter Side and Rear Yard Setbacks:** A 20-foot setback shall be required between any structure and a side or rear perimeter line, except when a site area abuts an Urban Low Density Residential zoning district. A 50-foot setback shall be required between any structure and the boundary of the residential zoning district.
 4. **Minimum Internal Site Setbacks:** A 20-foot setback shall be required between buildings within a site area and between any building and an internal circulation road.
 5. **Perimeter Landscaping:** Within the perimeter setback, a landscaped strip at least 20 feet wide shall be provided.
- E. **Minimum Street Frontage:** A site area shall have a minimum of 100 feet of street frontage on a public, county, or state perimeter access road.
- F. **Minimum Landscaping Area:** 20 percent of the lot.
- G. **Maximum Building Height:** 55 feet.
- H. **Exceptions to General Requirements:** The requirements of Subsection 606.08 are not subject to modification under Section 900. However, these requirements may be modified pursuant to Section 1205.

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

606.09 DEVELOPMENT STANDARDS

All development is subject to Sections 1000 and 1100 and Subsections 606.03(B) through (G). In addition, the following shall apply:

- A. **General:** Development is subject to the applicable provisions of Sections 1000 and 1100.

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- B. Master Plan: All developments within the Business Park District shall be reviewed and developed under a master plan which addresses the performance standards of Section 606 and Section 1000.
- C. Community and Design Plans: All 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 or Design Plan.
- D. Fences: Street perimeter fences or walls and guard posts shall meet a minimum setback of 30 feet and shall be of a material, color, and design complementary to the development and to adjoining properties and public access roads.
- E. Signing: Section 1010 and the following shall apply:
 - 1. Perimeter Street Signs: One sign oriented toward offsite traffic may be provided at each public access point from a county or state road. Such signs shall comply with the following requirements:
 - a. Shall not exceed 60 square feet in area;
 - b. Shall not exceed five feet in height;
 - c. Shall use materials and design elements that are complementary to those used in the development.
- 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]