

Oregon City Municipal Code

Chapter 17.34 MUD Mixed Use Downtown District

Deletions shown with ~~strikeouts~~, additions and new standards shown with underline, relative to existing standards. Changes from the last set of proposed code amendments are shown in red.

17.34.010 - Designated.

The mixed-use downtown (MUD) district is designed to apply within the traditional downtown core along Main Street and includes the "north-end" area, generally between 5th Street and Abernethy Street, and some of the area bordering McLoughlin Boulevard. Land uses are characterized by high-volume establishments constructed at the human scale such as retail, service, office, multi-family residential, lodging or similar as defined by the community development director. A mix of high-density residential, office and retail uses are encouraged in this district, with retail and service uses on the ground floor and office and residential uses on the upper floors. The emphasis is on those uses that encourage pedestrian and transit use. This district includes a Downtown Design District overlay for the historic downtown area. Retail and service uses on the ground floor and office and residential uses on the upper floors are encouraged in this district. The design standards for this sub-district require a continuous storefront façade featuring streetscape amenities to enhance the active and attractive pedestrian environment.

17.34.020 - Permitted uses.

Permitted uses in the MUD district are defined as:

- ~~A. Any use permitted in the mixed-use corridor without a size limitation, unless otherwise restricted in Sections 17.34.020, 17.34.030 or 17.34.040;~~
- A. Banquet, conference facilities and meeting rooms;
- B. Bed and breakfast/boarding houses, hotels, motels, and other lodging facilities;
- C. Child care centers and/or nursery schools;
- D. Indoor entertainment centers and arcades;
- E. Health and fitness clubs;
- F. Medical and dental clinics, outpatient; infirmary services;
- G. Museums, libraries and cultural facilities;
- H. Offices, including finance, insurance, real estate and government;

- I. Outdoor markets, such as produce stands, craft markets and farmers markets that are operated on the weekends and after six p.m. during the weekday;
- J. Postal services;
- K. Parks, playgrounds, play fields and community or neighborhood centers;
- L. Repair shops, for radio and television, office equipment, bicycles, electronic equipment, shoes and small appliances and equipment;
- M. Multifamily and 3-4 plex residential;
- N. Restaurants, eating and drinking establishments without a drive through;
- O. Services, including personal, professional, educational and financial services; laundry and dry-cleaning;
- E. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores provided the maximum footprint of a freestanding building with a single store does not exceed sixty thousand square feet (a freestanding building over sixty thousand square feet is allowed as long as the building contains multiple stores);
- Q. Seasonal sales;
- R. Residential care facilities, Assisted living facilities; nursing homes and group homes for over fifteen patients licensed by the state;
- S. Studios and galleries, including dance, art, photography, music and other arts;
- T. Utilities: Basic and linear facilities, such as water, sewer, power, telephone, cable, electrical and natural gas lines, not including major facilities such as sewage and water treatment plants, pump stations, water tanks, telephone exchanges and cell towers;
- U. Veterinary clinics or pet hospitals, pet day care;
- V. Home occupations;
- W. Research and development activities;
- X. Temporary real estate offices in model dwellings located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;
- Y. Transportation facilities;
- Z. Live/work dwellings;
- AA. After-hours public parking;
- BB. Marinas;
- CC. Religious institutions;
- ~~E. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores provided the maximum footprint of a freestanding building with a single store does not exceed sixty thousand square feet (a freestanding building over sixty thousand square feet is allowed as long as the building contains multiple stores);~~
- ~~F. Live/work units.~~

17.34.030 - Conditional uses.

The following uses are permitted in this district when authorized and in accordance with the process and standards contained in ~~Chapter~~ OCMC 17.56.

- A. ~~Ancillary drive-in or d~~Drive-through facilities;
- B. Emergency services;
- C. Hospitals;
- D. Outdoor markets that do not meet the criteria of OCMCSection 17.34.020.L;
- E. Parks, playgrounds, play fields and community or neighborhood centers;
- F. Parking structures and lots not in conjunction with a primary use on private property, excluding after-hours public parking;
- G. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies and specialty stores in a freestanding building with a single store exceeding a foot print of sixty thousand square feet;
- H. Public facilities such as sewage and water treatment plants, water towers and recycling and resource recovery centers;
- I. Public utilities and services such as pump stations and sub-stations;
- J. Distributing, wholesaling and warehousing;
- K. Gas stations;
- L. Public and or private educational or training facilities;
- M. Stadiums and arenas;
- N. Passenger terminals (water, auto, bus, train);
- O. Recycling center and/or solid waste facility-;
- P. Shelters, except within the Downtown Design District.

17.34.040 - Prohibited uses.

The following uses are prohibited in the MUD district:

- A. Kennels;
- B. Outdoor storage and sales, not including outdoor markets allowed in OCMCSection 17.34.030;
- C. Self-service storage;
- D. Single-Family attached and detached ~~two-family~~ residential units and duplexes;
- E. Motor vehicle and recreational vehicle repair/service;
- F. Motor vehicle and recreational vehicle sales and incidental service;

- G. Heavy equipment service, repair, sales, storage or rental² (including but not limited to construction equipment and machinery and farming equipment);
- H. Marijuana production, processing, wholesaling, research, testing, and laboratories, ~~pursuant to Section 17.54.110;~~
- I. Mobile food carts, except with a special event permit;
- J. Shelters within the Downtown Design District.

17.34.050 - Pre-existing industrial uses.

Tax lot 5400 located at Clackamas County Tax Assessors Map #22E20DD, Tax Lots 100 and two hundred located on Clackamas County Tax Assessors Map #22E30DD and Tax Lot 700 located on Clackamas County Tax Assessors Map #22E29CB have special provisions for industrial uses. These properties may maintain and expand their industrial uses on existing tax lots. A change in use is allowed as long as there is no greater impact on the area than the existing use.

17.34.060 - Mixed-use downtown dimensional standards—For properties located outside of the downtown design district.

- A. Minimum lot area: None.
- B. Minimum floor area ratio: 0.30.
- C. Minimum building height: Twenty-five feet or two stories except for accessory structures or buildings under one thousand square feet.
- D. Maximum building height: Seventy-five feet, except for the following locations where the maximum building height shall be forty-five feet:
 - 1. Properties between Main Street and McLoughlin Boulevard and 11th and 16th streets;
 - 2. Property within five hundred feet of the End of the Oregon Trail Center property; ~~and~~
 - 3. Property ~~within one hundred feet of~~ abutting a single-family detached or attached units.
- E. Minimum required setbacks, if not abutting a residential zone: None.
- F. Minimum required interior side yard and rear yard setback if abutting a residential zone: Fifteen feet, plus one additional foot in yard setback for every two feet in height over thirty-five feet.
- G. Maximum Allowed Setbacks.
 - 1. Front yard: Twenty feet ~~provided the site plan and design review requirements of Section OCMC 17.62.055 are met.~~
 - 2. Interior side yard: No maximum.

3. Corner side yard abutting street: Twenty feet ~~provided the site plan and design review requirements of Section OCMC 17.62.055 are met.~~
4. Rear yard: No maximum.
5. Rear yard abutting street: Twenty feet ~~provided the site plan and design review requirements of Section OCMC 17.62.055 are met.~~
- H. Maximum site coverage including the building and parking lot: Ninety percent.
- I. Minimum landscape requirement (including parking lot): Ten percent.
- J. Residential minimum net density of 17.4 units per acre, except that no minimum net density shall apply to residential uses proposed above nonresidential uses in a vertical mixed-use configuration or to live/work dwellings.

17.34.070 - Mixed-use downtown dimensional standards—For properties located within the downtown design district.

- A. Minimum lot area: None.
- B. Minimum floor area ratio: 0.5.
- C. Minimum building height: Twenty-five feet or two stories except for accessory structures or buildings under one thousand square feet.
- D. Maximum building height: Fifty-eight feet.
- E. Minimum required setbacks, if not abutting a residential zone: None.
- F. Minimum required interior and rear yard setback if abutting a residential zone: Twenty feet, plus one foot additional yard setback for every three feet in building height over thirty-five feet.
- G. Maximum Allowed Setbacks.
 1. Front yard setback: Ten feet ~~provided the site plan and design review requirements of Section OCMC 17.62.055 are met.~~
 2. Interior side yard setback: No maximum.
 3. Corner side yard setback abutting street: Ten feet ~~provided the site plan and design review requirements of Section OCMC 17.62.055 are met.~~
 4. Rear yard setback: No maximum.
 5. Rear yard setback abutting street: Ten feet ~~provided the site plan and design review requirements of Section OCMC 17.62.055 are met.~~
- H. Maximum site coverage of the building and parking lot: ~~One hundred~~ 95 Ninety-five percent.
- I. ~~Minimum Landscape Requirement. Development within the downtown design district overlay is exempt from required landscaping standards in Section 17.62.050A.1. However, landscaping features or other amenities are required, which may be in the form of planters, hanging baskets and architectural features such as benches and water fountains that are supportive of the pedestrian environment. Where possible, landscaped areas are encouraged to facilitate continuity of landscape design. Street trees and parking lot trees are required and shall be provided per the~~

~~standards of Chapter 12.08 and Chapter 17.52.~~ Minimum landscape requirement (including parking lot): 5 percent.

J. Residential minimum net density of 17.4 units per acre, except that no minimum net density shall apply to residential uses proposed above nonresidential uses in a vertical mixed-use configuration or to live/work dwellings.

17.34.080 - Explanation of certain standards.

A. Floor Area Ratio (FAR).

1. Purpose. Floor area ratios are a tool for regulating the intensity of development. Minimum FARs help to achieve more intensive forms of building development in areas appropriate for larger-scale buildings and higher residential densities.
2. Standards.
 - a. The minimum floor area ratios contained in ~~Sections~~ OCMC 17.34.060 and 17.34.070 apply to all non-residential and mixed-use building developments.
 - b. Required minimum FARs shall be calculated on a project-by-project basis and may include multiple contiguous blocks. In mixed-use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FARs.
 - c. An individual phase of a project shall be permitted to develop below the required minimum floor area ratio provided the applicant demonstrates, through covenants applied to the remainder of the site or project or through other binding legal mechanism, that the required density for the project will be achieved at project build out.

B. Building height.

1. Purpose.
 - a. The Masonic Hall is currently the tallest building in downtown Oregon City, with a height of fifty-eight feet measured from Main Street. The maximum building height limit of fifty-eight feet will ensure that no new building will be taller than the Masonic Hall.
 - b. A minimum two-story (twenty-five feet) building height is established for the Downtown Design District Overlay sub-district to ensure that the traditional building scale for the downtown area is maintained.