CHAPTER 33.920
DESCRIPTIONS OF THE USE CATEGORIES

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Introduction to the Use Categories

33.920.010 Purpose

This Chapter classifies land uses and activities into use categories on the basis of common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and certain site factors. The use categories provide a systematic basis for assignment of present and future uses to zones. The decision to allow or prohibit the use categories in the various zones is based on the goals and policies of the Comprehensive Plan.

33.920.020 Category Titles

The names of the use categories start with capital letters throughout this Title.

33.920.030 Classification of Uses

A. Considerations.

1. Uses are assigned to the category whose description most closely describes the nature of the primary use. The "Characteristics" subsection of each use category describes the characteristics of each use category. Developments may have more than one primary use. Developments may also have one or more accessory uses. Developments with more than one primary use are addressed in Subsection B. below. Accessory uses are addressed in Subsection C. below.

2. The following items are considered to determine what use category the use is in, and whether the activities constitute primary uses or accessory uses:
   - The description of the activity(ies) in relationship to the characteristics of each use category;
   - The relative amount of site or floor space and equipment devoted to the activity;
   - Relative amounts of sales from each activity;
   - The customer type for each activity;
   - The relative number of employees in each activity;
   - Hours of operation;
   - Building and site arrangement;
   - Vehicles used with the activity;
   - The relative number of vehicle trips generated by the activity;
   - Signs;
   - How the use advertises itself; and
   - Whether the activity would be likely to be found independent of the other activities on the site.

B. Developments with multiple primary uses. When all the primary uses of a development fall within one use category, then the development is assigned to that use category. For example, a development that contains a retail bakery and a cafe would be classified in the Retail Sales And Service category because all the primary uses are in that category. When the primary uses of a development fall within different use categories, each primary use is classified in the applicable category and is subject to the regulations for that category.

C. Accessory uses. Accessory uses are allowed by right in conjunction with the use unless stated otherwise in the regulations. Also, unless otherwise stated, they are subject to the same regulations as the primary use. Common accessory uses are listed as examples with the categories.

D. Use of examples. The "Examples" subsection of each use category provides a list of examples of uses that are included in the use category. The names of uses on the lists are generic. They are based on the common meaning of the terms and not on what a specific use may call itself. For example, a use whose business name is "Wholesale Liquidation" but that sells mostly to consumers, would be included in the Retail Sales And Service category rather than the Wholesale Sales category. This is because the actual activity on the site matches the description of the Retail Sales And Service category.

Residential Use Categories

33.920.100 Group Living

A. Characteristics. Group Living is characterized by the residential occupancy of a structure by a group of people who do not meet the definition of Household Living. The size of the group will be larger than the average size of a household. Tenancy is arranged on a month-to-month basis, or for a longer period. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Retail Sales And Service and Community Service categories). Generally, Group Living structures have a common eating area for residents. The residents may or may not receive any combination of care, training, or treatment, as long as they also reside at the site. Group Living may include the State definition of residential facility (see Chapter 33.910, Definitions).

B. Accessory Uses. Accessory uses commonly found are recreational facilities, parking of autos for the occupants and staff, parking of vehicles for the facility, and food membership distribution.

C. Examples. Examples include dormitories; communes; fraternities and sororities; monasteries and convents; nursing and convalescent homes; some group homes for the physically disabled, mentally retarded, or emotionally disturbed; some residential programs for drug and alcohol treatment; and alternative or post incarceration facilities.

D. Exceptions.

1. Lodging where tenancy may be arranged for periods less than one month is considered a hotel or motel use and is classified in the Retail Sales And Service category. However, in certain situations, lodging where tenancy may be arranged for periods less than one month may be classified as a Community Service use such as short term housing or mass shelters.

2. Lodging where the residents meet the definition of Household, and where tenancy is arranged on a month-to-month basis, or for a longer period is classified as Household Living.

3. Facilities for people who are under judicial detainment and are under the supervision of sworn officers are included in the Detention Facilities category.

33.920.110 Household Living

A. Characteristics. Household Living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month basis, or for a longer period. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Retail Sales And Service and Community Service categories). Apartment complexes that have accessory services such as food service, dining rooms, and housekeeping are included as Household Living. Single Room Occupancy housing (SROs), that do not have totally self-contained dwelling units are also included if at least two thirds of the units are rented on a monthly basis. SROs may have a common food preparation area, but meals are prepared individually by the residents. In addition, residential homes as defined by the State of Oregon are included in the Household Living category (see Chapter 33.910, Definitions).

B. Accessory Uses. Accessory uses commonly found are recreational activities, raising of pets, hobbies, and parking of the occupants' vehicles. Home occupations, accessory dwelling units, accessory short-term rentals, and food membership distribution are accessory uses that are subject to additional regulations.

C. Examples. Uses include living in houses, duplexes, apartments, condominiums, retirement center apartments, manufactured housing, houseboats, and other structures with self-contained dwelling units. Examples also include living in SROs if the provisions are met regarding length of stay and separate meal preparation.

D. Exceptions.

1. Lodging in a dwelling unit or SRO where less than two thirds of the units are rented on a monthly basis is considered a hotel or motel use and is classified in the Retail Sales And Service category.

2. SROs that contain programs which include common dining are classified as Group Living.

3. Guest houses that contain kitchen facilities are prohibited as accessory to Household Living uses.

4. In certain situations, lodging where tenancy may be arranged for periods less than one month may be classified as a Community Service use, such as short term housing or mass shelter.

Commercial Use Categories

33.920.200 Commercial Outdoor Recreation

A. Characteristics. Commercial Outdoor Recreation uses are large, generally commercial uses that provide continuous recreation or entertainment oriented activities. They generally take place outdoors. They may take place in a number of structures which are arranged together in an outdoor setting.

B. Accessory Uses. Accessory uses may include concessions, restaurants, parking, caretaker's quarters, food membership distribution, and maintenance facilities.

C. Examples. Examples include amusement parks, theme parks, golf driving ranges, miniature golf facilities, zoos, and marinas.

D. Exceptions.

1. Golf courses are classified as Parks And Open Space.

2. Uses which draw large numbers of people to periodic events, rather than on a continuous basis, are classified as Major Event Entertainment.

33.920.210 Commercial Parking

A. Characteristics. Commercial Parking facilities provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Commercial Parking facility.

B. Accessory Uses. In a parking structure only, accessory uses may include gasoline sales, car washing, food membership distribution, and vehicle repair activities if these uses provide service to autos parked in the garage, and not towards general traffic.

C. Examples. Examples include short- and long-term fee parking facilities, commercial district shared parking lots, commercial shuttle parking, and mixed parking lots (partially for a specific use, partly for rent to others).

D. Exceptions.

1. Parking facilities that are accessory to a use, but which charge the public to park for occasional events nearby, are not considered Commercial Parking facilities.

2. Parking facilities that are accessory to a primary use are not considered Commercial Parking uses, even if the operator leases the facility to the primary use or charges a fee to the individuals who park in the facility. See Accessory Parking Facilities in Chapter 33.910, Definitions.

3. Public transit park-and-ride facilities are classified as Community Services.

33.920.220 Quick Vehicle Servicing

A. Characteristics. Quick Vehicle Servicing uses provide direct services for motor vehicles where the driver generally waits in the car before and while the service is performed. The development will include a drive-through facility, the area where the service is performed (see 33.910, Definitions.) Full-serve and mini-serve gas stations are always classified as a primary use (Quick Vehicle Servicing), rather than an accessory use, even when they are in conjunction with other uses.

B. Accessory Uses. Accessory uses may include auto repair, food membership distribution, and tire sales.

C. Examples. Examples include full-serve and mini-serve gas stations, unattended card key stations, car washes, quick lubrication services, and Department of Environmental Quality vehicle emission test sites.

D. Exceptions.

1. Truck stops are classified as Industrial Service.

2. Refueling facilities for the vehicles that belong to a specific use (fleet vehicles) which are on the site where the vehicles are kept, are accessory to the use.

33.920.230 Major Event Entertainment

A. Characteristics. Major Event Entertainment uses are characterized by activities and structures that draw large numbers of people to specific events or shows. Activities are generally of a spectator nature.

B. Accessory Uses. Accessory uses may include restaurants, bars, concessions, parking, food membership distribution, and maintenance facilities.

C. Examples. Examples include stadiums, sports arenas, coliseums, race tracks (auto, horse, dog, etc.), auditoriums, exhibition and meeting areas, and fairgrounds.

D. Exceptions.

1. Exhibition and meeting areas with less than 20,000 square feet of total event area are classified as Retail Sales And Service.

2. Banquet halls that are part of hotels or restaurants are accessory to those uses, which are included in the Retail Sales And Service category.

3. Theaters, including drive-in theaters, are classified as Retail Sales And Service.

33.920.240 Office

A. Characteristics. Office uses are characterized by activities conducted in an office setting that focus on the provision of goods and services, usually by professionals. Traditional Office uses are characterized by activities that generally focus on business, government, professional, medical, or financial services. Industrial Office uses are characterized by activities that, while conducted in an office-like setting, are more compatible with industrial activities, businesses, and districts. Their operations are less service-oriented than Traditional Office uses and focus on the development, testing, production, processing, packaging, or assembly of goods and products, which may include digital products such as internet home pages, media content, designs and specifications, computer software, advertising materials, and others. They primarily provide products to other businesses. They do not require customers or clients to visit the site; any such visits are infrequent and incidental.

B. Accessory uses. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building. Accessory uses may also include food membership distribution.

C. Examples. Examples include uses from the two subgroups listed below:

1. Traditional Office: Professional services such as lawyers or accountants; financial businesses such as lenders, brokerage houses, bank headquarters, or

real estate agents; sales offices; government offices and public utility offices; medical and dental clinics, and blood collection facilities.

2. Industrial Office: Software and internet content development and publishing; computer systems design and programming; graphic and industrial design; engineers; architects; telecommunication service providers; data processing; television, video, radio, and internet studios and broadcasting; scientific and technical services; and medical and dental labs.

D. Exceptions.

1. Offices that are part of and are located with a firm in another category are considered accessory to the firm's primary activity. Headquarters offices, when in conjunction with or adjacent to a primary use in another category, are considered part of the other category.

2. Contractors and others who perform services off-site are included in the Office category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.

33.920.250 Retail Sales And Service

A. Characteristics. Retail Sales and Service firms are involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.

B. Accessory uses. Accessory uses may include offices, storage of goods, manufacture or repackaging of goods for on-site sale, food membership distribution, and parking.

C. Examples. Examples include uses from the four subgroups listed below:

1. Sales-oriented: Stores selling, leasing, or renting consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationery, and videos; food sales, and Farmers Markets; and sales or leasing of consumer vehicles including passenger vehicles, motorcycles, light and medium trucks, and other recreational vehicles.

2. Personal service-oriented: Branch banks; urgency medical care; laundromats; photographic studios; photocopy and blueprint services; hair, tanning, and personal care services; business, martial arts, and other trade schools; dance or music classes; taxidermists; mortuaries; veterinarians; kennels limited to boarding, with no breeding; and animal grooming.

3. Entertainment-oriented: Restaurants, cafes, delicatessens, taverns, and bars; indoor or outdoor continuous entertainment activities such as bowling alleys, ice rinks, and game arcades; pool halls; indoor firing ranges; theaters, health clubs, gyms, membership clubs, and lodges; hotels, motels, recreational vehicle parks, and other temporary lodging with an average length of stay of less than 30 days.

4. Repair-oriented: Repair of TVs, bicycles, clocks, watches, shoes, guns, appliances and office equipment; photo or laundry drop off; quick printing; recycling drop-off; tailor; locksmith; and upholsterer.

D. Exceptions.

1. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Sales.

2. Sales of landscape materials, including bark chips and compost, is classified as Industrial Service.

3. Repair and service of consumer motor vehicles, motorcycles, and light and medium trucks is classified as Vehicle Repair. Repair and service of industrial vehicles and equipment, and heavy trucks is classified as Industrial Service.

4. Sales, rental, or leasing of heavy trucks and equipment is classified as Wholesale Sales.

5. Hotels, restaurants, and other services which are part of a truck stop are considered accessory to the truck stop which is classified as Industrial Service.

6. In certain situations, hotels and motels may be classified as a Community Service use, such as short term housing or mass shelter. See Community Services.

7. When kennels are limited to boarding, with no breeding, the applicant may choose to classify the use as Retail Sales And Service or Agriculture.

8. Trade schools where industrial vehicles and equipment, including heavy trucks, are operated are classified as Industrial Service.

33.920.260 Self-Service Storage

A. Characteristics. Self-Service Storage uses provide separate storage areas for individual or business uses. The storage areas are designed to allow private access by the tenant for storing or removing personal property.

B. Accessory uses. Accessory uses may include security and leasing offices and food membership distribution. Living quarters for one resident manager per site in the E and I zones are allowed. Other living quarters are subject to the regulations for Residential Uses in the base zones. Use of the storage areas for sales, service and repair operations, or manufacturing is not considered accessory to the Self-Service Storage use. The rental of trucks or equipment is also not considered accessory to a Self-Service Storage use.

C. Examples. Examples include single story and multistory facilities that provide individual storage areas for rent. These uses are also called miniwarehouses.

D. Exceptions. A transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred is in the Warehouse And Freight Movement category.

33.920.270 Vehicle Repair

A. Characteristics. Firms servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles. Generally, the customer does not wait at the site while the service or repair is being performed.

B Accessory Uses. Accessory uses may include offices, sales of parts, vehicle storage, and food membership distribution.

C. Examples. Examples include vehicle repair, transmission or muffler shop, auto body shop, alignment shop, auto upholstery shop, auto detailing, and tire sales and mounting.

D. Exceptions. Repair and service of industrial vehicles and equipment, and of heavy trucks; towing and vehicle storage; and vehicle wrecking and salvage are classified as Industrial Service.

Industrial Use Categories

33.920.300 Industrial Service

A. Characteristics. Industrial Service firms are engaged in the repair or servicing of industrial, business or consumer machinery, equipment, products or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.

B. Accessory uses. Accessory uses may include offices, food membership distribution, parking, storage, rail spur or lead lines, and docks.

C. Examples. Examples include welding shops; machine shops; tool repair; electric motor repair; repair of scientific or professional instruments; sales, repair, storage, salvage or wrecking of heavy machinery, metal, and building materials; towing and vehicle storage; auto and truck salvage and wrecking; heavy truck servicing and repair; tire retreading or recapping; truck stops; building, heating, plumbing or electrical contractors; trade schools where industrial vehicles and equipment, including heavy trucks, are operated; printing, publishing and lithography; exterminators; recycling operations; janitorial and building maintenance services; fuel oil distributors; solid fuel yards; research and development laboratories; drydocks and the repair or dismantling of ships and barges; laundry, dry-cleaning, and carpet cleaning plants; and photofinishing laboratories.

D. Exceptions.

1. Contractors and others who perform services off-site are included in the Office category, if equipment and materials are not stored at the site, and fabrication, or similar work is not carried on at the site.

2. Hotels, restaurants, and other services which are part of a truck stop are considered accessory to the truck stop.

33.920.310 Manufacturing And Production

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

B. Accessory uses. Accessory uses may include offices, cafeterias, food membership distribution, parking, employee recreational facilities, warehouses, storage yards, rail spur or lead lines, docks, repair facilities, or truck fleets. Living quarters for one caretaker per site in the E and I zones are allowed. Other living quarters are subject to the regulations for Residential Uses in the base zones.

C. Examples. Examples include processing of food and related products; catering establishments; breweries, distilleries, and wineries; slaughter houses, and meat packing; feed lots and animal dipping; weaving or production of textiles or apparel; lumber mills, pulp and paper mills, and other wood products manufacturing; woodworking, including cabinet makers; production of chemical, rubber, leather, clay, bone, plastic, stone, or glass materials or products; movie production facilities; recording studios; ship and barge building; concrete batching and asphalt mixing; production or fabrication of metals or metal products including enameling and galvanizing; manufacture or assembly of machinery, equipment, instruments, including musical instruments, vehicles, appliances, precision items, and other electrical items; production of artwork and toys; sign making; production of prefabricated structures, including manufactured dwellings; and Utility Scale Energy production.

D. Exceptions.

1. Manufacturing of goods to be sold primarily on-site and to the general public are classified as Retail Sales And Service.

2. Manufacture and production of goods from composting organic material is classified as Waste-Related uses.

3. Small Scale Energy Production is a Basic Utility.

4. Solid waste incinerators that generate energy but do not meet the definition of Small Scale Energy Production are considered Waste Related Uses.

33.920.320 Railroad Yards

A. Characteristics. Railroad yards are areas that contain multiple railroad tracks used for rail car switching, assembling of trains, and transshipment of goods from other transportation modes to or from trains.

B. Accessory Uses. Accessory uses include offices, employee facilities, food membership distribution, storage areas, and rail car maintenance and repair facilities.

33.920.330 Warehouse And Freight Movement

A. Characteristics. Warehouse And Freight Movement firms are involved in the storage, or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present.

B. Accessory uses. Accessory uses may include offices, food membership distribution, truck fleet parking and maintenance areas, rail spur or lead lines, docks, and repackaging of goods.

C. Examples. Examples include separate warehouses used by retail stores such as furniture and appliance stores; household moving and general freight storage; cold storage plants, including frozen food lockers; storage of weapons and ammunition; major wholesale distribution centers; truck, marine, or air freight terminals; bus barns and light rail barns; parcel services; major post offices; grain terminals; and the stockpiling of sand, gravel, or other aggregate materials.

D. Exceptions.

1. Uses that involve the transfer or storage of solid or liquid wastes are classified as Waste-Related uses.

2. Miniwarehouses are classified as Self-Service Storage uses.

33.920.340 Waste-Related

A. Characteristics. Waste-Related uses are characterized by uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods from the biological decomposition of organic material. Waste-Related uses also include uses that receive hazardous wastes from others and are subject to the regulations of OAR 340.100-110, Hazardous Waste Management.

B. Accessory Uses. Accessory uses may include recycling of materials, offices, food membership distribution, and repackaging and transshipment of by-products.

C. Examples. Examples include sanitary landfills, limited use landfills, waste composting, solid waste incinerators that generate energy but do not meet the definition of Small Scale Energy Production, sewer treatment plants, portable sanitary collection equipment storage and pumping, and hazardous-waste-collection sites.

D. Exceptions.

1. Disposal of clean fill, as defined in OAR 340-093-0030, is considered a fill, not a Waste-Related use.

2. Infrastructure services that must be located in or near the area where the service is provided in order to function are considered Basic Utilities. Examples include sewer pipes that serve a development or water re-use pipes and tanks, pump stations, and collection stations necessary for the water re-use that serve a development or institution.

3. Small Scale Energy Production is considered a Basic Utility.

4. Utility Scale Energy Production, other than solid waste incinerators that generate energy, is considered a Manufacturing and Production Use.

33.920.350 Wholesale Sales

A. Characteristics. Wholesale Sales firms are involved in the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited as a result of the way in which the firm operates. Products may be picked up on site or delivered to the customer.

B. Accessory uses. Accessory uses may include offices, food membership distribution, product repair, warehouses, parking, minor fabrication services, and repackaging of goods.

C. Examples. Examples include sale or rental of machinery, equipment, heavy trucks, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures; mail order houses; and wholesalers of food, clothing, auto parts, building hardware, and office supplies.

D. Exceptions.

1. Firms that engage primarily in sales to the general public are classified as Retail Sales And Service.

2. Firms that engage in sales on a membership basis are classified as either Retail Sales And Service or Wholesale Sales, based on a consideration of the characteristics of the use.

3. Firms that are primarily storing goods with little on-site business activity are classified as Warehouse And Freight Movement.

Institutional Use Categories

33.920.400 Basic Utilities

A. Characteristics. Basic Utilities are infrastructure services which need to be located in or near the area where the service is provided. Basic Utility uses generally do not have regular employees at the site. Services may be public or privately provided. All public safety facilities are Basic Utilities.

B. Accessory uses. Accessory uses may include food membership distribution, parking; control, monitoring, data or transmission equipment; and holding cells within a police station.

C. Examples. Examples include water and sewer pump stations; sewage disposal and conveyance systems; electrical substations; water towers and reservoirs; Small Scale Energy Production, water quality and flow control facilities; water conveyance systems; water harvesting and re-use conveyance systems and pump stations; stormwater facilities and conveyance systems; telephone exchanges; mass transit stops or turn arounds, light rail stations, suspended cable transportation systems, transit centers; and public safety facilities, including fire and police stations, and emergency communication broadcast facilities.

D. Exceptions.

1. Services where people are generally present, other than mass transit stops or turn arounds, light rail stations, transit centers, and public safety facilities, are classified as Community Services or Offices.

2. Utility offices where employees or customers are generally present are classified as Offices.

3. Bus and light rail barns are classified as Warehouse And Freight Movement.

4. Public or private passageways, including easements, for the express purpose of transmitting or transporting electricity, gas, oil, water, sewage, communication signals, or other similar services on a regional level are classified as Rail Lines And Utility Corridors.

5. Utility Scale Energy Production is considered Manufacturing and Production.

6. Solid waste incinerators that generate energy but are not Small Scale Energy Production are considered Waste Related Uses.

33.920.410 Colleges

A. Characteristics. This category includes colleges and other institutions of higher learning which offer courses of general or specialized study leading to a degree. They are certified by the State Board of Higher Education or by a recognized accrediting agency. Colleges tend to be in campus-like settings or on multiple blocks.

B. Accessory Uses. Accessory uses include offices, housing for students, food service, food membership distribution, laboratories, health and sports facilities, theaters, meeting areas, parking, maintenance facilities, and support commercial.

C. Examples. Examples include universities, liberal arts colleges, community colleges, nursing and medical schools not accessory to a hospital, and seminaries.

D. Exceptions. Business and trade schools are classified as Retail Sales And Service.

33.920.420 Community Services

A. Characteristics. Community Services are uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on the site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community centers or facilities that have membership provisions are open to the general public to join at any time, (for instance, any senior citizen could join a senior center). The use may provide mass shelter or short term housing where tenancy may be arranged for periods of less than one month when operated by a public or non-profit agency. The use may also provide special counseling, education, or training of a public, nonprofit or charitable nature.

B. Accessory uses. Accessory uses may include offices, meeting areas, food preparation areas, food membership distribution, parking, health and therapy areas, daycare uses, and athletic facilities.

C. Examples. Examples include libraries, museums, senior centers, community centers, publicly owned swimming pools, youth club facilities, hospices, ambulance stations, drug and alcohol centers, social service facilities, mass shelters or short term housing when operated by a public or non-profit agency, vocational training for the physically or mentally disabled, crematoriums, columbariums, mausoleums, soup kitchens, park-and-ride facilities for mass transit, and surplus food distribution centers.

D. Exceptions.

1. Private lodges, clubs, and private or commercial athletic or health clubs are classified as Retail Sales And Service. Commercial museums (such as a wax museum) are in Retail Sales And Service.

2. Parks are in Parks And Open Areas.

3. Uses where tenancy is arranged on a month-to-month basis, or for a longer period are residential, and are classified as Household or Group Living.

4. Public safety facilities are classified as Basic Utilities.

33.920.430 Daycare

A. Characteristics. Daycare use includes day or evening care of two or more children outside of the children's homes, for a fee. Daycare uses also include the daytime care of teenagers or adults who need assistance or supervision.

B. Accessory Uses. Accessory uses include offices, food membership distribution, play areas, and parking.

C. Examples. Examples include preschools, nursery schools, latch key programs, and adult daycare programs.

D. Exceptions. Daycare use does not include care given by the parents, guardians, or relatives of the children, or by babysitters. Daycare use also does not include care given by a registered or certified family childcare provider as specified in ORS 657A.440 if the care is given to 16 or fewer children at any one time including the children of the provider. Family daycare is care regularly given in the family living quarters of the provider's home.

33.920.450 Medical Centers

A. Characteristics. Medical Centers includes uses providing medical or surgical care to patients and offering overnight care. Medical centers tend to be on multiple blocks or in campus settings.

B. Accessory uses. Accessory uses include out-patient clinics, offices, laboratories, teaching facilities, meeting areas, cafeterias, food membership distribution, parking, maintenance facilities, and housing facilities for staff or trainees.

C. Examples. Examples include hospitals and medical complexes that include hospitals.

D. Exceptions.

1. Uses that provide exclusive care and planned treatment or training for psychiatric, alcohol, or drug problems, where patients are residents of the program, are classified in the Group Living category.

2. Medical clinics that provide care where patients are generally not kept overnight are classified as Office.

3. Urgency medical care clinics are classified as Retail Sales And Service.

33.920.460 Parks And Open Areas

A. Characteristics. Parks And Open Areas are uses of land focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures.

B. Accessory uses. Accessory uses may include club houses, maintenance facilities, concessions, caretaker's quarters, food membership distribution, and parking.

C. Examples. Examples include parks, golf courses, cemeteries, public squares, plazas, recreational trails, botanical gardens, boat launching areas, nature preserves, Community Gardens, and land used for grazing that is not part of a farm or ranch.

33.920.470 Religious Institutions

A. Characteristics. Religious Institutions are intended to primarily provide meeting areas for religious activities.

B. Accessory uses. Accessory uses include Sunday school facilities, food membership distribution, parking, caretaker's housing, one transitional housing unit, and group living facilities such as convents. A transitional housing unit is a housing unit for one household where the average length of stay is less than 60 days.

C. Examples. Examples include churches, temples, synagogues, and mosques.

33.920.480 Schools

A. Characteristics. This category includes public and private schools at the primary, elementary, middle, junior high, or high school level that provide state mandated basic education.

B. Accessory uses. Accessory uses include play areas, cafeterias, recreational and sport facilities, athletic fields, auditoriums, food membership distribution, and before- or after-school daycare.

C. Examples. Examples include public and private daytime schools, boarding schools and military academies.

D. Exceptions.

1. Preschools are classified as Daycare uses.

2. Business and trade schools are classified as Retail Sales and Service.

Other Use Categories

33.920.500 Agriculture

A. Characteristics. Agriculture includes activities that raise, produce or keep plants or animals.

B. Accessory uses. Accessory uses include dwellings for proprietors and employees of the use, food membership distribution, and animal training.

C. Examples. Examples include breeding or raising of fowl or other animals, dairy farms, stables, riding academies, kennels or other animal boarding places, farming, truck gardening, forestry, tree farming, Market Gardens, and wholesale plant nurseries.

D. Exceptions.

1. Processing of animal or plant products, including milk, and feed lots, are classified as Manufacturing And Production.

2. Livestock auctions are classified as Wholesale Sales.

3. Plant nurseries that are oriented to retail sales are classified as Retail Sales And Service.

4. When kennels are limited to boarding, with no breeding, the applicant may choose to classify the use as Agriculture or Retail Sales And Service.

33.920.510 Aviation And Surface Passenger Terminals

A. Characteristics. Aviation And Surface Passenger Terminals includes facilities for the landing and takeoff of flying vehicles, including loading and unloading areas. Aviation facilities may be improved or unimproved. Aviation facilities may be for commercial carriers or for shared use by private aircraft. Aviation And Surface Passenger Terminals also includes passenger terminals for aircraft, regional bus service, regional rail service, and regional marine transportation.

B. Accessory uses. Accessory uses include freight handling areas, concessions, offices, parking, maintenance and fueling facilities, and aircraft sales areas, rental car facilities, food membership distribution, and Basic Utilities.

C. Examples. Examples include airports, bus passenger terminals for regional bus service, railroad passenger stations for regional rail service, passenger docks for regional marine travel such as ocean-going cruise ships, air strips, seaplane facilities, and helicopter landing facilities.

D. Exceptions.

1. Bus and rail passenger stations for subregional service such as mass transit stops are classified as Basic Utilities. Park-and-ride facilities are classified as Community Service.

2. Marine passenger docks for subregional marine travel such as Columbia River cruise ships, water taxis, or recreational boating; and other marine tie ups (such as the seawall between the Broadway bridge and the Hawthorne bridge) are not included in this category and are classified as accessory to their adjacent facilities. Marine passenger terminals that are accessory to marine freight terminals are classified as accessory facilities in the Warehouse And Freight Movement category.

3. Private helicopter landing facilities which are accessory to another use, are considered accessory uses. However, they are subject to all the regulations and approval criteria for helicopter landing facilities.

33.920.520 Detention Facilities

A. Characteristics. Detention Facilities includes facilities for the judicially required detention or incarceration of people. Inmates and detainees are under 24 hour supervision by peace officers, except when on an approved leave.

B. Accessory Uses. Accessory uses include offices, recreational and health facilities, therapy facilities, maintenance facilities, food membership distribution, and hobby and manufacturing activities.

C. Examples. Examples include prisons, jails, probation centers, and juvenile detention homes.

D. Exceptions. Programs that provide care and training or treatment for psychiatric, alcohol, or drug problems, where patients are residents of the program, but where patients are not supervised by peace officers are classified as Group Living. Programs that provide transitional living experience for former offenders, such as halfway houses, where residents are not supervised by peace officers, are also classified as Group Living.

33.920.530 Mining

A. Characteristics. Mining includes mining or extraction of mineral or aggregate resources from the ground for off-site use.

B. Accessory uses. Accessory uses include storage, sorting, stockpiling, or transfer off-site of the mined material

C. Examples. Examples include quarrying or dredging for sand, gravel or other aggregate materials; mining; and oil, gas, or geothermal drilling.

33.920.540 Radio Frequency Transmission Facilities

A. Characteristics. Radio Frequency Transmission Facilities includes all devices, equipment, machinery, structures or supporting elements necessary to produce nonionizing electromagnetic radiation within the range of frequencies from 100 KHz to 300 GHz and operating as a discrete unit to produce a signal or message. Towers may be self supporting, guyed, or mounted on poles or buildings.

B. Accessory Uses. Accessory use may include transmitter facility buildings.

C. Examples. Examples include Personal Wireless Service Facilities, Radio or Television Broadcast Facilities, broadcast towers, communication towers, point to point microwave towers, accessory equipment, antennas, and transmitter radios.

D. Exceptions.

1. Receive-only antenna are not included in this category.

2. Radio and television studios are classified in the Office category.

3. Radio Frequency Transmission Facilities that are public safety facilities are classified as Basic Utilities.

33.920.550 Rail Lines And Utility Corridors

A. Characteristics. This category includes railroad tracks and lines for the movement of trains. The land may be owned or leased by the railroad. The category also includes public or private passageways, including easements, for the express purpose of transmitting or transporting electricity, gas, oil, water, sewage, communication signals, or other similar services on a regional level.

B. Examples. Examples include rail trunk and feeder lines; regional electrical transmission lines; and regional gas and oil pipelines.

C. Exceptions.

1. Railroad lead and spur lines for delivery of rail cars to sites or for unloading of rail cars on specific sites are classified as accessory to the primary use of the site.

2. Rail lines and utility corridors that are located within motor vehicle rights-of-way are not included.

3. Light rail lines are not included.

4. Railroad yards are classified in the Railroad Yards category.