

## Chapter 18.120 COMMERCIAL ZONES

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### **18.120.010 Purpose**

The purpose of this chapter is to implement the goals and policies of the comprehensive plan related to land use planning and economic development by:

- A. Ensuring that a full range of goods and services are available throughout the city so that residents can fulfill all or most of their needs within easy driving distance and, ideally, within easy walking and biking distance of their homes;
- B. Ensuring that a full range of economic activities and job opportunities are available throughout the city; and
- C. Minimizing the potential adverse impacts of commercial uses on residential uses by carefully locating and selecting the types of uses allowed in each commercial zone. (Ord. 18-28 §1; Ord. 18-23 §2; Ord. 17-22 §2)

### **18.120.020 List of Base Zones**

- A. C-N: Neighborhood Commercial zone. The C-N zone is designed to provide convenience goods and services within a small cluster of stores adjacent to residential neighborhoods. Convenience goods and services are those that are purchased frequently, meaning at least weekly; for which comparison buying is not required; and that can be sustained in a limited trade area. Such uses include convenience markets, personal services, and repair shops. A limited number of other uses, including but not limited to gas stations, medical centers, religious institutions, park-and-ride lots, and uses with drive-through services, are allowed conditionally.
- B. C-C: Community Commercial zone. The C-C zone is designed to provide convenience shopping facilities that meet the regular needs of nearby residential neighborhoods. With a service area of about 1.5 miles, such commercial centers typically range in size from 30,000—100,000 square feet on sites ranging from 2 to 8 acres. Separated from other commercially-zoned areas by at least 0.5 miles, community commercial centers are intended to serve several residential neighborhoods, ideally at the intersection of two or more collector streets or at the intersection of an arterial and collector street. A limited number of other uses, including but not limited to gas stations, medical centers, religious institutions, park-and-ride lots, and uses with drive-through services, are allowed conditionally.
- C. C-G: General Commercial zone. The C-G zone is designed to accommodate a full range of retail, office, and civic uses with a citywide and even regional trade area. Except where nonconforming, residential uses are limited to mixed-use developments. A wide range of uses, including but not limited to adult entertainment, automotive equipment repair and storage, mini-warehouses, utilities,

heliports, medical centers, major event entertainment, and gasoline stations, are allowed conditionally.

- D. C-P: Professional/Administrative Commercial zone. The C-P zone is designed to accommodate civic and professional services and compatible support services, for example convenience retail, personal services, and restaurants, in close proximity to residential areas and major transportation facilities. Heliports, medical centers, religious institutions, and utilities are allowed conditionally. Developments in the C-P zone are intended to serve as a buffer between residential areas and more intensive commercial and industrial areas.
- E. MU-CBD: Mixed-Use Central Business District zone. The MU-CBD zone is designed to provide a pedestrian-friendly urban village in downtown Tigard. A wide variety of commercial, civic, employment, mixed-use, apartments, and rowhouses are allowed.
- F. MUE: Mixed-Use Employment zone. The MUE zone is designed to accommodate a wide range of uses including major retail goods and services, business and professional offices, civic uses, and apartments.
- G. MUE-1 and MUE-2: Mixed-Use Employment 1 and 2 zone. The MUE-1 and 2 zones are designed to apply to areas where employment uses such as office, research and development, and light manufacturing are concentrated. Commercial and retail support uses are allowed but are limited, and residential uses are allowed that are compatible with the employment character of the area. Lincoln Center is an example of an area designated MUE-1, a high-density mixed-use employment zone. The Nimbus area is an example of an area designated MUE-2, requiring more moderate densities.
- H. MUC: Mixed-Use Commercial zone. The MUC zone includes land around the Washington Square Mall and land immediately west of Highway 217. Primary uses allowed include office buildings, retail, and service uses. Also allowed are mixed-use developments and housing at densities of 50 units per acre. Larger buildings are encouraged in this area with parking under, behind, or to the sides of buildings.
- I. MUC-1: Mixed-Use Commercial 1 zone. The MUC-1 zone, which is designed to apply to that portion of Bridgeport Village (formerly known as the Durham Quarry site) within the City of Tigard, is a mixed-use commercial zone bounded by 72<sup>nd</sup> Avenue, Findlay Street, and the Tigard, Tualatin and Durham city limits. This site is the subject of an intergovernmental agreement between the cities of Tigard and Tualatin. Pursuant to that agreement the City of Tualatin will furnish all planning, building, and associated development review and permit services for the site. This zone is intended to mirror the City of Tualatin's Mixed-Use Commercial Overlay District in Tualatin Development Code, Chapter 57. It permits a wide range of uses including commercial lodging, general retail, offices, and housing. Additional uses, including but not limited to major event entertainment and motor vehicle retail fuel sales, are allowed conditionally.
- J. MUR-1 and MUR-2: Mixed-Use Residential 1 and 2 zone. The MUR-1 and MUR-2 zones are designed to apply to predominantly residential areas where mixed-uses are allowed when compatible with the residential use. A high-density (MUR-1) and moderate-density (MUR-2) designation is available within the MUR zone.
- K. TMU: Triangle Mixed-Use zone. The TMU zone applies to most land within the Tigard Triangle, a regional Town Center bounded by Pacific Highway, Highway 217, and Interstate 5. The TMU zone is intended to be an active, urban, multimodal, and mixed-use district that accommodates a variety of

housing options and uses, promotes pedestrian-oriented development, and limits new auto-oriented development. (Ord. 18-28 §1; Ord. 18-23 §2; Ord. 17-22 §2)

### **18.120.030 Land Use Standards**

- A. General provisions. A list of allowed, restricted, conditional, and prohibited uses in commercial zones is provided in Table 18.120.1, except for uses in the TMU zone, which are provided in Chapter 18.660, Tigard Triangle Plan District. If a use category is not listed, see Section 18.60.030.
1. Allowed (A). Uses that are allowed, subject to all of the applicable provisions of this title.
  2. Restricted (R). Uses that are allowed provided they are in compliance with special requirements, exceptions, or restrictions.
  3. Conditional (C). Uses that require the approval of the Hearings Officer using discretionary criteria. The approval process and criteria are provided in Chapter 18.740, Conditional Uses.
  4. Prohibited (P). Uses that are not allowed under any circumstance.
- B. Use restrictions. All allowed, restricted, and conditional uses in the C-N and C-C zones are subject to additional land use restrictions in Section 18.120.040.
- C. Development standards. The standards for residential development in commercial zones are located in the applicable housing type chapter in 18.200 Residential Development Standards. The standards for nonresidential development in commercial zones—including mixed-use development with or without a residential component—are located in Chapter 18.320, Commercial Zone Development Standards, and the applicable plan district chapter, if any.

**Table 18.120.1  
Commercial Zone Use Standards**

Use Categories	C-N [1]	C-C [1]	C-G	C-P	MU-CBD [2]	MUE	MUC-1	MUC	MUE 1 and 2	MUR 1 and 2
<b>Residential Use Categories</b>										
Group Living	R [3]	R [3]	R [3]	P	A	A	A	A	A	A
Household Living	R [3]	R [3]	R [3,4]	P	A	A	A	A	A	A
<b>Civic / Institutional Use Categories</b>										
Basic Utilities [5]	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C
Colleges	P	P	P	P	A	C	C	C	C	C
Community Services	A	A	P	P	A	C	P	A	C	C
Cultural Institutions	A	A	A	A	A	A	A	A	A	P
Day Care	A	A	A	A	A	A	A	A	A	A/C [6]
Emergency Services	A	A	A	A	A	A	A	A	A	P
Medical Centers	C	C	C	C	C	C	C	C	C	C
Postal Service	A	A	A	A	A	A	A	A	A	P
Religious Institutions	A	A	A	A	A	A	A	A	A	C
Schools	P	P	P	P	A	C	C	C	C	C
Social/Fraternal Clubs/Lodges	A	A	A	A	A	A	A	A	A	C
Temporary Shelter	P	P	C	P	C	P	C	C	C	C
<b>Commercial Use Categories</b>										
Adult Entertainment	P	P	C	P	P	P	P	C	P	P
Animal-Related Commercial	P	P	P	P	P	A	A	P	P	P
Bulk Sales	P	P	A	P	A/P [7]	A	R [8]	R [9]	R [9]	P
Commercial Lodging	P	P	A	A	A	A	A	A	A	P
Custom Arts and Crafts	R [10]	R [10]	P	P	R [10]	P	P	P	P	P
Eating and Drinking Establishments	A	A	A	R [11]	A	A	A	A	A	R [12]
Indoor Entertainment	A	A	A	A	A	A	A	A	A	P
Major Event Entertainment	P	P	C	P	C	P	C	C	P	P
Motor Vehicle Sales/Rental	P	P	A/C [13]	P	A/C [7]	P	P	R [14]	R [14]	P
Motor Vehicle Servicing/Repair [15]	C [16]	C [16]	A	P	C	R [8]	R [8]	P	P	P
Non-Accessory Parking	C	C	A	A	A	A	A	A	A	P
Office	A	A	A	A	A	A	A	A	A	R [12]
Outdoor Entertainment	P	P	A	A	C	P	P	C	P	P
Outdoor Sales	P	P	A	P	P	P	P	P	P	P

**Table 18.120.1  
Commercial Zone Use Standards**

Use Categories	C-N [1]	C-C [1]	C-G	C-P	MU-CBD [2]	MUE	MUC-1	MUC	MUE 1 and 2	MUR 1 and 2
Personal Services	A	A	A	A	A	A	R [8]	A	R [9]	R [12]
Repair-Oriented Retail	A	A	A	A	A	A	R [8]	R [9]	R [9]	P
Sales-Oriented Retail	A	A	A	R [11]	A/R [17]	A/R [18]	R [8]	A	R [9]	R [12]
Self-Service Storage	P	P	C	P	A/P [7]	P	P	P	P	P
Vehicle Fuel Sales	C	C	C	P	A/P [7]	P	C	C	C	P
<b>Industrial Use Categories</b>										
General Industrial	P	P	P	P	P	P	P	P	P	P
Heavy Industrial	P	P	P	P	P	P	P	P	P	P
Industrial Services	P	P	P	P	P	P	P	P	P	P
Light Industrial	P	P	P	P	P	R [15]	P	P	R [15]	P
Railroad Yards	P	P	P	P	P	P	P	P	P	P
Research and Development	P	P	P	P	C	R [14]	R [14]	P	R [15]	P
Warehouse/Freight Movement	P	P	P	P	P	R [14]	P	P	R [14, 15]	P
Waste-Related	P	P	P	P	P	P	P	P	P	P
Wholesale and Equipment Rental	P	P	P	P	P	P	P	P	R [14, 15]	P
<b>Other Use Categories</b>										
Agriculture/Horticulture	P	P	P	P	P	P	P	P	P	P
Cemeteries	P	P	P	P	P	P	P	P	P	P
Detention Facilities	P	P	C	P	C	P	P	P	P	P
Heliports	P	P	C	C	P	P	P	P	P	P
Mining	P	P	P	P	P	P	P	P	P	P
Transportation/Utility Corridors	A	A	A	A	A	A	A	A	A	A
Wireless Communication Facilities [19]	A/R	A/R	A/R	A/R	A/R	A/R	A/R	A/R	A/R	A/R

A=Allowed      R=Restricted      C=Conditional Use      P=Prohibited

- [1] See Section 18.120.040 for additional land use restrictions.
- [2] Uses with drive-through services that were lawfully in existence prior to the adoption of the MU-CBD zone are allowed. All new uses with drive-through services are prohibited.
- [3] Residential uses are allowed on or above the second floor of a mixed-use development where the ground floor contains an allowed commercial use.

- [4] A single detached house is allowed where it is located on the same site with an allowed or conditional use and is occupied exclusively by a caretaker or superintendent of the allowed or conditional use.
- [5] Above-ground public and private utility facilities proposed with development and underground public and private utility facilities are allowed. Standalone above-ground public and private utility facilities not proposed with development are allowed conditionally.
- [6] Family Day Care is allowed. Other Day Care uses are allowed conditionally.
- [7] Uses that were lawfully in existence prior to the adoption of the MU-CBD zone are allowed. All new uses are prohibited.
- [8] The maximum allowed gross floor area is 60,000 square feet per building or tenant.
- [9] The maximum allowed gross floor area is 60,000 square feet per use for uses proposed after the adoption of the MUC, MUE-1, and MUE-2 zones.
- [10] The maximum area allowed for production is 500 square feet per building or tenant.
- [11] The maximum allowed combined area of Sales-Oriented Retail and Eating and Drinking Establishments is 20 percent of the gross floor area of the other uses allowed by right on the premises.
- [12] Uses must be within a mixed-use development. Uses may occupy a maximum of 50 percent of the total gross floor area within the mixed-use development only when minimum residential densities are met. Properties that were zoned commercial prior to March 28, 2002 are exempt from this requirement. These properties, or lots created from these properties, may develop as a single-use commercial development. The tax assessor map numbers for exempt properties are as follows: 1S135AA-00400, 1S135AA-01400, 1S135AA-01900, 1S135AA-01901, 1S135DA-02000, 1S135AA-02500, 1S135AA-02600, 1S135AA-02700, 1S135DA-01900, and 1S1DA-02000.
- [13] Sales or rental of heavy vehicles or farm equipment is allowed conditionally.
- [14] Uses allowed only as accessory uses to allowed uses where contained in the same structure and less than the gross floor area of the allowed use, except for Motor Vehicle Sales/ Rental which is allowed as a primary use in specific locations as provided in Subsection 18.670.020.C.
- [15] All use activities must be contained inside a structure except for employee and customer parking.
- [16] Only motor vehicle cleaning is allowed.
- [17] The maximum allowed gross floor area is 60,000 square feet per building or tenant in all MU-CBD subareas except the 99W-Hall subarea as shown on Map 18.650.A.
- [18] The maximum allowed gross floor area is 30,000 square feet per building or tenant where the site is more than 3 acres in size. One additional square foot of floor area is allowed for each 4 square feet of floor area occupied or designed for an allowed use other than a Sales-Oriented Retail use.
- [19] See Chapter 18.450, Wireless Communication Facilities, for a description of allowed and restricted facilities.

(Ord. 18-28 §1; Ord. 18-23 §2; Ord. 17-22 §2)

#### **18.120.040 Land Use Restrictions**

The following restrictions apply to all uses in the C-N and C-C zones:

- A. Uses must be contained inside a structure except for the following accessory uses:
  - 1. Parking and loading areas;
  - 2. Day care outdoor play areas;
  - 3. Dining or drinking areas where associated with an allowed Eating and Drinking Establishment or Sales-Oriented Retail use; or
  - 4. Sale, display, or storage of horticultural and food merchandise where limited to a maximum area of 5 percent of the gross floor area of the primary use.
- B. Uses with drive-through services or operating before 6 a.m. or after 11 p.m. are allowed conditionally.
- C. Each use is allowed a maximum gross floor area of 5,000 square feet per building or tenant except for the following uses:
  - 1. Sales-Oriented Retail uses primarily involved in the sale of food and beverages are allowed a maximum gross floor area of 40,000 square feet per building or tenant; and
  - 2. All other Sales-Oriented Retail uses are allowed a maximum gross floor area of 10,000 square feet per building or tenant. (Ord. 18-28 §1)

#### **18.120.050 Housing Types**

- A. A housing type is not a use category. It describes a type of development that can contain a Household Living or Group Living use.
- B. A list of allowed, limited, and prohibited housing types in commercial zones is provided in Table 18.120.2. Commercial zones that do not allow any residential uses or allow them only in a mixed-use development are not included in the table. Terms and abbreviations used are defined as follows:
  - 1. Yes, allowed (Y). Housing types that are allowed.
  - 2. Limited (L). Housing types that require a conditional use approval or are allowed subject to specific limitations.
  - 3. No, prohibited (N). Housing types that are not allowed under any circumstance.
- C. Housing types that are allowed or allowed on a limited basis are subject to the standards and provisions of the applicable development standards chapter or applicable plan district chapter, if any. The applicable development standards chapter for each housing type is indicated in parentheses in the first column of Table 18.120.2.
- D. All allowed housing types may be built on site or brought to the site as a manufactured home. Tiny houses are prohibited in all zones.

**Table 18.120.2  
Commercial Zone Housing Types**

Housing Types	C-G	MU-CBD	MUE	MUC-1	MUC	MUE 1 and 2	MUR 1 and 2
<b>Detached Dwellings</b>							
Accessory Dwelling Units (18.220)	N	N	N	Y	L[1]	L[1]	L[1]
Cottage Clusters (18.240)	N	N	N	N	N	N	Y
Mobile Home Parks (18.260)	N	L[2]	N	Y	L[3]	L[3]	L[3]
Single Detached Houses (18.290)	L[4]	N	L[5]	Y	L[3]	L[3]	L[3]
<b>Attached Dwellings</b>							
Accessory Dwelling Units (18.220)	N	N	N	Y	L[1]	L[1]	L[1]
Apartments (18.230)	N	Y	Y	Y	Y	Y	Y
Courtyard Units (18.250)	N	N	N	N	N	N	Y
Quads (18.270)	N	N	N	N	N	N	Y
Rowhouses (18.280)	N	Y	L[5]	Y	L[3]	L[3]	Y

Y=Yes, Allowed

L=Limited, See Footnotes

N=No, Prohibited

- [1] Accessory dwelling units are only allowed on sites with pre-existing single detached houses.
- [2] Mobile home parks that were lawfully in existence prior to the adoption of the MU-CBD zone are allowed. All new mobile home parks are prohibited.
- [3] Mobile home parks, single detached houses, and rowhouses that were lawfully in existence prior to the adoption of the Washington Square Regional Center Plan District are allowed. Conversion of pre-existing mobile home parks, single detached houses, or rowhouses to other housing types or uses is subject to the requirements of Chapter 18.670, Washington Square Regional Center Plan District.
- [4] A single detached house is allowed where it is located on the same site with an allowed or conditional use and is occupied exclusively by a caretaker or superintendent of the allowed or conditional use.
- [5] Pre-existing single detached houses and rowhouses are allowed. All new single detached houses and rowhouses are prohibited.

(Ord. 18-28 §1; Ord. 18-23 §2; Ord. 17-22 §2) ■