

MU Working Group
City of West Linn

CDC-18-02 Planning Commission Worksession

Chapter 59 Use List for Permitted/Conditional

59.030 PERMITTED USES

The following are uses permitted outright in this zone:

1. Single-family detached dwelling;
2. Multi-family dwelling;
3. Common-wall single-family dwellings above a permitted use;
4. Residential use of the second floor or a portion of the ground floor of a permitted use;
5. Residential home;
6. Family day care;
7. Bed and breakfast lodging.

8. Animal sales and services, grooming. Grooming of dogs, cats, and similar small animals. Typical uses include dog bathing and clipping salons or pet grooming shops. (Retail Sales)

9. Business support services. Establishments primarily engaged in the provision of service, **including instructional**, of a clerical, employment, protective, or minor processing nature to firms rather than individuals and where the storage of goods other than samples is prohibited. Typical uses include: secretarial services, telephone answering services, or blueprint services. (Office-Business/Professional)

10. Cultural exhibits and library services. Museums, exhibition of objects in one or more of the arts and sciences, gallery exhibition of works of art, or library collection of books, manuscripts, etc., for study and reading.

11. General retail services. The sale or rental of commonly used goods, and merchandise for personal or household use, but excludes those classified as agricultural sales, animal sales and services, automotive and equipment, business equipment sales and service, construction sales and services, food and beverage retail sales, and vehicle fuel sales. Typical uses include: department stores, apparel stores, furniture stores, pet stores or book stores. (Retail Sales)

12. Medical and dental services. Establishments primarily engaged in the provision of personal health services ranging from prevention, diagnosis and treatment (including outpatient surgery), or rehabilitation services provided by physicians, dentists, nurses, and other health personnel as well as the provision of medical testing and analysis services, but excludes those classified as any civic use or group residential use types. Typical uses include: medical offices, eye care offices, dental offices and laboratories, or health maintenance organizations. (Medical/Dental Clinic)

13. Personal service facilities. Establishments primarily engaged in the provision of informational, instructional, personal improvement, and similar services ~~of a non-professional nature. Typical uses include:~~ It includes uses such as photography studios, **barbershops, salons, driving schools and trade schools, or and fitness studios** ~~reducing salons.~~ (Personal Services)

[Staff Commentary: staff recommends this use remains with an updated definition to capture the group discussions at Meetings 2 and 3. At Meeting 2 yoga studios were identified as an acceptable use when discussing fitness facilities. Staff proposes adding fitness studios to allow yoga, dance, barre, pilates, etc. Large fitness centers are categorized as Indoor Participant Sports and Recreation and not allowed in this zone.]

14. Professional and administrative services. Offices of private firms or organizations which are primarily used for the provision of professional, executive, management, or administrative offices, legal offices, architectural or engineering firms, or real estate firms. (Office – Business/Professional)

15. Transportation facilities (Type I) are those which are designated in the adopted TSP or are part of an approved, active development order. Type I facilities are permitted uses in all zoning districts. (Allowed in all other zones in the City)

16. Utility, minor. A minor utility facility or service includes, but is not limited to: overhead or underground electric, telephone or cable television poles and wires, and distribution lines for electric, gas, water, drainage or sewerage collection systems, or other similar use. (Allowed in all other zones in the City)

59.040 ACCESSORY USES

1. Accessory uses are allowed in this zone as provided by Chapter [34](#) CDC.

2. Manufacture or repackaging of goods for on-site sale. Small-scale manufacturing use, limited to 5,000 square feet of building area, and commonly associated with general retail services where products are sold on-site.

[Staff Commentary: during a code update process in 2016 to address allowing brewpub/cider houses in the city, small-scale manufacturing was requested to also be included. It did not get addressed at that time, but the request was to allow on-site production of goods to sell on-site in a retail store. For example, making jewelry, furniture, pottery, etc. in the back to sell in the front. At meeting 3, the group asked staff to bring back a proposed solution for not only the mixed-use zone, but also the general commercial zone (see proposed changes to Chapter 19). Staff proposes to make it an accessory use and add a definition to Chapter 2 of the CDC.]

59.050 USES AND DEVELOPMENT PERMITTED UNDER PRESCRIBED CONDITIONS

The following uses are allowed in this zone under prescribed conditions:

1. Signs, subject to the following provisions:
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2. Temporary use, subject to the provisions of Chapter [35](#) CDC.
3. Home occupations, subject to the provisions of Chapter [37](#) CDC.

4. Consumer repair services, as prescribed with no exterior storage. Establishments primarily engaged in the provision of repair services to individuals and households rather than firms, but

excluding “automotive and equipment” use types. Typical uses include: appliance repair shops, apparel repair firms, musical instrument repair firms and small repair shops. (Repair/Rental and Service)

5. Animal sales and services: veterinary (small animals), as prescribed with no exterior runs or storage. Veterinary services for small animals. Typical uses include pet clinics, dog and cat hospitals, or animal hospitals for small animals. (Medical/Dental Clinic)

6. Financial and insurance, as prescribed with no drive-through service. Establishments primarily engaged in the provision of financial, insurance, or securities brokerage services. Typical uses include: banks, savings and loans, or insurance agencies. (Office – Business/Professional)

7. Building maintenance services, as prescribed with no exterior storage. Establishments primarily engaged in the provision of maintenance and custodial services. Typical uses include janitorial, landscape maintenance, or window cleaning services. (Office – Business/Professional)

8. Wireless communication facilities, subject to the provisions of Chapter 57 CDC. (Allowed in all other zones in the City)

59.060 CONDITIONAL USES

Only the following conditional uses are allowed in this zone subject to the provisions of Chapter [60](#) CDC, Conditional Uses:

1. Children’s day care center.
2. Community **building center for civic or cultural events.**
- ~~3. Small appliance repair services.~~
- ~~4. Governmental offices.~~
- 5 3. Religious institution.
- 6 4. Senior ~~or community~~ center.
- 7 5. Public support and public safety facilities, including public parking lots.
- 8 6. Nursery.
- 9 7. Parks and open space.
- ~~10. Boutiques.~~
- ~~11. Small Business equipment sales and service.~~
- ~~12. Craft shops.~~
- ~~13. Cultural exhibits and library services.~~
- 14 **8.** Eating and drinking establishments.
- ~~15. Retail sales and service, except no drive through service.~~
- ~~16. Professional and administrative services.~~
- ~~17. Medical or dental offices or clinics.~~
- ~~18. Financial, insurance, and real estate services, except no drive through service.~~

9. Food and beverage retail sales. Establishments or places of business primarily engaged in the retail sale of food and beverages for home consumption. Typical uses include: groceries, delicatessens, or liquor stores, and excludes eating and drinking establishments. (Food Markets/Grocery)

10. Hotel/motel, with less than seven rooms. Establishments primarily engaged in the provision of lodging on a temporary basis with incidental food, drink, and other sales and services intended for the convenience of guests. ~~Typical uses include hotels, motels, or bed and breakfast houses.~~

[Staff Commentary: during Meeting 2, the group agreed small hotels would be acceptable as a conditional use and asked staff to do some research on limiting size by number of rooms. Staff only found examples of cities limiting size by square footage and not by number of rooms. Staff proposed the less than seven room language to spur discussion and at Meeting 3 the group again asked for more information. As there is no example or data to rely on, staff proposes to remove the room restriction. The mixed-use zone already limits the square footage of a building by a 40% floor-to-area ratio and a maximum of 6,000 square feet. Additionally, on-site parking would be required to further limit the size and as a conditional use, the Planning Commission is the decision-maker and has the ability to impose size restrictions on an approval to ensure compatibility with other uses in the area. Therefore, staff feels current code language would provide sufficient ability to restrict the size to small, boutique hotels in the zone.]

11. Construction sales and services. Establishments or places of business primarily engaged in construction activities and incidental storage on lots other than construction sites as well as the retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures. Typical uses include: building materials stores, tool and equipment rental or sales, and building contracting/construction offices.

12. Parking Facilities. Parking services involving garages and lots, and may exclude required parking lots within the same lot of record of a particular development or use.

[Staff Commentary: during Meeting 3, the group discussed whether the definition of a parking facility included spaces intended for a particular use on a property or only included pay lots/garages. The group asked staff to do some research. The definition only includes pay lots/garages. If a property owner acquired a property next door to add additional customer parking for a business or wanted to expand an existing customer lot, this would be handled under CDC Chapter 99 for amendments to an approved project. A proposed pay lot/garage would go before the Planning Commission, who could limit the size and ensure compatibility through the conditional use process, for review. Staff proposes to allow parking facilities as a conditional use. They are permitted use in the general commercial and office business center zones.]