

## Attachment G: GREEN ENERGY AND USE

*This replaced language shown on page 12, 44, 233, 235, and 237 of the Proposed Draft*

### Single Dwelling Zones

#### 33.110.100

##### A. [No Change]

##### B. 1.-4 [No Change]

5. Basic Utilities. This regulation applies to all parts of Table 110-1 that have note [5].
  - a. Basic Utilities that serve a development site are accessory uses to the primary use being served.
  - b. Small Scale Energy Production that provides energy both on- and off-site are considered accessory to the primary use on the site. Installations that sell power they generate—at retail (net metered) or wholesale—are included. However, they are only considered accessory if they generate energy from biological materials or byproducts from the site itself, or conditions on the site itself; materials from other sites may not be used to generate energy. The requirements of Chapter 33.262, Off Site Impacts must be met;
  - c. All other Basic Utilities are conditional uses.

### Multi-dwelling Zones

#### 33.120.100

##### A. [No Change]

##### B. 1.-12 [No Change]

~~13. Basic Utilities in RX. This regulation applies to all parts of Table 120-1 that have note [13]. Public safety facilities are allowed by right up to 20 percent of the floor area exclusive of parking area or the ground floor of a multi dwelling development, whichever is greater. If they are over 20 percent of the ground floor, a conditional use review is required; the approval criteria for public safety facilities are in Section 33.815.223.~~

~~14. Basic Utilities. This regulation applies to all parts of Table 120-1 that have note [14]. Basic Utilities that serve a development site are accessory uses to the primary use being served. All other Basic Utilities are conditional uses.~~

- 13 Basic Utilities. These regulations apply to all parts of Table 120-1 that have note [13].
  - a. Basic Utilities that serve a development site are accessory uses to the primary use being served;
  - b. Small Scale Energy Production that provides energy both on- and off-site are considered accessory to the primary use on the site. Installations that sell power they generate—at retail (net metered) or wholesale—are included. However, they are only considered accessory if they generate energy from biological materials or byproducts from the site itself, or

conditions on the site itself; materials from other sites may not be used to generate energy. In RX and IR zones, up to 10 tons per week of biological materials or byproducts from other sites may be used to generate energy. The requirements of Chapter 33.262, Off Site Impacts must be met;

- c. In the RX and IR zones, all other Basic Utilities are limited to 20 percent of the floor area on a site, exclusive of parking area, unless specified above. If they are over 20 percent of the floor area, a conditional use review is required. As an alternative to conditional use review, the applicant may choose to do a Conditional Use Master Plan or an impact Mitigation Plan. The requirements of Chapter 33.262, off Site Impacts must be met.

**C-D. [No Change]**

**Use Categories**

**33.920.310 Manufacturing And Production**

**A-B. [No Change]**

- 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 ~~the~~ Utility Scale Energy production-of-energy.

**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.

**33.920.340 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 ~~or energy~~ 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, and repackaging and transshipment of by-products.
- C. Examples.** Examples include sanitary landfills, limited use landfills, waste composting, ~~energy recovery plants,~~ 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 sSewer pipes that serve a development ~~are considered a Basic Utility;~~ 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.

### **33.920.400 Basic Utilities**

**A.-B. [No change]**

- 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

