

ARTICLE 2

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General

2.0001 Title and Code Designation

All ordinances included in this and the following articles are Volume 3, Code, of the Community Development Plan and are designated the “Gresham Community Development Code” and will be referred to as “code” or “Community Development Code.” When referring to specific sections of the Community Development Code, the letters “GCDC” shall precede the numerical designation.

2.0002 Publication

In preparing revisions of the code for publication and distribution, the manager shall not alter the sense, meaning, effect, or substance of the code or an ordinance. With regard to the code and ordinances the manager may renumber or re-letter sections and parts of sections, change the wording of catch lines, rearrange sections, change reference numbers to agree with renumbered articles, chapters, sections, or other parts, substitute the proper subsection, section, chapter, article or other division numbers, strike out figures or words that are merely repetitious, change capitalization for the purpose of uniformity and correct clerical or typographical errors.

2.0003 Purpose

These regulations are adopted for the following purposes:

- A.** To protect and provide for the public health, safety, and general welfare of the City.
- B.** To guide the future growth and development of the City, in accordance with the Community Development Plan.
- C.** To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population.
- D.** To protect the character and the social and economic stability and to encourage the orderly and beneficial development of all parts of the City.

- E.** To protect and conserve the value of land throughout the City and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.
- F.** To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation and other public requirements and facilities.
- G.** To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the City by promoting a variety of transportation choices including walking, bicycling, transit and automobile and by reducing parking space requirements, with particular regard to the avoidance of congestion in the streets and highways as well as pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines.
- H.** To establish reasonable standards of design and procedures for land division in order to further the orderly layout of use of land; and to ensure proper legal descriptions and monumenting of subdivided land.
- I.** To ensure that public facilities are available and/or provisions have been made so public facilities will have sufficient capacity to serve the proposed development.
- J.** To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the city in order to preserve the integrity, stability, and beauty of the community and the value of the land.
- K.** To preserve the natural beauty and topography of the city and to ensure appropriate development with regard to these natural features.
- L.** To provide for open spaces through the most efficient design and layout of the land while preserving the density of land as established in the Community Development Plan.

2.0004 Scope and Compliance

A parcel of land may be used, developed by land division or otherwise, and a structure may be used or developed by construction, reconstruction alteration, occupancy, or otherwise only as this ordinance permits. In addition to complying with the criteria and other provisions within this ordinance, each development shall comply with the applicable procedures set forth in the Community Development Code ordinance. The requirements of this ordinance and approvals of land use applications under this ordinance run with the land and are transferred with ownership. The approval, including any conditions, time limits, or restrictions, apply to all persons undertaking a development on the land, the proprietor of a use or development on the land, or the owner of the land underlying a development, or their successors in interest.

2.0005 Conditions

The applicant has the duty to comply with reasonable conditions laid down by the approval authority for design, dedication, improvement, and restrictions on use.

2.0006 Interpretation

Where the conditions imposed by a provision of this ordinance are less restrictive than comparable conditions imposed by any other provisions of this ordinance or any other ordinance, the provisions which are more restrictive shall govern.

2.0007 Severability

The provisions of this ordinance are severable. If any section, sentence, clause or phase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this ordinance.

2.0008 Abatement and Penalty

- A.** A person violating a provision of this Code is subject to a fine of not more than \$500. A violation is considered a separate violation for each day it continues.
- B.** Violation of this code constitutes a nuisance. In addition to any other remedies, the Manager may enforce this Code by compliance order, stop work order, abatement proceedings, or civil action as provided in GRC Article 7.50, or as otherwise authorized by law.

2.0009 Fees and Deposits

All fees and deposits shall be set and adjusted by Council resolution.

