

Commentary is for information only.
Proposed new language is double-underlined;
Proposed deleted language is ~~stricken~~.

[DRAFT] CB XX-25

EXHIBIT F. COUNCIL BILL
[DRAFT] ORDINANCE NO. XX

**AMENDMENTS TO VOLUME 3, DEVELOPMENT CODE, OF THE GRESHAM COMMUNITY
DEVELOPMENT PLAN, DEVELOPMENT CODE AND PROCESS UPDATE, PHASE 2, PART 2**

THE CITY OF GRESHAM DOES ORDAIN AS FOLLOWS:

Section 1. Volume 3, Development Code, Article 2 Introductory Provisions is amended as follows:

Proposed Text Amendment	Commentary
2.0007 Severability The provisions of this ordinance are severable. If any section, sentence, clause or phase <u>phrase</u> 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.	Correcting typo

Section 2. Volume 3, Development Code, Section 3.0100 Definitions is amended as follows:

Proposed Text Amendment	Commentary
3.0101 General Provisions 3.0102 List of Terms 3.0103 General Terms and Definitions 3.0120 <u>Overlay District</u> Article 5 Terms and Definitions 3.0140 Renewable Energy Related Terms and Definitions 3.0150 Tree Related Terms and Definitions 3.0160 Temporary, Intermittent and Interim Uses Terms and Definitions 3.0101 General Provisions The purpose of Definitions is to define terms that are used frequently in the City of Gresham <u>Community Development Code</u> (Code) and to assist decision makers in interpreting and applying the Code. Those words used in the Community Development Code, shall be subject to the generally accepted dictionary definitions, unless otherwise noted in Section 3.0100. Those words listed in Section 3.0100 shall be subject to those definitions provided, unless the context clearly implies differently. In such cases, the context in which a term is used will indicate its intended meaning, and that intent shall control. Terms not defined here shall have their ordinary accepted meaning as identified in the latest edition	Updating for specificity Correcting terminology

of Webster’s Dictionary of the English Language. *** 3.0102 List of Terms Terms used in the Development Code are presented below. General terms that apply throughout the Code are listed in Section 3.0102. Terms that are specific to a Development Code section are listed after the General Terms. These categories are: A. Article 5 <u>Overlay District</u> Terms and Definitions. Section 3.0120 *** General Terms A-Board Sign – <i>See Signs</i> Abandoned Sign – <i>See Signs</i> Abut Access Access Aisle Accessory Dwelling – <i>see Dwelling Unit</i> Accessory Structure – <i>see Structure, Accessory</i> Accessory Use – <i>see Use, Accessory</i> Accessway Acreage, Net Adjacent Adjustments Affordable Housing – <i>See Housing, Affordable</i> Agriculture Alteration Alteration, Structural Amateur ("Ham") Radio Amenity Zone Animated Sign – <i>See Signs</i> Antenna Antenna Support Structure Apartment Applicant Application, Qualifying Aquatic Habitat – <i>See Article 5 <u>Overlay District</u> Definitions, Section 3.0120</i> Arboriculture Arborist • Certified Arborist • Consulting Arborist Arcade Archaeological Object Archaeological Site Archaeologist Area of Shallow Flooding Area of Special Flood Hazard Approved Tree List	Updating for specificity Term is being replaced for consistency. Updating for specificity
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Assisted Living Housing – <i>See Elderly Housing</i>	
Awning	
Awning Sign – <i>See Signs</i>	
Balcony	
Balloon Sign – <i>See Signs</i>	
Balustrade	
Banner Sign – <i>See Signs</i>	
Base – <i>See Façade</i>	
Baseline	
Basement	
Battery Charging Station – <i>See Renewable Energy Related Definitions, Section 3.0140</i>	
Battery Charging Unit – <i>See Renewable Energy Related Definitions, Section 3.0140</i>	
Battery Exchange Station – <i>See Renewable Energy Related Definitions, Section 3.0140</i>	
Bay (building façade)	
Belt Course	Term no longer used in code
<u>Bedroom</u>	
Bench Sign – <i>See Signs</i>	
Berm	
Biogas – <i>See Renewable Energy Related Definitions, Section 3.0140</i>	
Blade – <i>See Renewable Energy Related Definitions, Section 3.0140</i>	
Block	
Boarding House	Bedroom definition needed to clarify the new term/use Shared Housing Facility.
Buffer Area	
Buffer Tree – <i>See Tree</i>	
Building	
Building Area or Building Envelope	
Building Code	
Building Code Accessible	
Building, Contiguous	
Building Coverage	
Building Footprint	
Building Height	
Building Line	
Building Massing – <i>See Massing, Building</i>	
Building Modulation – <i>See Modulation, Building</i>	
Building Site – <i>See Habitat Conservation Area Definitions, Section 3.0120</i>	
Bulkhead	
Butterfly Roof – <i>See Roof</i>	
Canopy	
Carpool/Vanpool Parking	
Carport	
Ceiling Height	
Centralized Stormwater Management Facilities	
Certified Arborist – <i>See Arborist</i>	
Certified Engineering Geologist – <i>See Article 5</i> <i>Overlay District Definitions, Section 3.0120</i>	
Certified Child Care Facility	
Change of Use – <i>See Use, Change of</i>	
Children’s Play Equipment	Updating for specificity

Circulation Path Citizen Band (CB) Radio City Civic Neighborhood Design District – <i>See Design District</i> Clear Cutting – <i>See Tree Related Definitions, Section 3.0150</i> Clear Vision Area Clearing Co-locate Commercial Development Common Wall <u>Common Open Space – <i>See Shared Open Space</i></u> Community Garden Composting Facility Comprehensive Plan – <i>See Gresham Community Development Plan</i> Condominium Condominium Unit Congregate Housing – <i>See Elderly Housing</i> Construction Contractor Consulting Arborist – <i>See Arborist</i> Continuing Care Retirement Community – <i>See Elderly Housing</i> Corner Lot – <i>See Lot</i> Cornice Corridor Design District – <i>See Design District</i> Cottage Cottage Cluster Court Courtyard Courtyard Development Coarse Woody Debris – <i>See Article 5</i> <u><i>Overlay District Definitions. Section 3.0120</i></u> Critical Root Zone – <i>See Tree Related Definitions, Section 3.0150</i> Crosswalk Crown Cover – <i>See Tree Related Definitions, Section 3.0150</i> Curb Cut Curb Ramp Customer Dangerous Tree – <i>See Article 5</i> <u><i>Overlay District Definitions. Section 3.0120</i></u> Dead Tree – <i>See Tree</i> Dead-End Street Deciduous Deciduous Tree – <i>See Tree</i> Deck Dedication Density Density, Net Density Rounding Design District ● Civic Neighborhood Design District ● Corridor Design District	Circulation Path is being replaced with Walkway for consistency. Adding for clarity Correction Updating for specificity Updating for specificity
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• Downtown Design District • Pleasant Valley Design District • Rockwood Design District • Springwater Design District Design Guidelines Design Principles Design Standards Design Storm Design Streets Detention Development Developable Area – See Article 5 <u>Overlay District Definitions</u>, Section 3.0120 Disturbance Area – See Article 5 Definitions, Section 3.0120 Development Permit Development Site Diameter Breast Height – See <i>Tree Related Definitions</i>, Section 3.0150 Digital Flood Insurance Rate Map (DFIRM) Direct Illumination Sign – See <i>Signs</i> Directional Sign – See <i>Signs</i> Directional Signs, Institutional Campus – See <i>Signs</i> District Disturbance Area – See Habitat Conservation Area <u>Overlay District Definitions</u>, Section 3.0120 Double Frontage Lot – See <i>Lot</i> Downtown Design District – See <i>Design District</i> Dripline – See <i>Tree Related Definitions</i>, Section 3.0150 Drive-through Use Driveway Driveway Approach Driveway, Shared Dwelling Unit • Accessory Dwelling • Cottage • Duplex • Manufactured Dwelling • Multifamily Dwelling • Single Detached Dwelling • Temporary Health Hardship Dwelling • Townhouse • Triplex • Quadplex Easement Easement, Conservation Easement, General Utility Easement, Public Access Eco-Roof Ecological Functions– See Article 5 <u>Overlay District Definitions</u>, Section 3.0120 Elderly Housing	Updating for specificity This term is listed twice, and it is out of alphabetical order in this instance. Term no longer used in code
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• Assisted Living Housing • Congregate Housing • Continuing Care Retirement Community • Immediate Care Facility • Retirement Housing • Skilled Nursing Facility (Nursing Home) Electric Vehicle – <i>See Renewable Energy Related Definitions, Section 3.0140</i> Electric Vehicle Charging Station – <i>See Renewable Energy Related Definitions, Section 3.0140</i> Electric Vehicle Charging Unit – <i>See Renewable Energy Related Definitions, Section 3.0140</i> Electrical Generating Facility Electronic Message Center Sign – <i>See Signs</i> Elevated Building <u>Emergency Shelter – <i>See Shelter</i></u> Environmental Technical Guidance Manual – <i>See Article 5 Definitions, Section 3.0120</i> Emissivity or Emittance Employees Entry Entry, Primary <u>Environmental Technical Guidance Manual – <i>See Article 5 Definitions, Section 3.0120</i></u> Erosion Erosion and Sediment Control Erosion Prevention and Sediment Control Manual Erosion Prevention and Sediment Control Plan Evergreen Evergreen Tree – <i>See Tree</i> Exit Façade • Base • Top • Prominent Façade Sections Face of a Building Face Sign – <i>See Signs</i> Fascia Sign – <i>See Signs</i> Fast Food Service Fence Fill – <i>See Article 5 Overlay District Definitions, Section 3.0120</i> Findings Fin Sign – <i>See Signs</i> Flag Lot – <i>See Lot</i> Flag Pole – <i>See Lot</i> Flap Sign – <i>See Signs</i> Flashing Illumination Sign – <i>See Signs</i> Fleet Vehicle – <i>See Motor Vehicle</i> Flood or Flooding Flood Areas – <i>See HCA, ESRA, Article 5 Overlay District Definitions, Section 3.0120</i> <i>Section 3.0120</i> Flood, Base Flood Insurance Rate Map (FIRM)	Updating for specificity Term no longer used in code. Adding a new reference for clarity Moving this term to be in alphabetical order. Updating for specificity
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Flood Insurance Study Flood Management Areas – See Article 5<u>Overlay District Definitions</u>, Section 3.0120 Flood Prone Floodplain Floor Area Floor Area Ratio Fore-Court Food Carts Food Cart Pod Forestry Stewardship Council (FSC) Rating Free-Standing Sign – <i>See Signs</i> Front Lot Line - <i>See Lot Line</i> Front Yard – <i>See Yard</i> Frontage Future Street Plan Gable Roof – <i>See Roof</i> Galleria Garage Geotechnical Engineer – See Article 5<u>Overlay District Definitions</u>. Section 3.0120 Grade Green Development Practices Green Street Gresham Community Development Plan, or Community Development Plan Gresham Development Plan Map Gresham Public Works Standards Grocery Store Ground Floor Groundcover Grubbing Habitable Floor Habitat Tree – <i>See Tree</i> <u>Hardscape</u> Hazardous Tree – <i>See Tree</i> Height Transition Area Helicopter Trip High Slope Subarea – See Article 5<u>Overlay District Definitions</u>. Section 3.0120 High Value Resource Area – See Article 5<u>Overlay District Definitions</u>. Section 3.0120 Hipped Roof – <i>See Roof</i> Historic and Cultural Landmark • Class 1 Historic and Cultural Landmarks • Class 2 Historic and Cultural Landmarks Hogan Cedar Tree – <i>See Tree</i> Home Occupation Hotel Housing, Affordable Hydrological Unit Codes – See Article 5<u>Overlay District Definitions</u>. Section 3.0120 Illumination Awning Sign – <i>See Signs</i> Immediate Care Facility – <i>See Elderly Housing</i>	Updating for specificity and correcting section reference Updating for specificity New definition needed Updating for specificity
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Imminent Hazard Tree – <i>See Tree</i> Indirect Illumination Sign – <i>See Signs</i> Infiltration or Stormwater Infiltration Installation Sign – <i>See Signs</i> Institutional Campus Institutional Master Plan Intent Interior Lot – <i>See Lot</i> Internal Illumination Sign – <i>See Signs</i> Internal Signs, Institutional Campus – <i>See Signs</i> Invasive Vegetation – <i>See Article 5 Overlay District Definitions, Section 3.0120</i> Irregular Shaped Lot – <i>See Lot</i> Joint Development Kitchen Laboratories/Research and Development Facilities Land Division Landing Landscape Tree – <i>See Tree</i> Landscaping • Parking Area Landscaping Landslide – <i>See Article 5 Overlay District Definitions. See Section 3.0120</i> LEED™ Legal Description of Property Description Level of Service (LOS) Light Cut-off Liner Space Lintel Local Review Lot • Corner Lot • Double Frontage Lot • Flag Lot • Flag Pole • Interior Lot • Irregular Shaped Lot • Middle Housing Lot • <u>Parent Parcel or Parent Lot</u> • Rectilinear Lot • Subdivision Lot Lot Depth Lot Line • Front Lot Line • Northern Lot Line • Rear Lot Line • Side Lot Line • Zero-lot Line Lot Line Adjustment Lot of Record	Updating for specificity Updating for specificity Existing definition moved to be nested under the definition of Lot Definition not needed/ not
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Lot Width	used elsewhere in code
Lowest Floor	
<u>Main Entry or Entrance</u>	
Maintain	
Major Tree – <i>See Tree</i>	
Maintenance Sign – <i>See Signs</i>	
Manager	
Mansard Roof – <i>See Roof</i>	
Mansard Wall Sign – <i>See Signs</i>	
Manufactured Dwelling	New definition needed for commonly used phrase in code
Manufactured Home Park/Subdivision	
Marijuana Business	
Market Area	
Marquee Sign – <i>See Signs</i>	
Massing, Building	Definition not needed
Master Plan	
Medallion	
Micro/Mini Wireless Communication Facility (WCF)	
Middle Housing	
Mitigation – <i>See Article 5 Overlay District Definitions, Section 3.0120</i>	
Mixed Use Development	
Model Home	
Modulation, Building	
• Horizontal Modulation	Updating for specificity
• Vertical Modulation	
Monument Sign – <i>See Signs</i>	
Motor Vehicle	
• Fleet Vehicle	Definitions not needed/ not used elsewhere in code
• Passenger Vehicle	
• Truck	
Moving Parks Sign – <i>See Signs</i>	
Mulch	
Mullion – <i>See Window Mullion</i>	
Munton	
Mural	Sign term no longer used in code
Multi-Business Complex Sign – <i>See Signs</i>	
Native Tree – <i>See Tree</i>	
Native Vegetation – <i>See Article 5 Overlay District Definitions, Section 3.0120</i>	
Natural State	
Needed Housing – <i>See Housing, Needed</i>	
<u>Neighborhood Activity Center</u>	Updating for specificity
New Construction	
Nonconforming Development	
Nonconforming Sign – <i>See Signs</i>	New definition needed/ defines terminology used in existing code
Nonconforming Use	
Non-Native Tree – <i>See Tree</i>	
Northern Lot Line- <i>See Lot Line</i>	
Nuisance	

Occupied Space Offices On-Site Directional Sign – <i>See Signs</i> On-Site Stormwater Management Ordinary High Water Mark – See Article 5<u>Overlay District Definitions</u>. Section 3.0120 Ornamental Tree – <i>See Tree</i> Other Waters – See Article 5<u>Overlay District Definitions</u>. Section 3.0120 Outdoor Advertising Sign – <i>See Signs</i> Outdoor Area Outdoor Sales Display Outdoor Storage Owner Painted Highlights Sign – <i>See Signs</i> Painted Wall Decoration Sign – <i>See Signs</i> Painted Wall Sign – <i>See Signs</i> Parapet or Parapet Wall Parcel Parking Lot Tree – <i>See Tree</i> Partition Parcel Parent Parcel or Parent Lot – <u>See Lot</u> Park and Ride Facility Parking Lots Parking Module Parking Space Parking Structure Partition land Passenger Vehicle – <i>See Motor Vehicle</i> Pedestrian facilities Pennant Sign – <i>See Signs</i> Perennial (or Perennial Plant) Perimeter Tree – <i>See Tree</i> Permanent Disturbance Area – See Article 5<u>Overlay District Definitions</u>. Section 3.0120 Permanent Sign – <i>See Signs</i> Person Pervious (Porous) Pavement Phased Development Project Photovoltaic Panel – <i>See Renewable Energy Related Definitions</i>, Section 3.0140 Planned Development Planter Strip Plat Plaza Pleasant Valley Design District – <i>See Design District</i> Plinth Porch Portable Sign – <i>See Signs</i> Portico Potential Resource Area – See Article 5<u>Overlay District Definitions</u>. Section 3.0120 Premises	Updating for specificity Improving organization Updating for specificity
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Practicable – See Article 5<u>Overlay District Definitions, Section 3.0120</u> Primary Building Entrance/Entry Primary Feeder Line <u>Primary Internal Drive</u> <u>Primary Street</u> Principal Building Principal Use, Primary Use <u>Private Open Space</u> Private Public Property Interface – See Article 5<u>Overlay District Definitions, Section 3.0120</u> Project Projecting Sign – <i>See Signs</i> Pruning – <i>See Tree Related Definitions, Section 3.0150</i> Public Body Public Community Park <u>Public Connector Path</u> Public Neighborhood Park Public Path Public Open Space Public Place Public Trail Public Trail Access Points Public Trailheads Public Urban Plaza Public Use Areas <u>Public Works Standards</u> <u>Publicly Accessible Open Space</u> Qualified Arborist – <i>See Arborist</i> Qualifying Application – <i>See Application, Qualifying</i> Radio Radio Frequency (RF) Energy Radio Frequency (RF) Facility Rain Garden Readerboard Sign – <i>See Signs</i> Rear Lot Line- <i>See Lot Line</i> Rear Yard – <i>See Yard</i> Receive-only Antenna Rectilinear Lot – <i>See Lot</i> Redemption Center Redevelopment Reflectivity or Reflectance Registered Child Care Facility Registered Consulting Arborist – <i>See Arborist</i> Regulated Tree – <i>See Tree</i> Regulatory Floodway Remodel Renewable Energy Systems - <i>See Renewable Energy Related Definitions, Section 3.0140</i> Repair Sign – <i>See Signs</i> Required Tree – <i>See Tree</i>	Updating for specificity Addition of definitions to terminology used in the code Updating terminology for consistency Addition of definition to terminology used in the code
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Reservation Line <u>Residential Facility</u> <u>Residential Home</u> <u>Residential Use</u> Residentially Designated Land Restaurant Restoration – <i>See Article 5<u>Overlay District Definitions</u>, Section 3.0120</i> Retirement Housing – <i>See <u>Elderly Housing</u></i> Revegetation Right-of-Way Riparian – <i>See Article 5<u>Overlay District Definitions</u>, Section 3.0120</i> Rockwood Design District – <i>See <u>Design District</u></i> Roof • Butterfly Roof • Gable Roof • Hipped Roof • Mansard Roof • Shed Roof Roof Sign – <i>See <u>Signs</u></i> Roof Line Sign – <i>See <u>Signs</u></i> Rotating Sign – <i>See <u>Signs</u></i> Routine Repair and Maintenance – <i>See Article 5<u>Overlay District Definitions</u>, Section 3.0120</i> Same Ownership Scoring School, Commercial Service Station Setback Severe Crown Reduction– <i>See <u>Tree Related Definitions</u>, Section 3.0150</i> Shade Tree – <i>See <u>Tree</u></i> <u>Shared Housing Facility</u> <u>Shared Open Space</u> Shed Roof – <i>See <u>Roof</u></i> <u>Shelter or Emergency Shelter</u> Shrub Side Lot Line - <i>See <u>Lot Line</u></i> Sidewalk Side Yard – <i>See <u>Yard</u></i> Significant Tree, Significant Grove – <i>See <u>Tree</u></i> Signs • A-Board Sign • Abandoned Sign • Animated Sign • Awning Sign • Illuminated Awning Sign • Balloon Sign • Banner Sign • Bench Sign • Direct Illumination Sign	New definitions needed to help clarify uses Updating for specificity Term no longer used in code Updating for specificity New definition needed Addition of definition to terminology used in the code Clarification
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• Directional Sign • Directional Signs, Institutional Campus • Electronic Message Center Sign • Face Sign • Fascia Sign • Fin Sign • Flap Sign • Flashing Illumination Sign • Free-Standing Sign • Indirect Illumination Sign • Installation Sign • Internal Illumination Sign • Internal Signs, Institutional Campus • Maintenance Sign • Mansard Wall Sign • Marquee Sign • Monument Sign • Moving Parks Sign • Multi-Business Complex Sign • Nonconforming Sign • On-Site Directory Sign • Outdoor Advertising Sign • Painted Highlights Sign • Painted Wall Decoration Sign • Painted Wall Sign • Pennant Sign • Permanent Sign • Portable Sign • Projecting Sign • Readerboard Sign • Repair₂ Sign • Roof Sign • Roof Line Sign • Rotating Sign • Special Event Banner Sign • Structural Alteration Sign • Structure₂ Sign • Temporary Lawn Sign • Temporary Rigid Sign • Temporary Sign • Under Marquee Sign • Unsafe Sign • Wind Sign • Window Sign, Inside • Window Sign, Outside Single Detached Dwelling – <i>See Dwelling Unit</i> Single Loaded Street <u>Single Room Occupancy (SRO) Housing</u>	
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Site	
<u>Site Area, Gross</u>	Term no longer used in code
<u>Site Area, Net</u>	
Site Plan	
Site Tree – <i>See Tree</i>	
Skilled Nursing Facility – <i>See Elderly Housing</i>	New definitions needed
Slope, Cross	
Slope, Running	
Solar Electric <u>Energy</u> System – <i>See Renewable Energy Related Definitions, Section 3.0140</i>	
Solar Reflective Index (SRI) – <i>See Renewable Energy Related Definitions, Section 3.0140</i>	
Solar Water Heating System - <i>See Renewable Energy Related Definitions, Section 3.0140</i>	
Spandrel Glass	Updating terminology for consistency with existing code usage
Special Event Banner Sign – <i>See Signs</i>	
Springwater Design District – <i>See Design District</i>	
Stand - <i>See Tree Related Definitions, Section 3.0150</i>	
Start of Construction	
Storefront Window	
Stormwater Filtration	
Stormwater Management Manual	
Stormwater Planter	
Stormwater Report	
Stormwater Runoff	
Stormwater Treatment Stormwater Treatment Facility	
Story	
Story, First	
Stream – <i>See Article 5 <u>Overlay District</u> Definitions, Section 3.0120</i>	
Street, Road or Highway	
Street Tree – <i>See Tree</i>	
Structural Alteration Sign – <i>See Signs</i>	
Structural Sign – <i>See Signs</i>	
Structural Soil	
Structure	Updating for specificity
Structure, Accessory	
Stucco	
Subdivide Land	
Subdivision Lot – <i>See Lot</i>	
Substantial Damage	
Substantial Improvement	
Sun Screen/Sun Shade	
Temporary Disturbance Area – <i>See Article 5 <u>Overlay District</u> Definitions. Section 3.0120</i>	
Temporary Health Hardship Dwelling – <i>See Dwelling Unit</i>	
Temporary Lawn Sign – <i>See Signs</i>	
Temporary Rigid Sign – <i>See Signs</i>	
Temporary Sign – <i>See Signs</i>	Updating for specificity
Tenant	
Tentative Plan	
Theme Park	
Title 3 Wetland – <i>See Article 5 <u>Overlay District</u> Definitions. Section 3.0120</i>	

Top – <i>See Façade</i> Townhouse Project Townhouse Style Tract Transit Facility Transit Streets and Routes Transit Supportive Use Transitional Housing <u>Transitional Housing for Formerly Incarcerated Individuals</u> Transitional Setback Space Transitway Transom Window Transportation Facility Tree • Buffer Tree • Canopy Tree – <i>See Shade Tree</i> • Dangerous Tree – <i>See Article 5 <u>Overlay District</u> Definitions. Section 3.0120</i> • Dead Tree • Deciduous Tree • Evergreen Tree • Habitat Tree • Hazardous Tree • Hogan Cedar Tree • Imminent Hazard Tree • Landscape Tree • Major Tree • Native Tree • Non-Native Tree • Ornamental Tree • Parking Lot Tree • Perimeter Tree • Regulated Tree • Required Tree • Shade Tree • Significant Tree, Significant Grove • Site Tree • Street Tree • Tree Caliper • Tree Head Height Tree Caliper – <i>See Tree</i> Tree Head Height – <i>See Tree</i> Tree Protection Plan – <i>See Tree Related Definitions, Section 3.0150</i> Tree Removal– <i>See Tree Related Definitions, Section 3.0150</i> Tree Survey– <i>See Tree Related Definitions, Section 3.0150</i> Tree Topping– <i>See Tree Related Definitions, Section 3.0150</i> Tree Well - – <i>See Tree Related Definitions, Section 3.0150</i> Truck – <i>See Motor Vehicle</i> Underground Injection Control System	Updating for specificity New definition needed Updating for specificity
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Under Marquee Sign – <i>See Signs</i> Undevelopable Area Unsafe Sign – <i>See Signs</i> Urban Development Value – <i>See <u>Habitat Conservation Area Overlay District Definitions</u>, Section 3.0120</i> Urban Services Use, Accessory Use, Change of Utility Facilities – <i>See <u>Habitat Conservation Area Overlay District Definitions</u>, Section 3.0120</i> Variance Vehicle, Recreation Vehicle Repair Vehicle Sales and/or Rental Lot Vehicular Way Visible Visible Transmittance Walk, or Walkway Wall Water Dependent – <i>See <u>Habitat Conservation Area Overlay District Definitions</u>, Section 3.0120</i> Water Feature – <i>See <u>HCA, ESRA, Article 5 Overlay District Definitions</u>, Section 3.01303.0120</i> Water Quality Resource Area – <i>See <u>HCA, ESRA, Article 5 Overlay District Definitions</u>, Section 3.01303.0120</i> Waters of the State – <i>See <u>HCA, ESRA, Article 5 Overlay District Definitions</u>, Section 3.01303.0120</i> Watershed– <i>See <u>HCA, ESRA, Article 5 Overlay District Definitions</u>, Section 3.01303.0120</i> Wet Weather Season Wetland Wind Sign – <i>See Signs</i> Window Mullion Window Sign, Inside – <i>See Signs</i> Window Sign, Outside – <i>See Signs</i> Wireless Communication Facility Tower or WCF Tower Woody Debris – <i>See <u>Article 5 Overlay District Definitions</u>. Section 3.0120</i> Woody Debris Stockpiling – <i>See <u>Article 5 Overlay District Definitions</u>. Section 3.0120</i> Xeriscaping Yard • Front Yard • Rear Yard • Side Yard Zero Lot Line- <i>See Lot Line</i> Article 5Overlay District Terms • Appeals <u>Aquatic Habitat</u> <u>Areal Cover</u> • Basement • Below-Grade Crawl Spaces	Term no longer used in code Updating for specificity Clarifying terminology for consistency Terms no longer used in code Updating for specificity
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• Building Footprint • Certified Engineering Geologist • Critical Facility • Development • Developable Area • Disturbance Area ⊖ • Permanent Disturbance Area ⊖ • Temporary Disturbance Area • Ecological Functions (or Functions) • Environmental Technical Guidance Manual • Fill • Flood Areas • Flood Management Areas • Floodplain • Geotechnical Engineer • High Slope Subarea • High Value Resource Area • Hydrologic Unit Codes • Invasive Vegetation • Landslide • Mitigation • Native Vegetation • Ordinary High Water Mark • Other Waters <u>Waters</u> • Potential Resource Area <u>Practicable</u> • Private Public Property Interface • Recreational Vehicle • Restoration • Riparian • Routine Repair and Maintenance • Stream • Structure • Subsidized Rates • Substantial Improvement • Title 3 Wetland <u>Utility Facilities</u> • <u>Linear Utility Facilities</u> • <u>Non-Linear Utility Facilities</u> • Water Dependent • Waters of the State • Watershed • Woody Debris ⊖ • Coarse Woody Debris ⊖ • Woody Debris Stockpiling ⊖ • Large Woody Debris Placement	Removing a term from the contents that isn't defined and adding two that are defined but aren't in the contents Formatting: Adjusting bulleting for consistency Correcting typo New term added Adding new terms
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Renewable Energy Related Terms • Battery Charging Station • Battery Charging Unit • Battery Exchange Station • Biogas • Blade • Electric Vehicle • Electric Vehicle Charging Station • Electric Vehicle Charging Unit • Photovoltaic Panel • Renewable Energy Systems • Solar Electric Energy System • Solar Reflective Index (SRI) • Solar Water Heating System Tree Related Terms • Clear Cutting • Critical Root Zone • Crown Cover • Diameter Breast Height • Dripline • Pruning • Severe Crown Reduction • Stand • Tree Protection Plan • Tree Protection Zone • Tree Removal • Tree Survey • Tree Topping • Tree Well • Urban Forest Temporary, Intermittent and Interim Uses Terms • Agricultural Products Sales • Christmas Tree Sales • Commercial Stand • Farmers' Markets • Film Production Studios and Trailers • Fireworks Sales • Intermittent Lodging • Mobile Unit • Real Estate Sales Office • Special Event • Temporary Commercial, Institutional or Industrial Building • Temporary Dwelling • Warming/cooling-Cooling Shelter ***	Using a black bullet for sub-terms to be consistent with General Terms section Removing bullets from primary terms to be consistent with the General Terms section
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3.0103 General Terms and Definitions A-Board Sign. <i>See Signs.</i> Abandoned Sign. <i>See Signs.</i> Abut. Contiguous to; adjoining with a common boundary line or right-of-way. Access. The place, means or way by which pedestrians, vehicles or both shall have safe, adequate and usable ingress and egress to a property or use. A private access is an access not in public ownership or control by means of deed, dedication or easement. Access Aisle. Is an <u>An</u> accessible pedestrian space between elements, such as parking spaces, seating and desks, that provides clearances appropriate for use of the elements. Accessory Dwelling. <i>See Dwelling Unit.</i> Accessory Structure. <i>See Structure, Accessory.</i> Accessory Use. <i>See Use, Accessory.</i> Accessway. A pathway designed for pedestrian and bicycle movement to provide direct and continuous access between transportation facilities and points of interest. Acreage, Net. The area proposed for development measured to the property lines of the parcel(s) or development site boundary or lot after all deductions are made. Deductions include the area of streets, existing and proposed common easements for access, and new street dedications. Adjacent. Near or close. <u>Contiguous to a common boundary line or across an adjoining right-of-way.</u> For example, an Industrial District across the street from a Residential District shall be considered as "adjacent." *** Application, Qualifying. An application for multi-family housing that shall be decided upon pursuant to Section 11.0402, Section 11.0502, Section 11.0904 11.0903 and Section 11.1013 that is characterized by: 1. Five or more new residences <u>dwelling units</u> in a building, and 2. At least 50% <u>percent</u> of the multi-family units being affordable to households with incomes at or below 60% <u>percent</u> of median family income in Multnomah County or the State of Oregon (whichever is greater), and 3. A covenant appurtenant that restricts the owner and each successive owner of the development or residential unit within the development from selling or renting any unit described in 2. above as housing that is not affordable housing for a period of 60 years from the date of the certificate of occupancy.	Correcting capitalization Clarifying definition Rewording for consistency Term no longer being used Clarifying definition Correcting reference Rewording for consistency Formatting
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Approved Tree List. Trees approved by the City for the available planting space for required Street Trees, Parking Lot Trees and Buffer Trees. Aquatic Habitat. <i>See Article 5</i><u><i>Overlay District Definitions</i></u><i>, Section 3.0120.</i> *** Area of Special Flood Hazard.Is the <u>The</u> land in the flood plain within a community subject to a ± <u>one</u> percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM <u>Flood Hazard Boundary Map (FHBM)</u>. After detailed ratemaking has been completed in preparation for publication of the flood insurance rate map, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, or V1-30, VE or V. For purposes of these regulations, the term “special flood hazard area” is synonymous in meaning with the phrase “area of special flood hazard”. *** Basement. A space wholly or partly underground and having more than one-half (1/2) of its height, measured from its floor to its ceiling, below the average adjoining finished grade. See also Article 5<u><i>Overlay District Definitions</i></u><i>, Section 3.0120</i> for specific applications of this term in those areas. *** Belt Course. A continuous row or layer of stone, brick, tile, shingles, etc. in a wall that may or may not protrude from the wall. Typically it forms a horizontal band around the building. Bedroom. <u>A room in a dwelling unit designed in accordance with the Building Code to provide sleeping accommodations. Each bedroom shall have at least 35 square feet of floor area per bed. Every two beds shall equal one bedroom.</u> Bench Sign. <i>See Signs.</i> Berm. An earthen mound with landscaping designed to provide visual interest, screen undesirable views, provide drainage, and/or decrease noise. Biogas. <i>See Renewable Energy Related Definitions, Section 3.0140.</i> Blade. <i>See Renewable Energy Related Definitions, Section 3.0140.</i> Block. A parcel of land bounded by streets, railroad rights-of-way, parks, unsubdivided acreage, or a combination thereof.	Updating for specificity Rewording for consistency Writing out acronym Updating for specificity Removing unnecessary definition New definition needed
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Boarding House. A structure that provides living units that have separate sleeping areas and some combination of shared bath or toilet facilities. The structure may or may not have separate or shared cooking facilities for the residents. Boarding houses includes structures commonly called residential hotels, rooming houses and single room occupancy housing. Buffer Area. An area adjacent to <u>abutting</u> the property line intended to provide separation between uses that reduces the impacts on adjacent uses. The horizontal distance may include screening and landscaping such as trees, shrubs, ground cover, fences, walls and berms. Buffer Tree. <i>See Tree.</i> Building. Any structure with a roof built for the support, shelter or enclosure of persons, animals, chattels, or property of any kind. See also "Structure." Building-Buildable Area or Building Envelope. The area of a lot, exclusive of setbacks, easements and other restrictions, where buildings may be constructed. Building Code. The City of Gresham Building Code as adopted in the Gresham Revised Code, Article 10.0500. Building Code Accessible. Describes a <u>A</u> site, building, facility or portion thereof, that complies with the guidelines for accessibility in Chapter XI of the Building Code. Building, Contiguous. A contiguous building for purposes of commercial, industrial, or institutional development in the Corridor Design District is single building or combination of buildings planned as a single development, regardless of structural independence, development phase or final lot lines, which have a continuous and/or common wall plane. Referred to herein as Building within Section 7.0100. Building Coverage. That percentage of the total lot area covered by buildings, including covered parking areas. Building Footprint. The total area of the building ground floor measured from the exterior faces of the building. See also Section 3.0120 for Building Footprint as it applies to Article 5 - <u>Overlay Districts</u>. *** Building Site. See Habitat Conservation Area Definitions, Section 3.0120. *** Certified Engineering Geologist. See Article 5 <u>Overlay District Definitions. Section 3.0120</u> Change of Use. <i>See Use, Change of.</i>	Removing because term no longer being used Updating for clarity Updating for consistency Rewording for consistency Removing unnecessary definition Updating for specificity Removing unnecessary definition
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Children's Play Equipment. A manufactured play structure on public or private land that is of commercial quality. Circulation Path. An exterior or interior way of passage from one place to another for pedestrians, including, but not limited to, walks, hallways, courtyards, stairways and stair landings. Citizen Band (CB) Radio. Two-way radio facilities operated for short-range personal and business communication at low power levels (15 W PEP TPO maximum) in the 27 megahertz (11 meter) band, without necessity of federal license, pursuant to 47 CFR Part 95. City. The City of Gresham. Civic Neighborhood Design District. <i>See Design District.</i> Clear Cutting. <i>See Tree Related Definitions, Section 3.0150.</i> Clear Vision Area. A triangular area at the intersections of streets with another street or with multi-use paths or railroads or driveways <u>intersection of a street with another street, public path, railroad, or driveway</u> restricting sight obstructions in the right of way as well as on private property. The purpose of the area is to provide drivers, bicyclists, and pedestrians with an unobstructed cross-view for purposes of traffic safety. Clearing. The act of removing vegetation or an existing impervious surface, such as but not limited to asphalt, concrete or buildings, so that bare earth or other surface that could potentially erode is exposed to the elements. Coarse Woody Debris. <i>See Article 5</i> <u><i>Overlay District Definitions. Section 3.0120</i></u> *** Congregate Housing. <i>See Elderly Housing.</i> <u>Housing in which each adult resident has a private or shared bedroom or living quarters and shares with other adult residents a dining room, recreational room and other common areas (ORS 443.480(3)).</u> Construction Contractor. A general contractor or builder engaged in the construction of buildings or components of buildings, as well as heavy construction contractors engaged in activities such as paving, highway construction and utility construction. This use may include inside or outside storage of materials and equipment. Consulting Arborist. <i>See Arborist.</i> Continuing Care Retirement Community. <i>See Elderly Housing.</i> Corner Lot. <i>See Lot.</i> Cornice. The uppermost section of projecting ornamental moldings along the top of a building just below a roof or the top of a wall. ***	Updating for specificity Removing because term no longer being used Updating for clarity Updating for specificity New definition needed for specificity
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Crosswalk. A portion of the public right-of-way <u>or private drive or roadway</u> used primarily for pedestrian travel through or across any portion of a transportation facility. Crown Cover. <i>See Tree Related Definitions, Section 3.0150.</i> Curb Cut. The entire variation from curb grade, including driveway approach and the area of transition from the sidewalk and curb grades to the driveway approach ramp grades. Curb Ramp. An area, typically part of a pedestrian accessible route, designed to transition non-vehicular traffic from one elevation to another, such as sidewalk transitions to street crossings. Curb Ramps are limited to maximum running slopes of 1:12 and cross slopes of 1:50. Customer. An individual who purchases, or is looking to purchase, goods and/or services for themselves, family members, or others. For home occupations, customer visits shall be measured in terms of trips per day. Dead-End Street. A street or series of streets which can be accessed from a single street. Dead-end streets can be either temporary (intended for future extension as part of a future street plan) or permanent. Deciduous. A plant with foliage that is shed annually. Deck. An exterior floor system supported on at least two opposing sides by an adjoining structure and/or posts, piers, or other independent supports. Dedication. The designation or transfer of land by its owner for any general or public use. Density. The density for any lot is computed by dividing the number of dwelling units by the parcel acreage or, if specified, net acreage. Accessory dwelling units <u>Dwellings:</u> Accessory dwelling units <u>dwellings</u> do not count toward density requirements in LDR-5, LDR-7, TR, TLDR, LDR-PV, VLDR-SW and LDR-SW. Accessory dwelling units <u>dwellings</u> count toward minimum density but not maximum density requirements in all other districts. Middle Housing: Duplex, Triplex, Quadplex, and Cottage Cluster units count toward minimum density but not maximum density in VLDR-SW, LDR-GB, LDR-7, LDR-5, LDR-PV, LDR-SW, TR, DRL-1, DRL-2, TLDR, MDR-12, MDR-PV, OFR, and that portion of CMF along the NE Glisan and NE 162nd Avenue corridors. Middle Housing counts toward minimum and maximum density requirements in all other districts. Density, Net. The net density for any lot is computed by dividing the number of dwelling units by the quotient of the net square footage of the parcel divided by 43,560. The equation for units per acre is: Net Density = Units ÷ (Net square footage ÷ 43,560)	Revising to be clear and objective Updating for clarity Removing standard from definition. This is covered elsewhere. Revising for consistency
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To calculate net square footage, the following are subtracted for areas in LDR-5, LDR-7, LDR-PV, LDR-SW, VLDR-SW, TLDR and TR: When calculating minimum density: Natural Resource Overlay, Hillside and Geologic Risk Overlay, areas encumbered by Natural Resource or Hillside Easements; square footage dedicated to public streets, private streets <u>accessways</u>, the flag pole portion of a flag lot and the portion of non-standard lots encumbered by an access easement. When calculating maximum density: High Slope Subarea, square footage dedicated to public streets, private streets <u>accessways</u>, the flag pole portion of a flag lot and the portion of non-standard lots encumbered by an access easement. To calculate net square footage, the following are subtracted for areas not in LDR-5, LDR-7, LDR-PV, LDR-SW, VLDR-SW, TLDR and TR: When calculating minimum density: Natural Resource Overlay, Hillside and Geologic Risk Overlay, areas encumbered by Natural Resource or Hillside Easements; and square footage dedicated to public streets. When calculating maximum density: Square footage dedicated to public streets. The land area dedicated without compensation for the widening or the extension of a public street may, at the applicant's discretion, be included in calculating the minimum and maximum number of attached dwelling units on a single lot permitted on land not in LDR-5, LDR-7, LDR-PV, LDR-SW, VLDR-SW, TR or TLDR. <u>For mixed-use developments in areas with a minimum residential density requirement and a minimum commercial floor area ratio (FAR) requirement, the minimum requirements shall be satisfied in accordance with the formula in Section 4.1231(B).</u> <u>Shared Housing Facilities are subject to the same minimum and maximum residential density standards as required for Multifamily development in the land use district.</u> Accessory dwelling units: Accessory dwelling units do not count toward density requirements in LDR-5, LDR-7, TR, TLDR, LDR-PV, VLDR-SW and LDR-SW. Accessory	Revising for consistent terminology Adding clarification Adding density calculation
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dwelling units count toward minimum density but not maximum density requirements in all other districts. Middle Housing: Duplex, Triplex, Quadplex, and Cottage Cluster units count toward minimum density but not maximum density in VLDRSW, LDR-GB, LDR-7, LDR-5, LDR-PV, LDR-SW, TR, DRL-1, DRL-2, TLDR, MDR-12, MDR-PV, OFR, and that portion of CMF along the NE Glisan and NE 162nd Avenue corridors. Middle Housing counts toward minimum and maximum density requirements in all other districts. Density Rounding. A method to determine the whole number of units permitted in a development. Rounding for total units allowed is done in the following manner: Minimum density: To determine the number of units permitted, the results of a calculation for the minimum number of units allowed shall be rounded down to the nearest whole number. For example, if a calculation results in 4.8 units, the minimum number of units required would be 4. Maximum density: To determine the number of units permitted, the results of a calculation for the maximum number of units allowed shall be rounded down for a decimal that is less than 0.50 and rounded up for a decimal 0.50 or greater. For example, if a calculation resulted in 4.45 units, the maximum number of units allowed would be 4. If a calculation resulted in 4.55 units, the maximum number of units allowed would be 5. Design District. <u>A clearly defined special design area with</u> Provides guidelines and standards for development activity in clearly defined special design areas. It <u>Design districts</u> can be used to ensure the conservation, continuity, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district and to promote quality development in centers, near transit facilities, and similar areas. Six initial design districts are generally described as: • Civic Neighborhood Design District. is all <u>All</u> of the Civic Neighborhood Plan District (CNPd) lands as described in Section 4.1200. This area generally encompasses properties between Wallula on the west, Burnside to the north, Eastman on the east, and Division to the south, including both sides of Division at the intersection of Division and Eastman. • Corridor Design District. is generally those <u>Those</u> corridor districts -- Corridor Multi-Family (CMF); Corridor Mixed Use (CMU); Moderate Commercial (MC) and Community Commercial (CC); and those residential districts – Moderate Density Residential-12 (MDR-12), Moderate Density Residential-24 (MDR-24) and Office/Residential District (OFR) -- <u>that</u> are not included in another Design District. • Downtown Design District. is all <u>All</u> of the Downtown Plan District (DPD) lands as described in Section 4.1100. This area generally encompasses properties	information for new use type Removing because it was already stated above Rewording for consistency
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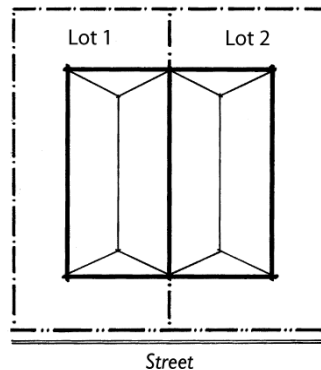
between Eastman on the west, Hogan on the east, both sides of Burnside to the north and both sides of Powell to the south. • Pleasant Valley Design District. is generally <u>Generally,</u> the Pleasant Valley Town Center (TC-PV) and the Medium Density Residential-Pleasant Valley (MDR-PV) and High Density Residential-Pleasant Valley (HDR-PV). • Rockwood Design District. is generally <u>Generally,</u> the Rockwood Town Center (RTC) lands and the Station Center (SC) lands along the MAX line from the west City limits to Birdsdales including the Station Center-Ruby Junction (SC-RJ) lands. • Springwater Design District. is generally <u>Generally,</u> the Springwater Village Center (VC-SW) and the abutting Townhouse Residential (THR-SW) land to the east of the VC-SW. *** Detention. The temporary storage of stormwater runoff to control peak discharge rates and/or provide gravity settling of sediment and other pollutants prior to discharge to the <u>public stormwater system</u> sewer or natural drainage channel (e.g., stream). *** Developable Area. See Article 5 <u>Overlay District Definitions.</u> Section 3.0120 Development. Any human-made change to improved or unimproved real estate, including but not limited to construction, installation, or alteration of buildings or other structures; land division; establishment or termination of a right of access; storage on real property; tree removal; drilling; and site alteration such as that due to land surface mining, dredging, grading, paving, excavation, or clearing. See also <u>Article 5</u> <u>Overlay District</u> Definitions, Section 3.0120 for specific applications of this term in those areas. Development Permit. A permit issued by the Manager for a development which is in compliance with the requirements of the Community Development Code and, <u>if applicable,</u> the Comprehensive Plan. *** Disturbance Area. See Habitat Conservation Area <u>Overlay District Definitions,</u> Section 3.0120. *** Dwelling Unit. A building, or any portion thereof, providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. <u>A dwelling unit that contains more than eight (8) bedrooms is classified as a shared housing facility.</u> <u>Each of the following housing types is made up of one or more dwelling units.</u> • Accessory Dwelling. An interior, attached, or detached <u>freestanding</u>	Updating for specificity; terminology consistency Clarification and term consistency Clarification HCA term no longer used in code
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residential structure that is used in connection with, or that is accessory to, a single detached dwelling or townhouse. The <u>An accessory unit dwelling</u> functions as a complete, independent living facility with provisions within the unit for a separate kitchen, bathroom and sleeping area. <u>Attached accessory dwellings may be interior to the primary dwelling; attached by a wall, ceiling, or floor; connected by a roof, breezeway, deck, or other structural connection; or above an attached garage. Freestanding accessory dwellings may be detached from other structures or attached to a residential accessory structure that is detached from the primary dwelling.</u> • Cottage. A detached dwelling unit with a footprint of less than 900 square feet that is part of a cottage cluster. • Duplex. Two dwelling units on a lot or parcel. The dwellings may be attached or detached (i.e. may or may not share a common wall <u>or common floor/ceiling</u>). <u>Middle housing duplex units that have been divided onto individual lots through a Middle Housing Land Division are considered a duplex.</u> The diagram shows a rectangular building divided into two equal halves by a vertical wall. The left half is labeled 'Unit 1' and the right half is labeled 'Unit 2'. Each unit has a gabled roof. Below the building, a horizontal line represents the 'Street'. • Manufactured Dwelling. A dwelling unit constructed off of the site which can be moved on the public roadways. Manufactured dwellings include residential trailers, mobile homes, and manufactured homes per ORS 446.003. Manufactured Dwelling does not include any building or structure constructed to conform to the State of Oregon Structural Specialty Code, the Low-Rise Residential Dwelling Code or the Small Home Specialty Code. A Manufactured Dwelling is one of the following: 1. Manufactured Home. A manufactured home is a manufactured dwelling constructed after June 15, 1976, in accordance with federal manufactured housing construction and safety standards (HUD code) in effect at the time of construction. 2. Mobile Home. A mobile home is a manufactured dwelling constructed between January 1, 1962, and June 15, 1976, in accordance with the construction requirements of Oregon mobile home law in effect at the time of construction. 3. Residential Trailer. A residential trailer is a manufactured dwelling constructed before January 1, 1962, which was not constructed in accordance with federal manufactured housing construction and safety	Adding the concept of a shared housing facility Revising for clarity; the concept of what “attached” means for purpose of ADUs Revising for clarity
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standards (HUD code), or the construction requirements of Oregon mobile home law.

See also ~~Article 5~~Overlay District Definitions, **Section 3.0120** for specific applications of this term in those areas.

- **Multifamily Dwelling.** A structure or grouping of structures containing ~~multiple~~ five or more dwelling units on a single lot. The land underneath the structures is not divided into separate lots. Five or more dwelling ~~Dwelling~~ units on the same lot as, and sharing a common wall with, commercial uses are also multifamily dwellings. Multifamily dwellings are not middle housing.
- **Single Detached Dwelling.** A detached structure on a lot or parcel that is comprised of a single dwelling unit. Single Detached Dwellings may be constructed offsite, e.g., manufactured dwellings, ~~and~~ modular homes, and prefabricated structures, as defined in ORS 197A.015. A single dwelling unit on the same lot as, and sharing a common wall with, commercial uses are also single detached dwellings. Middle housing units that have been divided onto individual lots through a Middle Housing Land Division are not Single Detached Dwellings.
- **Temporary Health Hardship Dwelling.** A manufactured home temporarily placed with an existing single detached dwelling and intended to provide convenient, temporary housing for persons with a demonstrated health hardship.
- **Townhouse.** A dwelling unit on its own lot, constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.



- **Triplex.** Three dwelling units on a lot or parcel. The dwellings may be attached or detached (i.e. may or may not share a common wall or common floor/ceiling). Middle housing triplex units that have been divided onto individual lots through a Middle Housing Land Division are considered a triplex.
- **Quadplex.** Four dwelling units on a lot or parcel. The dwellings may be attached or detached (i.e. may or may not share a common wall or common floor/ceiling). Middle housing quadplex units that have been divided onto individual lots through a Middle Housing Land Division are considered a quadplex.

Updating for specificity

Updating for specificity; providing updated parameters of multi-family dwellings

Revising for clarity

*** Easement, Conservation. See <u>Natural Resource and Watershed Easements, Section 9.0303.</u> Easement, General Utility. A specific described area of land that is dedicated and recorded for public utility uses including water, <u>wastewater</u>, sewer, stormwater, electricity, natural gas, communications and for maintenance access to such uses. *** Ecological Functions. See HCA, ESRA, Article 5<u>Overlay District Definitions, Section 3.01300120.</u> Effective Impervious Area. See Habitat Conservation Area<u>Overlay District Definitions, Section 3.0120.</u> Elderly Housing. Housing for individuals 55 years old or older, or for couples where two-person households in which at least one of the spouses household members is 55 years old or older or for disabled persons. Elderly housing shall qualify as housing exempt from the prohibition against discrimination based on familial status as set forth in the Fair Housing Act and the rules and regulations of the United States Department of Housing and Urban Development, as set forth in 24 C.F.R. Chapter 1, Part 100, Sections 302-304. The term "elderly housing" does not include a single detached dwelling, a residential subdivision, residential facility or residential home. <u>Elderly housing must include a commercial kitchen and provide meal services to residents. Retirement housing that is designed for independent living, where each unit has a full kitchen and bath, or that has a shared kitchen but does not provide meal services, is not considered "elderly housing." Such uses shall be classified under the type of housing that they occupy, such as multifamily housing or manufactured dwelling park.</u> Elderly housing may consist of any one or any combination of the following: • Assisted Living Housing. Assisted living housing contains separate living units and is designed to support resident independence in a residential setting, and to promote the concept of "aging in place." Assisted living housing offers a range of services, available on a 24-hour basis, for support of resident choice, dignity, privacy, individuality, independence and home-like surroundings. • Congregate Housing. Congregate housing is a specially planned, designed, and managed multi-unit rental housing with self-contained apartments. It is designed to provide supportive environments, but also to accommodate a relatively independent lifestyle. Typically, a limited number of support services, such as meals, laundry, housekeeping, transportation, and social and recreational activities, are provided. See separate definition for Congregate	Triplex and quadplex units; Revising for clarity Correcting retired easement term (Conservation easement) to updated easement term); consistency Revising for clarity HCA; Terms no longer used in code Revising to be more inclusive; identifies that households may include members of 55+ and member(s) less than 55 Additional language for clarity; compliance with prohibition on occupancy limits Revising to be more concise
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entry door(s) or gate(s); and the hardware of the entry door(s) or gate(s). A primary entry is a type of entry. Entry, Primary. A principal entry for people into a building which faces a public street. (Also “primary entrance” or “main entrance.”) <u>The entry to a building that is designed to facilitate ingress and egress for the highest volume of building users. Generally, each building has one primary entry, but if design features do not make it possible to determine which entry is the primary entry, all entries providing the same capacity of ingress and egress shall be treated as primary entries.</u> Environmental Technical Guidance Manual. See Article 5 <u>Overlay District Definitions.</u> Section 3.0120 Erosion. The movement of soil particles resulting from actions of water or wind. *** Fast Food Service. The retail sales in a building of convenience food or specialty menu items, and ordered and served at a counter or window, whether for consumption on or off the premises, when the facility is designed primarily to serve customers arriving by automobile. Such food items include, but are not limited to, dairy products, donuts, fish and chips, fried chicken, hamburgers, hot dogs, ice cream, pizza, sandwiches, soft drinks or tacos. Fence. An artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas. For purposes of Section 9.0100, walls are a type of fence. Fill. See Article 5 <u>Overlay District Definitions,</u> Section 3.0120. *** Flood Areas. See Article 5 <u>Overlay District Definitions,</u> Section 3.0120. Flood, Base. A flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the “100-year flood”. Flood Insurance Rate Map (FIRM). An official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM). Flood Insurance Study. An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. Flood Management Areas. See HCA, ESRA, Article 5 <u>Overlay District Definitions,</u> Section 3.0130 <u>Section 3.0120.</u>	Term moved to Renewable Energy Related Terms Revising for improved specificity Definition not needed Definition not needed; not used elsewhere in code Updating for specificity
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Flood Prone. Areas of land not shown on the FIRM but known to have suffered documented watercourse related flooding. Floodplain. Any land area susceptible to being inundated by flood waters from any source. See also “Flood or Flooding.” See Also the <u>HCA, ESRA, Article 5 Overlay District</u> Definition in Section 3.0130-0120 for use of this term in those areas. *** Fore-Court. An open area in front of a building’s main <u>primary</u> entrance. Forestry Stewardship Council (FSC) Rating. This is a <u>A</u> rating system for wood products whereby certification is granted from the Forestry Stewardship Council’s accredited independent certifiers that evaluate forest management for environmental responsibility, social benefit and economic viability. *** Geotechnical Engineer. See Article 5 Overlay District <u>Definitions</u>. Section 3.0120. *** Gresham <u>Community Development Plan Map</u>. The Plan Map map that identifies the land use designations assigned to all property within the City of Gresham. The Plan Map is included as Appendix C of Volume II of the Gresham Community Development Plan. *** Gresham Public Works Standards. The Gresham Public Works Standard Details, Construction Specifications, and Design Standards. Also referred to as the Public Works Standards. *** Habitable Floor. Any <u>For the purposes of minimum building height standards, any</u> floor usable for living purposes, which includes working, sleeping, eating, cooking, or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor." This term “habitable floor” does not apply to the provisions of Section 5.0100 Floodplain Overlay District. Hardscape. <u>Non-plant landscape materials, including paths, decorative pavers, benches, drinking fountains, arbors, pergolas, playgrounds, plazas, and similar amenities.</u> *** High Slope Subarea. See Article 5 Overlay District <u>Definitions</u>. Section 3.0120	HCA and ESRA; Terms no longer used and correcting reference; Correcting reference Revising for clarity Rewording for consistent formatting Updating for specificity Correcting terminology Term updated to “Public Works Standards” and moved Clarifying terminology
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High Value Resource Area. See Article 5<u>Overlay District Definitions</u>. Section 3.0120 Historic and Cultural Landmark. A site, building, structure, district, or object found to be of historic significance because it meets the criteria in the Community Development Code for being added to the Historic and Cultural Landmarks List. These include being associated with a significant historical person or a significant past event; having distinctive architectural features representative of an architectural period or a method /type of construction; or likely to yield information important in prehistory or history. • Class 1 Historic and Cultural Landmarks. These are the<u>The</u> most significant historic resources (site, building, structure, district, or object) found on the Historic and Cultural Landmarks List and include all resources that are also listed on the National Register of Historic Places. The exteriors of Class 1 Landmark buildings have been relatively unaltered since the time they were built and closely resemble their historic appearance. • Class 2 Historic and Cultural Landmarks. These are historic<u>Historic</u> resources (site, building, structure, district, or object) found on the Historic and Cultural Landmarks List that are of lesser significance than Class 1 Historic and Cultural Landmarks but are still of considerable value to the community because of their age or architecture. In general, the exterior appearance of Class 2 Landmark buildings have been altered to a greater degree than Class 1 Landmarks since the time they were built. *** Hotel. A building or portion thereof, with rooms designed or intended to be used, subletted, or hired out for the purpose of offering lodging on a day-to-day basis to the general public. Motels and apartment hotels shall be classified as hotels. <u>Shelters shall not be classified as hotels.</u> Housing, Affordable. A residential unit or units that are affordable to households with designated income levels. The income levels are specific to each section pertaining to affordable housing. See Section 3.0222 Affordable Housing. Hydrologic Unit Codes. See Article 5<u>Overlay District Definitions</u>, Section 3.0120. Illuminated Awning Sign. <i>See Signs.</i> Immediate Care Facility. <i>See Elderly Housing.</i> Imminent Hazard Tree. <i>See Tree.</i> Indirect Illumination Sign. <i>See Signs.</i> Infill Lots and Parcels. <i>See Lot.</i> Infiltration (in the context of stormwater), or Stormwater Infiltration. Also referred to as stormwater retention.The permanent storage and disposal of stormwater, through percolation into the ground. This may occur via the soil surface or the subsurface. The stormwater hierarchy in the Water Quality Manual applies, and a DEQ authorization is required for subsurface infiltration that meets	New definition needed Updating for specificity Updating for specificity Rewording for clarity Updating for specificity Clarification added Consistency, terminology
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the definition of an Underground Injection Control system. <u>Also referred to as stormwater retention.</u> Installation, Sign. <i>See Signs.</i> Institutional Campus. An institutional use consisting of one or more contiguous lots or site at least 20 acres in size owned or managed by a single entity and providing public/semi-public and private services such as higher educational facilities and hospital campuses with affiliated health care services. Institutional Master Plan. A development plan for multiple phases of certain institutional uses; parks; and public, <u>multi-use paths and trails</u> that includes one or more sites. Intent. <u>As used in the Design Districts sections,</u> a statement indicating the purpose of what the Design Guidelines and Standards regulations are designed to achieve. Interior Lot. <i>See Lot.</i> Internal Signs, Institutional Campus. <i>See Signs.</i> Internal Illumination Sign. <i>See Signs.</i> Invasive Vegetation. <i>See HCA, ESRA, Article 5</i> <u>Overlay District Definitions, Section 3.0120.</u> *** Kitchen. A room used or designed to be used for the preparation of food. *** Landing. Is a <u>A level area, within or at the terminus of a stair or ramp.</u> Landscaping. Site improvements which include lawn, groundcover, trees, plants and other natural and decorative hardscape features <u>that are contiguous with plant material landscaped areas,</u> including but not limited to, patios or plazas open to the public or open commonly to residents, and street furniture, and walkways which are contiguous and integrated with plant material landscaped areas, fencing, fountains, and works of art. Except as allowed elsewhere in the Community Development Code, all areas to be credited towards landscaping must be installed with growing plant materials. Mulch, bark chips, and similar materials may be used only as a temporary groundcover at the time of planting <u>or between plantings provided applicable standards for living plant material (i.e., groundcover, shrubs, trees, etc.) are met.</u> The verification of plant materials requiring specific characteristics can be achieved by any of the following methods:	Rewording for consistency Addition for clarity Updating for specificity Updating for specificity Definition not needed Rewording for consistency Rewording to be clear and objective
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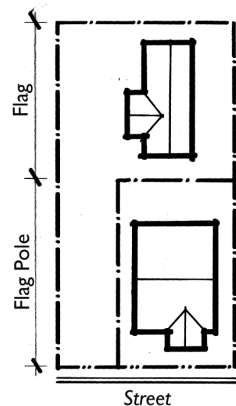
1. Description in Sunset Western Garden Book (Editor Sunset Books, 1988 or later edition), or
2. By an appendix or definition in the Community Development Code, or
3. By specific certification by a licensed landscape architect.

- **Parking Lot Landscaping.** Landscaped areas that are located within ten (10) feet of parking modules, internal drive aisles or parking stalls. This landscape area includes parking area perimeter buffers, landscape strips, landscaped islands and bays, major landscape islands divisions, tree wells and landscaping on internal public streets, primary internal drives and site buffers. ~~Paved surfaces and walkways do not count toward any landscape area calculations for commercial developments in the Corridor Design District.~~

Landslide. See ~~Article 5~~ Overlay District Definitions, **Section 3.0120**.

Lot. A generic term that describes any unit of land.

- **Corner Lot.** A lot that has frontage on two or more streets. A corner lot also includes a lot abutting the inside curve of a street with a delta angle, as used on plats, of 60 degrees or more.
- **Double Frontage Lot.** A lot with street frontage along two opposite boundaries.
- **Flag Lot.** A lot with two distinct parts: the flag, which is the only building site, located behind another lot; and the flag pole, which connects the flag to the street, provides the only street frontage for the lot and is narrower than the street frontage required for that district.



- **Flag Pole.** The narrow portion of a flag lot needed to provide vehicular access from the street to the remainder of the parcel. A flag pole is typically under parent parcel ownership, but may be allowed as an easement for shared access across an adjacent ownership or as interim access pending future street development.

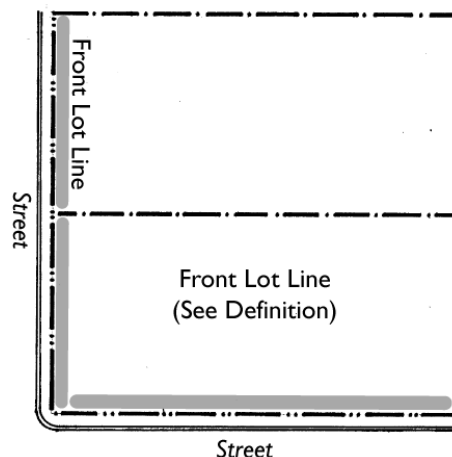
Updated to match terminology used elsewhere in code; Remove language which conflicts with standard in Corridor District

Updating for specificity

- **Interior Lot.** A lot other than a corner lot, with frontage only on one street.
- **Irregular Shaped Lot.** A lot that is other than rectangular in shape.
- **Middle Housing Lot.** A single unit of land legally created by a Middle Housing Land Division in accordance with **Section 6.0500**.
- **Parent Parcel or Parent Lot.** A lot or parcel of land from which other parcels or lots are divided.
- **Rectilinear Lot.** A lot where the side lot lines are perpendicular to the street upon which it faces, or are radial to the street in the case of a curved street.
- **Subdivision Lot.** A single unit of land legally created by a subdivision in accordance with the City of Gresham subdivision regulations.

Lot Line. Any property line bounding a lot.

- **Front Lot Line.** For an interior lot, the lot line abutting a street. In the case of a corner lot, where there is an existing building, the front lot line is determined by the orientation of the front door. For a corner lot where there is no existing building, the front lot line is determined by the orientation necessary to achieve minimum required lot depth. If lot depth may be met in both directions, then the applicant may determine which lot line is the front lot line. In cases where the front lot line is disputable, the Manager shall determine the front lot line. For double frontage lots, the front lot line shall be determined by the Manager except when an access control strip has been required along one of the streets of a double frontage lot by a governmental agency. In that instance, the line separating the lot from this street shall become the rear property line. A lot line abutting an alley is a rear lot line. For flag lots and non-frontage lots where lot depth is met in both directions, the front lot line shall be determined by the Manager.



- ~~**Northern Lot Line.** The lot line that is the smallest angle from a line drawn east-west and intersecting the northernmost point of the lot, excluding the pole portion of a flag lot. If the north line adjoins an undevelopable area other than a required yard area, the northern lot line shall be at the north edge of~~

Relocated definition of Parent Parcel or Parent Lot under Lot heading for ease of use

Adding for clarity

such undevelopable area. If two lot lines have an identical angle relative to a line drawn east-west, then the northern lot line shall be a line 10 feet in length within the lot parallel with and at a maximum distance from the front lot line. *** Low Structure Vegetation or Open Soils. <i>See Habitat Conservation Area Definitions, Section 3.0120.</i> Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR Section 60.3. Main Entry or Entrance. <i>See Entry, Primary.</i> Maintain. To cause or allow to continue in existence; when the context indicates, maintain shall mean to preserve and care for a structure, improvement, conditions or landscape area so that it remains attractive, safe and presentable and carries out the purposes for which it was installed, constructed or required. Maintenance Sign. <i>See Signs.</i> Major Tree. <i>See Tree.</i> Manager. The City Manager of the City of Gresham acting either directly or through authorized representatives. Mansard Wall Sign. <i>See Signs.</i> Manufactured Dwelling. <i>See Dwelling.</i> Manufactured Home Park/Subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale. *** Mitigation. See Article 5 <i>Overlay District Definitions, Section 3.0120.</i> *** Modulation, Building. Design technique that breaks the massing of large buildings down into smaller units by providing varying depths for exterior walls. • Vertical Modulation: Used to make large buildings appear to be an aggregate of smaller elements or to add visual relief to long stretches of facades. Techniques can include the use of architectural features, setbacks or varying rooflines. • Horizontal Modulation: Used to reduce the apparent mass of multi-story buildings and provide continuity at the ground level of a large building. Building facades can be divided with horizontal elements so that the façade	Definition not needed Term no longer used Reference added for ease of use Definition not needed Updating for specificity
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appears less massive than those with sheer, flat surfaces. Techniques can include step-backs, balconies, and roof treatment. *** Moving Parks Sign. See <i>Signs</i>. *** Munton Muntin. A vertical member between the casements or panels of a window or panels of a screen. *** Native Vegetation. See Article 5<u>Overlay District Definitions</u>, Section 3.0120. Natural State. A physical state for a property or portion of property, where upon no development or improvements have occurred, and natural, unmaintained native vegetation is prevalent. Needed Housing. See <i>Housing, Needed</i>. Neighborhood Activity Center. A land use which draws high levels of daily pedestrian usage, and which functions as a destination for pedestrian and vehicle trips. <u>Examples of neighborhood activity centers include existing or planned parks and recreation facilities, schools, shopping areas, employment centers, theaters, and museums.</u> *** Ordinary High Water Mark. See Article 5<u>Overlay District Definitions</u>, Section 3.0120. Ornamental Tree. See <i>Tree</i>. Other Waters. See Article 5<u>Overlay District Definitions</u>, Section 3.0120. Outdoor Advertising Sign. See <i>Signs</i>. Outdoor Area. A particular extent of space or surface that is not within a building but rather in open air. Examples include: • Outdoor Sales Display. An outdoor arrangement of objects, items, products, or other materials that is capable of rearrangement, is not in a fixed position, and which is designed and used for the purpose of sales. An outdoor sales display does not exceed fifteen percent (15%) of the ground floor area of the building(s) on the site or a maximum of one thousand (1,000) square feet, whichever is less. An outdoor sales display also does not remain outdoors for more than 24 hours and maintains an accessible pathway as defined in the Building Code. • Outdoor Storage. The keeping of materials or goods associated with the rental, distribution, wholesale, manufacturing, processing or repair of equipment or supplies in the same outdoor place for more than 24 hours.	Definitions not needed; terms not used elsewhere in code Signage type no longer used in code Correcting typo Updating for specificity New definition needed Updating for specificity Removing standard from definition. This is covered elsewhere.
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Owner. The owner of record of real property as shown in the records of Multnomah County, on a property deed or title, or a person purchasing a piece of property under contract. Painted Highlights Sign. <i>See Signs.</i> Painted Wall Decoration Sign. <i>See Signs.</i> Painted Wall Sign. <i>See Signs.</i> Parapet or Parapet Wall. That part of any wall above the roof line as defined in Building Code. Parcel. A generic term that describes any unit of land. Parent Parcel or Parent Lot. A lot or parcel of land from which other parcels or lots are divided. <i>See Lot.</i> Park and Ride Facility. A permanent facility for vehicle parking by transit riders. Parking Lot. Pavement/hard surface area and associated circulation routes dedicated to parking vehicles off-street or beyond the right of way, either free or for a fee. When calculating the size of the parking lot, it shall include paved parking stalls, drive aisles, primary internal drives and those internal public streets which include on-street parking. Service drives and paved loading areas shall not count when calculating the area of the parking lot. Parking areas for single detached dwellings and middle housing are not parking lots except as specified in Section 7.0432 <u>Sections 7.0431 and 7.0440</u> where shared parking areas are <u>provided.</u> *** Pedestrian Facilities. Transportation facilities which provide for pedestrian traffic including sidewalks, walkways, <u>paths and</u> trails, crosswalks and other improvements, such as lighting and benches. Pedestrian facilities are generally hard-surfaced. In parks and natural areas, they may be soft-surfaced. On undeveloped parcels and parcels intended for redevelopment, pedestrian facilities may also include rights-of-way or easements for future pedestrian facilities. Pennant Sign. <i>See Signs.</i> Perennial (or Perennial Plant). A herbaceous plant that lives for more than two years usually with new herbaceous growth from a part that survives from season to season. *** Plaza. A functional <u>An</u> exterior open space available to the general public at all times and accessible from abutting sidewalk, alley or street, and oriented to receive sunlight. Landscaping, kiosks, fountains, art works can occupy 2/3 of the area with the remainder being suitable for walking, sitting and similar pursuits See also Public Urban Plaza. See also Public Urban Plaza.	Moving definition for ease of use Moving this out of definitions for ease of use Updating references Removing unnecessary language; update terminology Definition not needed
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Pleasant Valley Design District. <i>See Design District.</i> Plinth. The base or platform upon which a wall, column, pedestal, statue, monument, or structure rests. Potential Resource Area. <i>See Article 5Overlay District Definitions, Section 3.0120.</i> Porch. A roofed open area, which may be screened, usually attached to or part of and with direct access to or from a building. Portable Sign. <i>See Signs.</i> Portico. A covered walkway or major porch with columns on at least one side; a covered colonnade. Practicable. <i>See Habitat Conservation Area-Overlay District Definitions, Section 3.0120.</i> Premises. A lot, parcel or tract of land occupied, or to be occupied, by a building or unit or group of buildings and their accessory buildings. Primary Building Entrance or Entry. Is the principal entry into a building, or one of several such entries. Primary building entrances are open to the general public for use during all business hours. See also Entry. See Entry, Primary. Primary Feeder Line. An electric power line carrying 50,000 volts and above. Primary Internal Drive. <u>A vehicular way that provides vehicular and pedestrian access through a site, serving as an alternative to a public street connection. Standards for primary internal drives are provided in the Design District Code sections.</u> Primary Street. <u>As used in the Design District standards, the primary street shall be the street with the highest classification. For the Downtown Design District, the following street type hierarchy shall be followed (listed highest to lowest; shown on Map 4.1140 Downtown Street Types): Urban Boulevard (Arterial), Main Avenue, Urban Local, other Unique Streets, Downtown Local. For the Civic Design District, the street type hierarchy is provided in Section 4.1241. When two streets have the same classification, the applicant shall identify the primary street frontage.</u> Principal Building. A structure within which the principal use of the site takes place. Principal Use or Primary Use. The main use to which the premises are devoted and the primary purpose for which the premises exists. <u>See also Section 3.0204, Classifying a Use.</u> Private Open Space. <u>As used in the Design District standards, an open space area that is abutting and/or directly accessible from an individual dwelling unit and not shared with other dwelling units. Examples include decks, balconies, patios, and landscaped yards.</u> Private Public Property Interface. <i>See Article 5Overlay District Definitions, Section 3.0120.</i> ***	Removing unnecessary language Updating for specificity Term no longer used Removing redundant definition; definition no longer used in code Definition needed for existing terms used in design districts Adding reference for ease of use
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Public Community Park.Large <u>A large</u> park (generally 13 to 50 acres) that provides active and passive recreational opportunities for all <u>City</u> residents. Accommodates large group activities. Public Connector Path. <u>A public path, also called a mid-block connector path, that may be used in place of public streets or primary internal drives to provide pedestrian connectivity through a development site. Standards for public connector paths are provided in A5.509 and the Design Districts.</u> Public Path. A paved public access route designed for a broad range of users such as pedestrians (including pedestrians with disabilities), hikers, runners, bicycle riders, horseback riding<u>riders</u>, users in wheelchairs, and users pushing strollers, for transportation and recreation purposes. The term “Multi-Use Path” is often used interchangeably for<u>with</u> public path in City and regional documents. Public Neighborhood Park.Small <u>A small</u> park (generally 1 to 13 acres) located within biking and walking distance of users. Provides access to basic recreation opportunities. Includes pocket parks in denser urban areas, which are usually less than 1 acre. Public Open Space.Area <u>An area</u> of natural quality for protection of natural resources, nature-oriented outdoor recreation and trail-oriented activities. Includes greenways, which are linear open spaces along significant waterways. Public Place. A public park, LRT station, right-of-way, <u>path, trail</u>, or public easement that accommodates pedestrians. Public Trail. A soft surface public access route primarily for passive pedestrian activities such as walking, hiking, and running. Horseback riding and bicycling are also common uses though generally permitted only where steep slopes, erosive soils, or other sensitive site considerations do not exist. Public Trail Access Points. Minor entry points primarily for neighborhood residents to access the <u>public</u> trails and paths system from residential neighborhoods, streets, sidewalks, parks, and other public facilities. Trail orientation and regulatory signs occur at trail access points. Public Trailheads. Major entry points for neighborhood residents and the general public to access the <u>public</u> trails and paths system and where a number of support facilities can be provided for public use. Possible trailhead facilities may include off-street parking for up to twelve vehicles, vehicular access control gate with padlock, bike racks, information kiosk, orientation and regulatory signs, overhead shelter, drinking fountains, seat benches, portable restrooms, and picnic tables. Public Urban Plaza. Multi-purpose paved area within high density urban developments and along transit corridors. Provides spaces for community events and the day-to-day recreational needs of nearby residents and employees as well as shoppers and transit users. Includes town squares. Generally less than 1 acre. May include landscaping. See also <i>Plaza</i>.	New definition needed Updating for specificity Adding new definition to support consistent terminology Fixing typo Clarification Rewording for consistency Rewording for consistency
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Public Use Areas. Are those interior <u>Interior</u> or exterior rooms or spaces which are made available to the general public. Public use may be provided at a privately or publicly owned building or facility. Public Works Standards. <u>The Public Works Standard Details, Construction Specifications, and Design Standards. Also referred to as the Gresham Public Works Standards. Gresham City Council shall adopt the Public Works Standards by resolution.</u> Publicly Accessible Open Space. <u>An open space area that is typically developed as part of a project and is intended for and accessible for public use. The area may include a variety of types of spaces, both hardscaped and landscaped, such as on-site plazas, interior courtyards, patios, terraces, and gardens. These open spaces are often located and designed to encourage and concentrate activity on a site.</u> Qualified Arborist. <i>See Arborist.</i> Radio. A generic term referring to communication of impulses, sounds, and pictures through space by means of an electromagnetic wave, including but not limited to short-wave, FM, AM, land mobile, common carrier, low and high power television, and microwave transmissions. *** Repair, Sign. <i>See Signs.</i> *** Residential Facility. <i>See Residential Facility Land Use Classification, Section 3.0220.</i> Residential Home. <i>See Residential Home Land Use Classification, Section 3.0221.</i> Residential Use. <u>A residential use provides for human living, sleeping, and sanitation with tenancy generally arranged on a month-to-month basis, or for a longer period. Shorter tenancy in shelters, transitional housing, and individual dwelling units is also considered residential use. However, buildings or properties with more than four (4) dwelling units or more than eight (8) individually rented sleeping units, where the majority of the units are rented on a short-term basis and transient lodging tax is required to be paid, are classified as a commercial use.</u> Residentially Designated Land. Includes land <u>Land</u> in the following land use districts: LDR-5, LDR-7, TLDR, TR, MDR-12, MDR-24, CMF, DRL-1, DRL-2, CNRM, LDR-GB, LDR-PV, MDR-PV, HDR-PV, VLDR-SW, LDR-SW and THR-SW. Restaurant. A retail service establishment where meals are prepared and served to the public generally for consumption on the premises. A restaurant may or may not include fast food services. Restoration. <i>See Article 5 Overlay District Definitions, Section 3.0120.</i> Retirement Housing. See Elderly Housing.	Rewording for consistency Moved from Gresham Public Works Standards with minor language update. Last sentence moved from Appendix 5.002. New definition needed Definition not needed Adding references for ease of use New definition needed Rewording for consistency
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Revegetation. The replacement of trees and plant materials where there has been soil disturbance or the loss of trees and other vegetation, or encroachment of invasive species. Right-of-Way (ROW). A general term denoting public land, property, or interest therein acquired for, or devoted to a public transportation facility. It includes, but is not limited to, streets, roads, highways, bridges, alleys, sidewalks and all other public ways, including the subsurface under and air space over these areas under the jurisdiction of the City or other public entity. Riparian. See Article 5<u>Overlay District Definitions, Section 3.0120.</u> Rockwood Design District. <i>See Design District.</i> Roof. A structural covering over any portion of a building or structure including projections beyond the walls or supports of the building or structure. • Roof, Butterfly. A roof where planes are designed so the middle of the roof is lower and the outer edges are higher. • Roof, Gable. A roof identified by the straight slope falling from ridge to eave, creating a peak or triangle on the side or front façade. Gables structures have rakes on the gable facades and eaves on the non-gabled facades. • Roof, Gambrel. <u>A ridged roof divided on each side into a shallower slope above a steeper one.</u> • Roof, Hipped. A roof that slopes on all sides up to a peak or ridge. • Roof, Mansard. A roof having two slopes on its sides, with the lower slope almost vertical and the upper almost horizontal. These roofs often allow a tall attic space, frequently used to add an upper story. • Roof, Shed. A roof having only one sloping plane. Roof Sign. <i>See Signs.</i> Roof Line Sign. <i>See Signs.</i> Rotating Sign. <i>See Signs.</i> Routine Repair and Maintenance. See Article 5<u>Overlay District Definitions, Section 3.0120.</u> *** Setback Adjustment. See Habitat Conservation Area<u>Overlay District Definitions, Section 3.0120.</u> Severe Crown Reduction. <i>See Tree Related Definitions, Section 3.0150.</i> Shade Tree. <i>See Tree.</i> Shared Housing Facility. <u>A building, or any portion thereof, other than a dwelling unit, elderly housing, residential home, or residential facility, providing residential facilities for one or more persons, including permanent provisions for living, sleeping, and sanitation (all facilities may be shared or private). A dwelling unit that contains more than eight (8) bedrooms is classified as a shared housing facility. Calculation for density of shared housing facilities is provided under <i>Density, Net</i>.</u>	Definition not needed Updating for specificity Term no longer being used Updating for specificity Definition needed for existing term Updating for specificity
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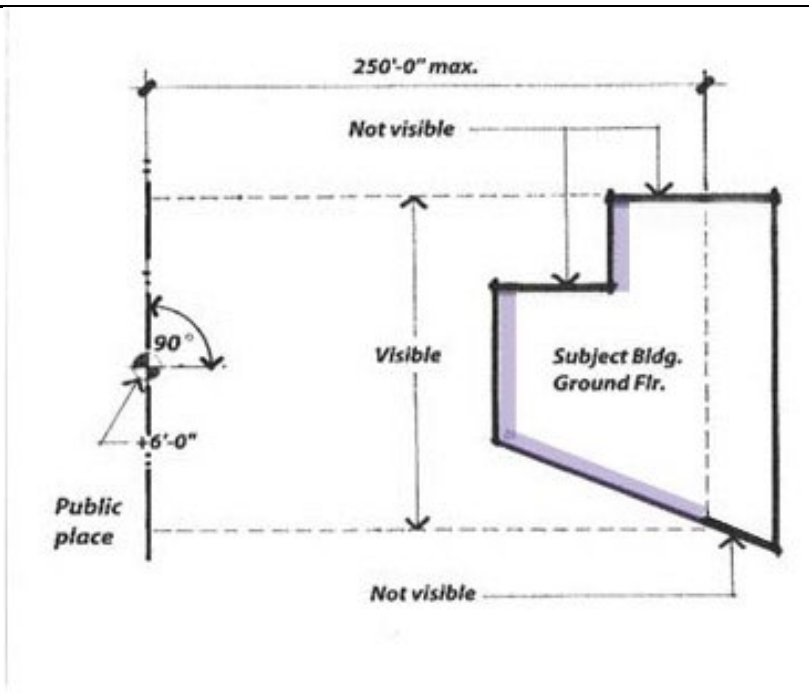
*** • Installation, Sign. <u>The development of a sign.</u> Installation shall include erecting, constructing, re-constructing, placing, altering, changing the sign face, relocating, suspending, attaching and the installation of electrical parts, wiring or illumination of any sign. However, installation shall not include changes in copy of a readerboard or outdoor advertising sign or of the removable panels of a free-standing multi-business complex sign. • Internal Illumination Sign. The light source is concealed within the sign. • Internal Signs, Institutional Campus. A sign located within the boundaries of the campus. • Maintenance, Sign. Normal care needed to keep a sign functional such as cleaning, oiling and changing of light bulbs. *** • Monument Sign. A freestanding <u>free-standing</u> sign sitting directly on the ground or mounted on a base. *** • Repair, Sign. Fixing or replacement of broken or worn parts. Replacement is of comparable materials only. Repairs may be made with the sign in position or with the sign removed. *** • Structure, Sign. A structure specifically intended for supporting or containing a sign. *** Single Loaded Street. A street or alley (either public or private) that is accessed only on one side. For example, a single loaded street is likely to be located at the rear of a development project and provide access to buildings within that project but not to buildings on adjoining properties. <u>Single Room Occupancy (SRO) Housing. A residential development with no fewer than four attached sleeping units that are independently rented and lockable and provide living and sleeping space for the exclusive use of an occupant, but require that the occupant share sanitary or food preparation facilities with other units in the occupancy (ORS 197A.430). SRO housing located within a dwelling unit with eight (8) or fewer bedrooms is considered a dwelling unit, otherwise it is considered a shared housing facility.</u>	Clarifying definition Consistency for use of the term "free-standing sign" Adding commas for consistency Definition not needed; not used elsewhere in code
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Site. An area of real property encompassing single or multiple lots that may also be in either single or multiple ownerships, notwithstanding that a particular development permit application may be for development of all or a portion of the site only. Conveyance of less than fee title to different persons, such as by ground lease, shall not prevent the Manager from requiring application for Site Plan review and subsequent action for the whole “site”. <u>Site Area, Gross.</u> The total area of all lots in a development. <u>Site Area, Net.</u> The total area of all lots in a development, subtracting areas within the Natural Resource Overlay or Hillside and Geologic Risk Overlay; areas encumbered by Natural Resource or Hillside Easements; and area dedicated to public streets.	New definition needed for SRO housing type
*** Solar Electric Energy System. See <i>Renewable Energy Related Definitions, Section 3.0140.</i> Steep Slopes. See <i>Habitat Conservation Area Overlay District Definitions, Section 3.0120.</i> Storefront Window. A large ground-floor window of transparent glass located between the heights of two (2) and twelve (12) feet above grade and which is used for display purposes and/or for visibility into the store-<u>building.</u>	New definitions needed to clarify intent
*** Stream. See <i>HCA, ESRA, Article 5</i><u><i>Overlay District Definitions, Section 3.0130-3.0120.</i></u>	Updating terminology Term no longer used
*** Structure. Anything which is constructed, erected or built and located on or under the ground, or attached to something fixed to the ground. See also Article 5<u><i>Overlay District Definitions, Section 3.0120</i></u> for specific applications of this term in those areas. ***	Removing unnecessary language Terms no longer used and correcting reference
Structure, Sign. See <i>Signs.</i> ***	
Substantial Improvement. Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 30 percent of the market value of the structure either:	Updating for specificity

1. before the improvement is started, or 2. if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. See also HCA, ESRA, Floodplain Article 5<u>Overlay District</u> definitions in Section 3.0130-3.0120 for specific applications of this term in those areas. Sun Screen/Sun Shade. An Attached<u>attached</u> projecting, architectural feature designed to provide shading from the sun. A sun screen/sun shade is a rigid structure and can add a decorative element to building design, but provides a functional energy conservation benefit to the building by deflecting solar heating away from building windows or walls. (<i>See also Canopy</i>). *** Title 3 Wetland. See Article 5<u>Overlay District Definitions</u>. Section 3.0120. Top. <i>See Façade.</i> Townhouse Project. One or more townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the townhouse property lines and any commonly owned property. Townhouse Style. Multifamily building(s) constructed in a style similar to townhouses. Townhouse style multifamily is usually two or three stories and provides vertical separation between multiple dwelling units, <u>has individual ground floor entrances, and is usually two or three stories.</u> Tract. Any unit of land. Transit Facility. A transit facility includes a light rail transit station, or a park and ride lot for transit riders, or a transit center, or a transit stop and their transit improvements. Transit Streets and Routes. Shown <u>Current and future routes for transit service as shown</u> in the Transportation System Plan, of the Gresham Community Development Plan and categorized according to three classes: • Future Transit Routes are anticipated for future transit service and may include all streets classified as minor arterial or higher. • Transit Routes. Transit routes currently have existing but infrequent transit service. Transit Routes are subject to future designation as Transit Streets. • Transit Streets are streets which are currently served by frequent transit service or streets that are designated as regional transit corridors in a regional growth plan or transportation plan. Transit Supportive Use. A transit supportive use that provides goods, services, or activities which are attractive and convenient to transit riders and pedestrians. A	HCA terms no longer used and correcting references Correcting capitalization Updating for specificity Rewording for clarity Rewording for clarity
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transit supportive use is one which, by its design and character, is highly compatible with rail transit station areas. A transit supportive use generates a high level of transit trips relative to vehicular trips as compared to less transit supportive uses. A transit supportive use minimizes surface parking lot demands. Transitional Housing. Housing provided for an extended period and generally integrated with other social services and counseling programs to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing. <u>Transitional Housing for Formerly Incarcerated Individuals. Transitional housing intended specifically for individuals recently released from incarceration.</u> <u>Transitional housing located within a dwelling unit with eight (8) or fewer bedrooms is a dwelling unit, otherwise it is a shared housing facility.</u> Transitional Setback Space. An area between the property line and building that allows for a transition between the public realm of streets and sidewalks and the private use. This space can include porches, stoops, landscaped yards, gardens, hedges, low fences, and other elements that provide layers of transition. Transitway. <u>A transitway serves as a</u> An exclusive right-of-way for transit use, either bus or light rail. *** Transportation Facility. A physical facility that is used to accommodate the movement of people or goods. Transportation facilities include, but are not limited to: sidewalks, paths, streets, roads, and highways. Transportation facilities do not include electricity, sewage <u>wastewater</u>, and water systems. *** Underground Injection Control (UIC) System. As defined by DEQ: A well, improved sinkhole, sewage drain hole, subsurface fluid distribution system or other system or groundwater point source used for the subsurface emplacement or discharge of fluids. *** Undevelopable area. An area that cannot be used practicably for a habitable structure because of: • Natural conditions such as severe topographic relief, water bodies, or conditions that isolate one portion of a property from another portion so that access is not practicable to the unbuildable portion; or • Manmade conditions such as existing development which isolates a portion of the site and prevents its further development; setbacks or development restrictions that prohibit development of a given area of a lot by law or private agreement; or existence or absence of easements or access rights that prevent development of a given area. Unsafe Sign. <i>See Signs.</i>	Rewording for consistency New definition needed Rewording for consistency Consistent Terminology Definition no longer needed Definition no longer needed; not used
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Urban Development Value. See Habitat Conservation Area Overlay District Definitions, Section 3.0120. Urban Services. The term includes the following <u>Public</u> services and facilities, including: a public sanitary wastewater and stormwater sewer system, a public water supply, a street system, police and fire protection, public schools, public parks, and library services. Use, Accessory. A use that is incidental and subordinate to the main use. Use, Change of. The replacement of one use on a site or within an occupancy with another use. The uses may or may not be similar in nature. Utility Facilities. See Habitat Conservation Area Overlay District Definitions, Section 3.0120. Variance. A development proposal that includes a deviation or change from quantitative or qualitative standards. Vehicle, Recreation. A boat, camper, motor vehicle, or portable vehicular structure capable of being towed on the highways by a motor vehicle, designed and intended for casual or short-term human occupancy for travel, recreational and vacation uses. If identified in some manner as a recreation vehicle by the manufacturer or registered as such with the State, it is prima facie a recreation vehicle. See also Article 5 Overlay District Definitions, Section 3.0120 for specific applications of this term in those areas. Vehicle Repair. A commercial service/auto dependent use that includes vehicle engine adjustment, maintenance and repair, and minor body, electrical, interior work, cleaning and detailing. Vehicle repair does not include rebuilding or storage activities. Examples of vehicle repair include tune ups, quick lubes, service stations that provide minor repair services, muffler shops, electrical repairs, and tire services and sales. Vehicle Sales and/or Rental Lot. A lot used for display, sale or rental of new or used vehicles, including, but not limited to, motor vehicles, boats, trailers and recreational vehicles. Vehicular Way. A route intended for vehicular traffic such as a driveway or parking lot. Visible. Where referenced as being visible from streets, primary internal drives, public places, or a street intersection, as As used in <u>Sections 4.1152 Downtown Plan District, 4.1252 Civic Neighborhood Plan District, 7.0112 Corridor Design District, 7.0512 Rockwood Design District, 4.1151(B)(5)(D)(1), 4.1151(B)(6)(D)(9), 7.0002(D)(8), 7.0003, 7.0210, 7.0103(B)(4)(S3), , 7.0103(B)(4)(S5)(c), 7.0103(B)(4)(S6), 7.0103(B)(4)(S9), , 7.0503(B)(3)(S14), , 7.0503(B)(5)(S11), and 11.0102.D.76, a structure is visible if its ground floor façade-a façade or site feature is visible if it can be seen when viewed from 6 feet above grade, at a 90-degree angle from, and within 250 feet of the abutting property line of a public place, and at a 90 degree angle from said property line. A building or structure is visible if any portion of its ground floor façade meets this criterion.</u>	elsewhere in the code Term no longer used Rewording for consistency HCA term no longer used Updating for specificity Correcting formatting. Rewording for clarity and correcting references
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Updated
diagram with
shading to more
clearly show
“visible” areas

Visible Transmittance. The amount of light that passes through a glazing material.

Walk, or Walkway. An exterior pathway internal to a development site with a prepared surface intended for pedestrian use, including general pedestrian areas such as plazas and courts, also referred to as a private internal walkway or a walk.

Wall. For purposes of **Section 9.0100**, a wall is a fence constructed of brick, stone, concrete, or other similar masonry materials. For other purposes, it is the vertical exterior surface of a building or the vertical interior surfaces that divide a building's space into rooms.

Water-Dependent. See ~~Article 5~~Overlay District Definitions, **Section 3.0120.**

Waters of the State. See ~~Article 5~~Overlay District Definitions, **Section 3.0120.**

Watershed. See ~~Article 5~~Overlay District Definitions, **Section 3.0120.**

Woody Debris. See ~~Article 5~~*Overlay District Definitions. Section 3.0120.*

~~3.0120 Article 5~~ Overlay District Related Terms and Definitions

The following definitions apply within the Hillside and Geologic Risk Overlay, Natural Resource Overlay, and to Floodplain-related applications, including but not limited to Section 5.0100 **Section 5.0100**, Floodplain Overlay District.

- 📌 **Aquatic Habitat.** Habitat structure that is the combination of vegetation, woody materials and certain configurations of pool and riffle sequences in the stream channel, off-channel wetlands, side channels, oxbows, meanders, backwaters, frequently flooded areas (10-year flood event or higher) and spawning gravel.

Clarifying definition and terminology

Updating for specificity

a<u>All</u> areas occupied by existing or proposed structures or exterior improvements (including landscaping). The permanent disturbance area also includes areas where vegetation must be managed to accommodate overhead utilities, existing or proposed landscaped areas, and roadside areas subject to regular vegetation management to maintain safe visual or vehicle clearance. • Temporary Disturbance Area. The temporary disturbance area is the<u>The</u> portion of the site that will be disturbed for the proposed development but not permanently occupied by structures or exterior improvements. It includes staging and storage areas used during construction and all areas graded to facilitate proposed development on the site, but will not be covered by permanent development. It also includes areas disturbed during construction to place underground utilities, where the land above the utility will not otherwise be occupied by structures or exterior improvements. • Ecological Functions (or Functions). The primary biological, chemical, and hydrologic characteristics of healthy fish and wildlife habitat that must be present for natural systems to work property. • Environmental Technical Guidance Manual. Compilation<u>A compilation</u> of the detailed processes, timelines, and available options for meeting the intent of the regulatory language within Gresham's Environmental Overlays, specifically the Natural Resource Overlay, the Hillside and Geologic Risk Overlay, and the Floodplain Overlay. Content of the guidance manual is to be used in tandem with development code and does not substitute for, amend, or supersede development code language of the environmental overlays. • Fill. Any material such as, but not limited to, sand, soil, rock or gravel that is placed in a wetland or floodplain for the purposes of development or redevelopment. • Flood Areas. Those areas contained<u>The land</u> within the 100-year floodplain, <u>flood area</u>, and floodway as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance maps and all lands that were inundated in the February 1996 flood (note that areas that were mapped as flood areas but were filled to a level above the base flood level prior to September 30, 2005, consistent with all applicable local, state, and federal laws shall no longer be considered habitat based on their status as flood areas). • Flood Management Areas. All lands contained<u>The land</u> within the 100-year floodplain, flood area and floodway as shown on the Federal Emergency Management Agency Flood Insurance Maps and the area of inundation for the February 1996 flood. In addition, all lands which have documented evidence of flooding. • Floodplain. The land subject to periodic flooding, including the 100-year floodplain as mapped by FEMA Flood Insurance Studies or other substantial evidence of actual flood events. • Geotechnical Engineer. A Professional Engineer, registered in the State of Oregon provided by ORS 672.002 to 672.325, who by training, education, and	Rewording for clarity Removing unnecessary language Updating for clarity
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mark upon the soil a character distinct from that of the banks with respect to vegetation as well as with respect to the soil itself.

Other Waters. Waters Of The State other than wetlands or streams.

- **Potential Resource Area.** An area identified on the Natural Resources Overlay Map and subject to the development standards of the NRO district for Potential Resource Areas.
- **Practicable.** ~~Means a~~ Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purpose and probable impact on ecological functions.
- **Private Public Property Interface.** The private-public property interface is the area where residential or commercial land use meets publicly owned spaces, most typically natural areas. The interface is somewhat synonymous with the term Wildland-Urban Interface, and is a focal area for the intermingling of divergent land management strategies, that being the management of a lands for aesthetic, human use, and viewshed purposes vs the management of lands for slope stability, wildfire prevention, habitat, water quality, flood attenuation, climate resiliency.
- **Recreational Vehicle.** A vehicle which is:
 - ~~1-~~ Built on a single chassis;
 - ~~2-~~ 400 square feet or less when measured at the largest horizontal projection;
 - ~~3-~~ Designed to be self-propelled or permanently towable by a light duty truck; and
 - ~~4-~~ Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- **Restoration.** The process of returning a disturbed or altered area or feature to a previously existing natural condition.
- **Riparian.** Those areas associated with streams, lakes and wetlands where vegetation communities are predominately influenced by their association with water.
- **Routine Repair and Maintenance.** Activities directed at preserving an existing allowed use or facility, without expanding the development footprint or site use. Demolition is not routine repair and maintenance.
- **Stream.** A body of running water moving over the earth's surface including stream types classified as perennial or intermittent, channelized or relocated streams in a channel or bed, such as a creek, rivulet or river, or as reflected in the current definition of the Oregon Department of State Lands.
- **Structure.** ~~Means, for For~~ floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling. *Structure*, for insurance purposes, means:
 - ~~1-~~ A building with two or more outside rigid walls and a fully secured roof, that is affixed to a permanent site;
 - ~~2-~~ A manufactured dwelling ("a manufactured home," also known as a mobile home, is a structure: built on a permanent chassis, transported to

Rewording for consistency

Changing numbering to bullets for consistency

its site in one or more sections, and affixed to a permanent foundation); or • 3. A travel trailer without wheels, built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws. For the latter purpose, "structure" does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described <u>above</u> in paragraph (3) of this definition, or a gas or liquid storage tank. • Subsidized Rates. Mean the The rates established by the Federal Insurance Administrator involving in the aggregate a subsidization by the Federal Government. • Substantial Improvement. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. The term does not, however, include either: • 1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or • 2. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure". • Title 3 Wetland. Wetlands of metropolitan concern as shown on the Metro Water Quality and Flood Management Area Map and other wetlands added to city of county adopted Water Quality and Flood Management Area maps consistent with the criteria in Title 3, section 3.07.340(e)(3). Title 3 wetlands do not include artificially constructed and managed stormwater and water quality treatment facilities. • Utility Facilities. Portions of a system which provides for the production or transmission of heat, light, water, power, natural gas, sanitary sewer <u>wastewater</u>, stormwater, telephone and cable television, communication and data. • Linear Utility Facilities. Any linearly constructed portion of such systems including manholes, pipes, and lines. • Non-Linear Utility Facilities. Buildings, structures or any non-linearly constructed portion of such systems including diversion structures, lift stations, pump stations, wellhead facilities, and multi-lot stormwater facilities. • Water Dependent. Means a A structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations. • Water of the State. All natural waterways, tidal and non-tidal bays, intermittent streams, constantly flowing streams, lakes, wetlands, that portion of the Pacific Ocean that is in the boundaries of this state, all other navigable	Rewording for consistency Changing numbering to bullets for consistency Rewording because of change to bulleted list Rewording for consistency Changing numbering to bullets for consistency Updated terminology
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and non-navigable bodies of water in this state and those portions of the ocean shore, as defined in ORS 390.605, where removal or fill activities are regulated under a state-assumed permit program as provided in 33 U.S.C. 1344(g) of the Federal Water Pollution Control Act, as amended. • Watershed. A geographic unit defined by the flows of rainwater or snowmelt. All land in a watershed drains to a common outlet, such as a stream, lake or wetland. • Woody Debris. • Coarse Wood Debris. Defined as downed<u>Downed</u> wood such as felled trees, logs, uprooted stumps, large branches and coarse roots. This includes dead wood in all stages of decomposition. Coarse woody debris is 3" or greater in diameter and does not include dead trees that are still standing, dead branches that are still attached to the tree, or exposed live tree roots. • Wood Debris Stockpiling<u>Stockpiling</u>. Intentional accumulation of Coarse Woody Debris in amounts exceeding 3' <u>feet</u> high and 6' <u>feet</u> in any horizontal direction. • Large Woody Debris Placement. Intentional placement of large (4" <u>inch</u> minimum diameter at midpoint) woody material (trees, logs, root wads, or major branches) in a waterway, for the purpose of improving the interaction of stream channel elements including water, sediment and bed material, nutrients, and aquatic organisms. 3.0140 Renewable Energy Related Terms and Definitions The following definitions apply to the application of Section 10.0900, Renewable Energy and sustainability sections within Ddesign Ddistrict standards. • Battery Charging Station. <i>See Electric Vehicle Charging Station.</i> • Battery Charging Unit. <i>See Electric Vehicle Charging Unit.</i> • Battery Exchange Station. A facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery. • Biogas. Generation of energy through the combustion of <u>A combustible gaseous fuel produced by the breakdown of organic biological materials used</u> to produce heat, steam, or electricity. • Blade. The extensions from the hub of the wind energy turbine which are designed to catch the wind and turn the rotor to generate electricity. • Electric Vehicle. Any vehicle that operates, either partially or exclusively, on electrical energy either from the grid or an off-board source. Electric vehicle examples include vehicles such as a battery electric vehicle and a plug-in hybrid electric vehicle. • Electric Vehicle Charging Station. A cluster of multiple electrical component equipment assemblies or units designed specifically to charge batteries for multiple electric vehicles on a site as a for-profit fueling station. <i>See also Battery Exchange Station.</i>	Rewording for consistency Rewording for consistency Correcting typo Removing and replacing apostrophe abbreviations for feet and inches Capitaliazation Removing bullets from primary terms for consistency with previous section Correcting definition
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• Electric Vehicle Charging Unit. A parking space that is served by battery charging equipment whose primary purpose is to charge batteries within electric vehicles via the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. • <u>Emissivity or Emittance.</u> <u>Infrared emissivity (or emittance) is a measure of the ability of a surface to shed some of its heat (in the form of infrared radiation) away from the surface (i.e., roofing membrane). High infrared emissivity helps keep surfaces cool. Metallic surfaces have a low infrared emissivity.</u> • Photovoltaic Panel. A device used for the production of electric power through the conversion of light to electric power by semiconductor devices. • Renewable Energy Systems. Systems which produce energy from sources that do not use up finite natural resources. Examples include solar, wind, biomass, geothermal, and micro-hydro. • Solar Electric Energy System. Equipment and devices that convert and store or transfer energy from the sun to produce electricity that is distributed to the building via an electrical panel or to the grid, offsetting electric energy that would otherwise be purchased from the utility. It typically consists of two primary components: • Photovoltaic panels or cells, which are commonly installed on the roof or the building walls or windows; and • One or more inverters, which convert the direct current electricity produced by the panels into alternating current electricity that can be used by the building or stored in batteries. • Solar Reflective Index. A measure of the constructed surface's ability to reject or reflect solar heat (e.g. a roof) as shown by a small temperature rise. It is defined so that a standard black surface (reflectance 0.05, emittance 0.90) is 0 and a standard white surface (reflectance 0.80, emittance 0.90) is 100. The standard reflective index combines reflectance and emittance into one number. Once the maximum temperature rise of a given material has been computed, the index can be computed by interpolating between the values for white and black. Materials with the highest values are the coolest choices for roofing. • Solar Water Heating System. Equipment and devices that have the primary purpose of collecting solar energy by preheating water so that the water heater or boiler reduces energy consumption. The system typically consists of two primary components: • Solar collectors, which are commonly installed on the roof or the building walls or windows; and • A storage tank, which is typically co-located with the water heater and in which potable water is preheated by the solar collectors via a heat exchanger.	Moved from General Terms Terminology; The Development Code uses the term "Solar Energy System", not Solar Electric System, which can be found only in Article 3
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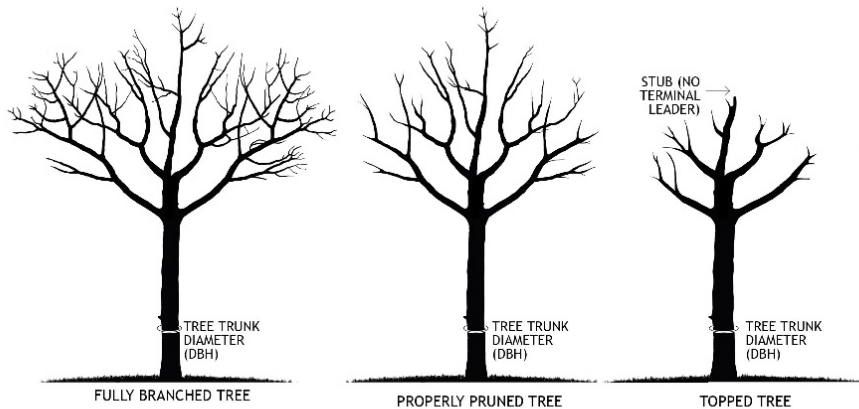
3.0150 Tree Related Terms and Definitions

The following definitions apply to Tree-related applications, including but not limited to **Section 9.1000**, Tree Regulations.

- **Clear Cutting.** Any tree removal which leaves fewer than an average of 1 tree per 1,000 square feet of lot area, well-distributed throughout the entirety of the site. This definition does not apply to sites that have fewer than an average of 1 tree per 1,000 square feet of lot area at the time development is proposed, except for sites from which the current owner or the proposed developer or his or her representative has removed Regulated Trees in excess of the number that may be removed without a development permit under **Section 9.1013** of the Development Code.
- **Critical Root Zone.** A protection area beneath a tree containing sufficient roots required for future tree health and stability and delineated by a circle with a minimum radius of 1' for each 1" of trunk diameter (see DBH), measured horizontally from the base of the tree.
- **Crown Cover.** The area within the drip line or perimeter of the foliage of a tree.
- **Diameter Breast Height (DBH).** The diameter measurement of the trunk or stem of a tree at a height 4.5 feet above the ground level at the base of the tree. Trees growing on slopes are measured at the mid-point between the up-slope and down-slope sides. For multi-stemmed trees, the size is determined by measuring all the trunks at 4.5 feet, and then adding the total diameter of the largest trunk to one-half the diameter of each additional trunk.
- **Dripline.** An imaginary line along the ground that reflects the outermost extent of foliage of a tree extended vertically to the ground. The dripline radius is typically measured at approximately one foot away from the trunk of the tree for each inch of tree diameter.
- **Pruning.** The removal of branches, water sprouts, suckers, twigs, or branches. Major pruning entails the removal of branches three inches in diameter or greater. Major pruning also includes root pruning and removal of branches and limbs that would constitute more than 20% percent of the trees foliage area. Minor pruning includes removal of deadwood and pruning less than 20% percent of the tree's foliage area.
- **Severe Crown Reduction.** The specific reduction in the overall size of a tree and/or the severe internodal cutting back of branches or limbs to stubs within the tree's crown to such a degree as to remove the normal tree canopy and disfigure the tree. Severe crown reduction is not a form of pruning.
- **Stand.** As applied to trees, a group of two or more trees growing in a continuous area. Also known as a grove or tree group.
- **Tree Protection Plan.** A detailed description of how trees intended to remain after development will be protected and maintained.

Removing
bullets from
primary terms
for consistency
with previous
section

- **Tree Protection Zone.** The area of protection located in a radius from the tree at a rate of 1 foot of horizontal distance from the tree for each 1 inch diameter of tree measured at 4.5 feet above ground, or as determined by a Certified Arborist.
- **Tree Removal.** The act of removing a tree by digging up or cutting down, or the effective removal through irreversible damage of roots, stems, or crown, including tree topping.
- **Tree Survey.** A scaled drawing that provides the location of all trees having an eight inch or greater DBH that designates the common or botanical name of those trees, and their DBH.
- **Tree Topping.** The practice of cutting the dominant central stem or the most ascending branches leaving stubs or lateral branches that are too small to assume the role of a terminal leader. Generally, cutting back the dominant or most ascending stem to a diameter exceeding 15 percent of the tree's diameter at breast height (DBH), or as determined by a Certified Arborist, will be considered topping.



- **Tree Well.** A space within a sidewalk or other impervious area that has been created specifically as an area for a tree's root system to grow.
- **Urban Forest.** Trees within a city located on public and private property that are located within specific urban environments that have particular physical characteristics, provide various benefits and serve different needs.

3.0160 Temporary, Intermittent and Interim Uses Terms and Definitions

The following definitions apply to **Section 10.1400, Temporary, Intermittent and Interim Uses** Temporary, Intermittent and Interim Uses.

- **Agricultural Products Sales.** A retail sales operation for the sale of agricultural products, such as fresh fruits, produce, flowers, nursery plants and nursery trees, where more than 75 percent of the product display area is of agricultural products. Agricultural product sales typically occur in a tent, the open air or in temporary structures such as greenhouses. Exception: Farmers' Markets.

• Christmas Tree Sales. A retail sales operation primarily for the sale of Christmas trees that typically occur outside a building in a tent or in the open air. Sales can also include other items, such as related holiday items and food and beverages. • Commercial Stand. The sale of goods, services or merchandise from a location outside of a building in a mobile unit, tent or in the open air where less than 50 percent of sales is a combination of food and beverages. Exceptions include garage sales; residential lemonade stands and similar short-term sales associated with residential uses; Agricultural Product Sales and Food Carts. • Farmers' Markets. Events where farmers, ranchers, and other agricultural producers sell food, plants, flowers, and added-value products, such as jams and jellies, they have grown, raised, or produced from products they have grown or raised. In addition, some vendors sell food, and some may be community groups, services or other vendors or organizations. Farmers' markets occur on a regular basis in the same location and are open to the public. • Film Production Studios and Trailers. Mobile units or prefabricated structures for temporary use during the filming of motion pictures. • Fireworks Sales. A retail operation for the sale of fireworks that requires a state permit. The use typically occurs outside of a building in a tent or in the open air. • Intermittent Lodging. A building, or part of a building, providing temporary protective sanctuary for the homeless or victims of crime or abuse on an occasional basis during the year. Exceptions: Emergency or disaster shelters established during times of natural or man-made emergencies or disasters and Warming/cooling Shelters. • Mobile Unit. A vehicle such as a trailer, van, truck or recreational vehicle. • Real Estate Sales Office. A temporary sales office, such as in a prefabricated building, mobile unit or model home, selling real property in a subdivision or on a tract of land within the city. • Special Event. A special event is a single event or a series of events anticipated to include at least 50 people not part of the normal course of business at the location as determined by the Manager. This includes festivals, circuses, concerts, exhibitions and fairs. It does not include events such as neighborhood block parties; religious services at places of worship; events at institutional campuses designed for events; events that only require a City street closure or parks permit; an outdoor commercial use in commercial locations where they are allowed; or outdoor sales displays in location where they are allowed. Food and beverage sales are allowed as part of a special event.	Changing from bold text to regular Rewording for consistency
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• Temporary Commercial, Institutional or Industrial Building. The use of a prefabricated building for conducting the affairs of a business, professional service, institution, industry or government for a limited period to accommodate construction of a new building; construction related to the renovation or expansion of an existing building or buildings; unforeseen events such as fires, windstorms or floods; or similar temporary needs as approved by the Manager. Exception: Portable classrooms. • Temporary Dwelling. Use of an existing A house or a manufactured dwelling <u>used temporarily</u> during construction of another house on the same lot or use of a manufactured dwelling on the same lot to live in temporary because of an unforeseen event such as a fire, windstorm or flood. • Warming/Cooling Shelter. A building or part of a building providing temporary sheltering for persons affected by extreme cold or high heat. Exceptions: Intermittent Lodging and emergency or disaster shelters established during times of natural or man-made emergencies or disasters.	Rewording for consistency and clarity
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Rewording for consistency and clarity

Section 3. Volume 3, Development Code, Section 3.0200 Land Use Classifications is amended as follows:

Proposed Text Amendment	Commentary
3.0201 Purpose	
3.0202 How to Use the Classification System	
3.0203 General	
3.0204 Classifying a Use	
3.0205 Multiple Primary Uses	
3.0206 Determination of Similar Use	
3.0210 Residential Classifications	
3.0211 Single-Family Detached Dwelling	
3.0212 Duplex	
3.0213 Triplex	
3.0214 Quadplex	
3.0215 Townhouse	
3.0216 Cottage Cluster	
3.0217 Multifamily / <u>Shared Housing Facilities</u>	

3.0206 Determination of Similar Use	

*** A. In instances where a development can meet the definition of more than one use (such as a single detached dwelling unit with an accessory dwelling unit (ADU) or a duplex), the applicant shall specify at the time of application review which classification the proposal is for. ***	Revising for consistent terminology
3.0212 Duplex A. Characteristics. A Duplex is characterized by the residential occupancy of two residential units that are on a single lot. Duplex units sharing a parent parcel may be on individual Middle Housing Lots. The units may or may not share a common wall, floor or ceiling. B. Example Uses. Two dwelling units in one building, two one-unit buildings on the same lot. C. Accessory Uses. Registered Family Child Care and Certified Family Child Care facilities operated by the resident of the home. Accessory uses subject to additional regulations include accessory structures, accessory dwellings, home occupations, and receive-only antennas and amateur radio and citizen band antennas. D. Exceptions. 1. A duplex dwelling structure in which both units are used solely for a business. 2. A live-work unit. 3.0213 Triplex A. Characteristics. A Triplex is characterized by the residential occupancy of three residential units. Triplex units sharing a parent parcel may be on individual Middle Housing Lots. The dwellings may or may not share a common wall, floor or ceiling. B. Example Uses. Three units in one building, a one-unit building and a two-unit building on the same lot, three one-unit buildings on a lot. C. Accessory Uses. Registered Family Child Care and Certified Family Child Care facilities operated by the resident of the home. Accessory uses subject to additional regulations include accessory structures, accessory dwellings, home occupations, and receive-only antennas and amateur radio and citizen band antennas. D. Exceptions. 1. A triplex structure in which any units are used solely for a business. 2. Live-work units.	Clarifying that accessory dwellings may only be associated with single detached dwellings Clarifying that accessory dwellings may only be associated with single detached dwellings

3.0217 Multifamily / Shared Housing Facilities A. Characteristics. Multiple dwelling units on a single lot usually, though not exclusively in a multifamily structure that share a common wall, floor or ceiling with another dwelling unit within a residential building on a single lot, or, as permitted by the district, within a mixed-use building on a single lot. Dwelling units may have unique kitchen and bathing facilities or, <u>in the case of some shared housing facilities</u>, may share these facilities with other units. <u>Shared housing facilities are subject to the same standards that apply to multifamily housing, unless otherwise specified in this Code.</u> B. Example Uses. Apartments <u>Multifamily including apartments, condominiums, townhouse style multifamily, shared housing facilities, boarding houses such as dormitories, and any of the following with more than eight (8) bedrooms: dwelling units, single room occupancies, shelters, and transitional housing.</u> ***	Adding shared housing facilities to this use classification
3.0218 Elderly Housing A. Characteristics. Elderly housing provides housing for individuals 55 years old or older, or for married couples <u>two-person households</u> where at least one of the spouses <u>household members</u> is 55 years old or older, or for disabled persons. Elderly housing shall qualify as housing exempt from the prohibition against discrimination based on familial status as set forth in the Fair Housing Act and the rules and regulations of the US Department of Housing and Urban Development, as set forth in 24 C.F.R. Chapter 1, Part 100, Sections 302-304. <u>Elderly housing must include a commercial kitchen and provide meal services to residents. Retirement housing that is designed for independent living, where each unit has a full kitchen and bath, or that has a shared kitchen but does not provide meal services, is not considered "elderly housing." Such uses shall be classified under the type of housing that they occupy, such as multifamily housing or manufactured dwelling park.</u> B. Example Uses. Assisted living housing, congregate housing, continuing care retirement communities, immediate care facilities, retirement housing, and skilled nursing facilities. C. Accessory Uses. On-site management office. Accessory uses that may be used in common by all residents include dining and food preparation facilities, solid waste and recycling areas, open spaces, recreational areas, common rooms, and personal care services and minor medical services for residents.	Changing language to be more inclusive Clarifying use characteristics

Accessory uses subject to additional regulations include accessory structures, home occupations, and receive-only antennas and amateur radio and citizen band antennas. A. Exceptions. 1. Residential Home. 2. Residential Facility. 3. Boarding House. <u>Single Room Occupancy.</u>	Use is being removed from code; adding new use "SRO"
3.0219 Manufactured Dwelling Park A. Characteristics. Manufactured Dwelling Parks are places where four or more manufactured dwellings <u>or prefabricated structures, as defined in ORS 455.010, that are relocatable and more than eight and one-half feet wide,</u> are located within 500 feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities, or to offer space free in connection with securing the trade or patronage of such person. B. Example Uses. Manufactured home dwelling park. ***	Clarifying use characteristics Rewording for consistent terminology
3.0220 Residential Facility A. Characteristics. Residential Facilities are residential care, residential training or residential treatment facilities that provide residential care alone or in conjunction with treatment or training or a combination thereof, for sixteen or more individuals who need not be related. Staff persons required to meet state licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility. B. Example Uses. 1. Residential care facility for physically disabled or socially dependent individuals as described in ORS 443.400(5). 2. Residential training facility for individuals with mental retardation or other developmental disabilities, as described in ORS 443.400(7). This may include residential care. 3. Residential treatment facility for mentally, emotionally, or behaviorally disturbed individuals or alcohol or drug dependent persons as described in ORS 443.400(9). This may include residential care and treatment. C. Accessory Uses. On-site clinic and other services for residents.	

Accessory uses subject to additional regulations include accessory structures and receive-only antennas and amateur radio and citizen band antennas. D. Exceptions. 1. Residential Home. 2. Daycare. 3. Boarding House <u>Shared Housing Facility</u>.	Updating to current use
3.0221 Residential Home A. Characteristics. A Residential Home is a facility <u>(in one or more buildings on contiguous properties)</u> for fifteen or fewer individuals with mental, emotional, or behavioral disturbances, or alcohol or drug dependence, or intellectual disability or other developmental <u>or physical</u> disabilities, residential care, training, and/or treatment. Staff persons required to meet licensing requirements shall not be counted in the number of residents, and need not be related to each other or to any resident of the residential home. <u>Residential Homes are subject to the standards that apply to the form of housing in which the Residential Home use is proposed (e.g., single detached dwelling or townhouse).</u> B. Example Uses. 1. A facility for individuals with mental, emotional or behavioral disturbances or alcohol or drug dependence. 2. A facility for individuals with mental retardation or other developmental disabilities. 3. A registered residential facility as described by ORS 443.480. 4. An adult foster home, which is a family home or facility in which residential care is provided in a homelike environment for five or fewer adults who are not related to the provider by blood or marriage, as provided by ORS 443.705(1). C. Accessory Uses. On-site clinic and other services for residents. Accessory uses subject to additional regulations include accessory structures and receive-only antennas and amateur radio and citizen band antennas. D. Exceptions. 1. Residential Facility 2. Daycare. 3. Boarding house <u>Shared Housing Facility</u>.	Clarifying this use and its characteristics Updating to current use
3.0222 Affordable Housing A. Characteristics. A residential unit or units that are affordable to households with designated income levels. The income levels are specific to each section pertaining to affordable housing. Each section also includes other eligibility	

b. Housing units available for purchase, with or without government assistance, by households who meet applicable maximum income limits, not to exceed 80% <u>percent</u> of the area median income, adjusted for family size, as determined based on data from the United States Department of Housing and Urban Development or its successor agency, and in a manner so that no more than 30% <u>percent</u> of the household's gross income will be spent on home loan or mortgage payments, amortized interest, property taxes, insurance, and condominium or association fees, if any; or c. Spaces in manufactured dwelling parks available for rent, with or without government assistance, by households who meet applicable maximum income limits, not to exceed 100% <u>percent</u> of the area median income, adjusted for family size, as determined based on data from the United States Department of Housing and Urban Development or its successor agency. 7. 5. Publicly Supported Housing (ORS 456.250). Section 9.0803: ***	
3.0237 Major Event Entertainment *** D. Exceptions. *** 4. Events at Parks are considered customary for Parks, Open Spaces, <u>Paths</u> and Trails. ***	Removed reference to section deleted with CFEC updates
3.0271 Civic Uses A. Characteristics. Civic Uses are unique government uses that serve the general public, have regular public visitors <u>provide a government service on the site or have employees at the site on a regular basis</u>, and because of their social or technical need, may be located in most areas within the city. B. Example Uses. Fire stations, police stations, city hall, <u>municipal maintenance and support facilities</u>, court buildings, post office, and library. ***	Consistency, terminology Additional example use needed for clarity of intent

3.0274 Parks, Open Spaces, <u>Paths</u> and Trails A. Characteristics. Parks, Open Spaces, <u>Paths</u> and Trails are uses of land focusing on large natural areas consisting mostly of vegetative landscaping, outdoor recreation, or public squares. Areas provide open space and recreational opportunities for all city residents and for community events. Parks may be programmed for different activities such as: play grounds <u>playgrounds</u>, skate parks, off-leash dog areas, paths and trails, and ball fields, and be host to periodic events such as concerts, soccer games, and art shows. *** 3.0275 Religious Institutions A. Characteristics. Religious institutions provide meeting areas for religious activities. B. Example Uses. Churches, temples, synagogues, and mosques. C. Accessory Uses. Sunday school facilities, daycare facilities to be used during service hours only, retail limited to institutional functions, community gardens, offices, receive-only antennas, <u>a dwelling unit for an employee of the institution (e.g., church rectories)</u>. D. Exceptions. 1. Religious schools that provide K-12 education are considered Schools. 2. All types of Daycare uses outside of service hours are considered Daycare. *** 3.0291 Basic Utilities *** B. Example Uses. 1. Minor basic utilities: diversion structures, lift stations, pump stations, wellheads, small water treatment facilities not exceeding 1,000 sq. ft. <u>square feet</u> of building area and not exceeding the maximum building height in the underlying land use district, water storage facilities not occupying more than 1,000 sq. ft. <u>square feet</u> of site area, and not exceeding the maximum building height of the underlying land use district, and transit bus shelters. 2. Major basic utilities: light-rail <u>light rail</u> station shelters, substations, telephone switching stations, <u>storm water</u> <u>stormwater</u> treatment	Consistency, terminology Additional accessory use needed; allows employee to reside on site
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facilities, water storage reservoirs, waste water <u>wastewater</u> treatment plants, electrical generating facilities.	Consistent and current terminology

Section 4. Volume 3, Development Code, Section 4.0100 Residential Land Use Districts is amended as follows:

Proposed Text Amendment								Commentary

Table 4.0120: Permitted Uses in the Residential Land Use Districts								
USES	LDR-5	LDR-7	TR	TLDR	MDR-12	MDR-24	OFR	
RESIDENTIAL								
Single Detached Dwelling	P	P	P	P	L ¹	NP	L ¹	
Duplex	P	P	P	P	P	P	P	
Triplex	P	P	P	P	P	P	P	
Quadplex	P	P	P	P	P	P	P	
Townhouse	P	P	P	P	P	P	P	
Cottage Cluster	P	P	P	P	P	P	P	Adding shared housing facilities
Multifamily/ <u>Shared Housing Facility</u>	NP	NP	NP	NP	p ²	p ²	p ^{2, 3}	
Elderly Housing ⁴	NP	NP	NP	NP	SUR	SUR	SUR	
Manufactured Dwelling Park	NP	NP	NP	P	P	NP	NP	Adjusting uses allowed in different districts to comply with State requirements
Residential Facility	NP	NP	NP	NP	P	P	P	
Residential Home	P	P	P	P	L¹ <u>P</u>	NP <u>P</u>	L¹ <u>P</u>	
Affordable Housing	<u>P/L</u> ⁵	<u>P/L</u> ⁵	<u>P/L</u> ⁵	<u>P/L</u> ⁵	<u>P/L</u> ⁵	<u>P/L</u> ⁵	p ⁶	

Table Notes								
1. Permitted on a lot of record only. <u>Creation of new lots for single detached dwellings is not permitted.</u>								Clarifying intent of table note
2. Transitional housing for individuals transitioning from incarceration facilities are subject to a Special Use Review.								
3. Conversion of a hotel or motel to an emergency shelter or to affordable housing is permitted . <u>See subject to the provisions in Section 10.0420.</u>								Rewording for clarity
4. May have locational limitations, see Section 8.0114.								

Multifamily	NA	NA	NA	NA	7,200 sq. ft.	11,000 sq. ft.	7,200 sq. ft.
All other uses	None	None	None	None	None	11,000 sq. ft.	7,200 sq. ft.
B. Minimum Lot Size²							
Duplex	5,000 sq. ft.	7,000 sq. ft.	4,000 sq. ft.	None	3,600 sq. ft.	3,600 sq. ft.	3,600 sq. ft.
Townhouse	None	None	None	None	None	None	None
All other uses	5,000 sq. ft.	7,000 sq. ft.	4,000 sq. ft.	None	3,600 sq. ft.	None	3,600 sq. ft.
C. Minimum Net Density³ (See definition of Net Density in Article 3)							
All uses except Manufactured Dwelling Parks	6.22 units per acre ⁴	4.35 units per acre ⁴	6.22 units per acre ⁴	10 units per acre ⁴	8.71 units per acre	12.1 units per acre ⁵	8.71 units per acre
Manufactured Dwelling Parks	6.22 units per acre ⁴ <u>NA</u>	4.35 units per acre ⁴ <u>NA</u>	6.22 units per acre ⁴ <u>NA</u>	7 units per acre	3.78 units per acre	12.1 units per acre ⁵	n/a <u>NA</u>
D. Maximum Net Density⁶ (See definition of Net Density in Article 3)							

Revising standards

Manufactured dwelling parks	8.71 units per acre <u>NA</u>	6.22 units per acre <u>NA</u>	Sites less than 1.5 acres: 18.15 units per acre Sites 1.5 acres or greater: 14.52 units per acre <u>NA</u>	14 units per net acre	8.71 units per acre	24.2 units per acre	n/a <u>NA</u>	
Duplex, Triplex, Quadplex, Cottage Cluster	none	none	none	none	none	24.2 units per acre	none	
Townhouse	25 units per acre	25 units per acre	25 units per acre	25 units per acre	25 units per acre	24.2 units per acre	25 units per acre	

All other uses	8.71 units per acre	6.22 units per acre	Sites less than 1.5 acres: 18.15 units per acre Sites 1.5 acres or greater : 14.52 units per acre	20 units per acre	12.1 units per acre	24.2 units per acre	12.1 units per acre	Revising for consistency
E. Minimum Lot Width:								
1. Width at building line: Interior lot								
Single Detached	35 feet <u>ft.</u>	40 feet <u>ft.</u>	35 feet <u>ft.</u>	16 ft.	16 feet <u>ft.</u>	Not applicable- <u>NA</u>	60 feet <u>ft.</u>	
Duplex, Triplex, Quadplex, and Cottage Cluster	35 feet <u>ft.</u>	40 feet <u>ft.</u>	35 feet <u>ft.</u>	16 ft.	16 feet <u>ft.</u>	16 feet <u>ft.</u> ⁷	60 feet <u>ft.</u>	
Townhouse	16 feet <u>ft.</u>	16 feet <u>ft.</u>	16 feet <u>ft.</u>	16 ft.	16 feet <u>ft.</u>	16 feet <u>ft.</u> ⁷	16 feet <u>ft.</u>	
All other uses	35 feet <u>ft.</u>	40 feet <u>ft.</u>	35 feet <u>ft.</u>	none	65 feet <u>ft.</u>	60 feet <u>ft.</u>	60 feet <u>ft.</u>	
2. Width at building line: Corner lot								

Sing le Det ach ed	40 feet <u>ft.</u>	40 feet <u>ft.</u>	40 feet <u>ft.</u>	20 ft.	70 feet <u>ft.</u>	70 feet <u>ft.</u>	70 feet <u>ft.</u>
Dup lex	40 feet <u>ft.</u>	40 feet <u>ft.</u>	40 feet <u>ft.</u>	20 ft.	70 feet <u>ft.</u>	See table note 8	70 feet <u>ft.</u>
Tripl ex, Qua dple x, and Cott age Clus ter	40 feet <u>ft.</u>	40 feet <u>ft.</u>	40 feet <u>ft.</u>	20 ft.	70 feet <u>ft.</u>	70 feet <u>ft.</u>	70 feet <u>ft.</u>
Tow nho use	20 feet <u>ft.</u>	20 feet <u>ft.</u>	20 feet <u>ft.</u>	20 ft.	20 feet <u>ft.</u>	See table note 8	20 feet <u>ft.</u>
All othe r uses	40 feet <u>ft.</u>	40 feet <u>ft.</u>	40 feet <u>ft.</u>	None	70 feet <u>ft.</u>	70 feet <u>ft.</u>	70 feet <u>ft.</u>

M. Buffers							
Man ufac ture d dwe lling park s	NA	NA	NA	NA	NA	NA	NA
All other uses	See Section 9.0100	See Section 9.0100	See Section 9.0100	See Section 9.0100	See Section 9.0100	See Section 9.0100	See Section 9.0100
N. Housing Variety (Section 7.0450)							
	Yes	Yes	Yes	Yes	NA	NA	NA

Adding new table note

Table 4.0131 - Minimum Setbacks in Residential Districts ¹											
	FRONT ²					SIDE			REAR		
	Front Façade / Wall	Front Porch	Garage	Interior Side	Common Wall	Zero Lot Line Option ³	Street Side Wall	Street Side Porch	Street Side Garage Access	Rear No Alley	Rear With Alley
Single Detached Dwelling, Duplex, Triplex, and Quadplex:											
LDR-5⁴, LDR-7⁴, TLD R⁴, and TR⁴	10 ft. ⁵	8 ft.	20 ft.	5 ft.	NA	6 in. on zero / 6 ft. other	10 ft.	8 ft.	20 ft.	15 ft.	8 ft.
MD R-12, OFR and MD R-24	10 ft.	10 ft.	20 ft.	10 ft.	NA	NA	20 ft.	20 ft.	20 ft.	15 ft.	NA
Townhouse											
LDR-5⁴, LDR-7⁴, TLD R⁴, and TR⁴	10 ft. ⁵	8 ft.	20 ft.	5 ft.	0 ft.	NA	10 ft.	8 ft.	20 ft.	15 ft.	8 ft.
MD R-12, OFR ,	10 ft.	8 ft.	20 ft.	5 ft.	0 ft.	NA	8 ft.	8 ft.	20 ft.	10 ft.	8 ft.

and MD R-24													New table notes and revisions for consistency
Cottage Cluster													
All zones	10 ft. ⁵	8 feet	20 ft.	5 ft.	n/a NA	NA	10 ft.	8 ft.	20 ft.	10 ft.	10 ft.		
Multifamily ^{6,7}													
MD R-12, MD R-24, OFR	10 ft.	8 ft.	20 ft.	10 ft.	NA	NA	8 ft.	8 ft.	20 ft.	15 ft.	15 ft.		
All Other Uses													Revising for clarity
All Districts	10 ft.	8 ft.	20 ft.	10 ft.	NA	NA	8 ft.	8 ft.	20 ft.	15 ft.	15 ft.		
Table 4.0131 Notes:													
1. In cases where sidewalk access is provided by easement, the setback shall be measured from the easement line closest to the house or garage per Table 4.0131. 2. For double-fronted <u>double frontage</u> lots, each street frontage shall be considered a front yard in terms of setback requirements (except when one of the frontages is an alley or private accessway, in which case that yard will be the rear). 3. The Zero Lot Line option may only be employed on a lot designated as a zero lot line lot through a land division approval. See Section 4.0132(A)(1). 4. See Section 10.0200 for setbacks of detached accessory structures and for setbacks of attached and detached patio covers in LDR-5, LDR-7, TR, and TLDR. 5. <u>For townhouses, single detached dwellings, and plexes the maximum setback from the end of a Minor Access Street is 25 feet. For cottage clusters, townhouses, single detached dwellings, and plexes the minimum setback from the end of a Minor Access Street is 5 feet.</u> 6. 20-foot minimum distance between major structures on same lot, except for townhouse style multifamily dwellings on the same lot where a minimum of 10 feet in between major structures (side to side) will be required. Detached													

carports and detached garages are not major structures. See Section 10.0200 for accessory structure setback standards.	Clarification
7. <u>Maximum front and street-side setbacks apply in MDR-12, MDR-24, OFR, as provided for the Corridor Multi-Family (CMF) District in Table 4.0430.</u> *** 4.0132 ADDITIONAL STANDARDS FOR THE LDR-5, LDR-7, TR, AND TLDR DISTRICTS	Adding new table note to provide better wayfinding to applicable standards
A. Yard Setbacks for Single Detached Dwellings and Middle Housing *** 2. Zero lot line special side yard setback conditions: *** d. A perpetual six-foot <u>six-foot private</u> maintenance and general utility and overhang easement shall be provided on the lot adjacent to the zero lot property line. This easement shall be kept clear of structures or any other object which could physically preclude access to areas within the easement for utilities access and for maintenance of the wall on the zero lot line side of the structure.	
4.0133 STANDARDS FOR RESIDENTIAL DISTRICTS OTHER THAN LDR-5, LDR-7, TLDR, AND TR	Simplification of language
A. Building Height Requirements for MDR-24 District. <u>Building height shall not exceed three</u> Three stories or and shall not exceed 40 feet unless equipped with built-in fire protection systems. When fire sprinklers, alarms, and, when needed <u>required by the Building Code</u>, enclosed, pressurized exit stairwell systems are provided, the building height can be increased to 45 feet. ***	Simplification of language
4.0134 SINGLE DETACHED DWELLING AND MIDDLE HOUSING CONSTRUCTION ON A LOT	Updating reference
A. The construction of a single detached dwelling, manufactured home, duplex, triplex, quadplex, townhouse, or cottage cluster in an LDR-5, LDR-7, TR or TLDR District on a lot within an approved land division where sewer lines, water lines, storm drainage facilities, and streets <u>public facilities</u> are constructed to the city standards that were in effect when the land division was approved, and an active design approval is in effect or the land division predated said requirement, shall be reviewed under the Type I procedure to determine if the proposal meets the site development requirements in	Consistency, terminology

Standards Section 4.0130 or in the Variation to Development Standards of Section 6.0321 (Planned Development) of the Gresham Community Development Code. The property owner shall still obtain all required permits. *** C. Except as provided by Section 5.0300, the Manager may approve alterations to existing single detached dwellings or to middle housing units in the LDR-7, LDR-5, LDR-GB, LDR-PV, MDR-PV, VLDR-SW, LDR-SW, TR, TLDR, MDR-12, and OFR districts and those portions of CMF along the NE Glisan and NE 162nd Avenue corridors under the Type I procedure. The proposal need not comply with Section A5.000 of the Community Development Code. If the application for an alteration to a single detached dwelling is processed with another development permit application, all the standards of the Community Development Code shall apply. *** D. The construction of a triplex, quadplex, townhouse, or cottage cluster shall not be allowed unless they: • Are connected to a public sewer <u>wastewater</u> system capable of meeting established service levels. • Are connected to a public water system capable of meeting established service levels. • Are granted access via public or private streets meeting adopted emergency vehicle access standards to the city's public street system. • Have storm<u>water drainage</u> facilities capable of meeting established service levels for storm drainage. *** 4.0135 MANUFACTURED DWELLING REQUIREMENTS	Adding a hyphen in MDR-PV
A. An application for a development permit for a manufactured dwelling shall provide proof that the proposed manufactured dwelling meets the definition of manufactured dwelling as stated in Article 3. B. The manufactured dwelling shall be multi-sectional and enclose a space of not less than 1,000 square feet. B. <u>The manufactured dwelling shall be installed in accordance with the Oregon Manufactured Dwelling Installation Specialty Code.</u> The manufactured dwelling shall be placed on, and attached to, an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured dwelling is located not more than 12 inches above grade. The measurement is taken from the top of the foundation to grade. In the case of a sloped lot the foundation may be stepped down with a maximum	Removing standard to comply with State requirements

of 30" of masonry exposed. Supporting framing material shall have coverings of siding material matching the siding material of the manufactured dwelling. C. The manufactured dwelling shall have a pitched roof with a nominal slope of at least 3 feet in height for each 12 feet of width. D. C. The manufactured dwelling shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of dwellings constructed under the State's Residential Specialty Code or Low-Rise Residential Dwelling Code (as applicable). F. The manufactured dwelling shall have a garage or carport with exterior materials matching the manufactured dwelling. 4.0136 FLAG LOT STANDARDS FOR LDR-5, LDR-7, <u>LDR-PV</u>, TLDR, AND TR	Simplifying standards to comply with State requirements Revising requirements to be consistent with other low density housing types
A. Standards for Flag Lots The following requirements apply to new development or expansions on existing or proposed lots in LDR-5, LDR-7, <u>LDR-PV</u>, TLDR or TR that are flag lots whether the flag pole is part of the flag lot or the pole portion is an access easement. Flag lots and flag poles are defined in Article 3. 1. Process. Flag lots shall require a Type II Adjustment pursuant to Section 10.1520, Reduction in Minimum Street Frontage. 2. Minimum setbacks for the flag portion of the flag lot are: a. Front and side: 10 feet. b. Rear with no alley: 10 feet. c. Rear with an alley: 6 feet. 3. Height limits for flag lot structures are: a. Structures with roofs with a pitch less than 1 foot for each 4 feet of horizontal distance: 22 feet. b. Structures with a butterfly or mansard roof: 22 feet. c. Structures with pitched roofs not listed in (b) of this subsection where the pitch is equal to or greater than 1 foot for each 4 feet of horizontal distance: 30 feet. 4. Flag lots must comply with the applicable provisions of Section 9.0100—Buffering and Screening Requirements. 4. 5-Creation of flag lots: a. Permanent flag lots may be created only when mid-block streets or alleys cannot be extended to serve future development. Implementation of a Future Street Plan, pursuant to Section 9.0700, identifying mid-block streets shall be required whenever practicable as an alternative to approving a permanent flag lot.	Adding LDR-PV, so standards are consistent across districts Buffering requirements are being removed to make standards

For the purposes of this section “whenever practicable” shall mean other than as prevented by a topographic or natural feature, a transportation or public facility (e.g., an existing roadway, rail line, or school), or other feature of a fixed nature. Existing dwellings, other than those on the Gresham Historic and Cultural Overlay District <u>Landmark List</u> or National Register (per Table 5.0324), existing lot patterns, and financial inability or lack of willing participants shall not preclude a Future Street Plan if future redevelopment and lot consolidation is possible. b. Interim flag lots may be allowed in conjunction with an approved Future Street Plan in order to allow infill development to occur prior to construction of the future street. 5. 6. Driveways related to flag lots: a. A flag lot driveway (i.e., flag pole) may serve no more than two (2) flag lots. For the purposes of this section, the parent lot or parcel of a middle housing land division (per Section 6.0500) shall be considered one lot. b. A drive serving more than one lot shall have a reciprocal and shared access and maintenance access easement agreement recorded for all lots. No fence, structure or other obstacle shall be placed within the drive area. c. Driveway width. All driveways serving flag lots, whether on a flag lot parcel or an easement, shall have a minimum travel lane width of 12 feet and a minimum planter strip width of 3 feet. The planter strip shall be located between the pole portion of the flag lot and the neighboring parcel(s) and shall extend the length of the driveway. The maximum width is of 20 feet, except as required by the Oregon Fire Code. d. Maximum driveway length. The maximum driveway length is subject to requirements of the Oregon Fire Code and shall not exceed 150 feet. 6. 7. Lot Area. Flag poles or flag pole easements shall be considered not buildable and shall not be included in lot size calculations. Density shall be based on effective lot area. As used in Section 4.0136, “effective lot area” is the gross horizontal area of a lot minus any portion of the lot encumbered by an access easement, including the pole of a flag lot. 7. 8. Additional Requirements for Interim Flag Lots. a. Interim flag lots shall have standard street frontage onto the proposed future street and shall take access from the future street upon its completion. b. If an interim flag pole is not part of a planned future street, then it shall be provided via an easement and said easement shall revert to the property owner upon completion of the planned future street. c. Future Street Plans. Building placement and alignment of shared drives shall be designed so that future street connections can be made as surrounding properties develop, <u>pursuant to Future Street Plan requirements in Section 9.0700.</u>	consistent with other low density housing types Adding reference Revising to be consistent with middle housing development
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d. Future Street Dedication, Improvement and Non-remonstrance Agreements. The applicant/owner may be required to dedicate right-of-way to support a future street plan. The dedication shall be so indicated on the face of the subdivision or partition plat. Pursuant to Section A5.408, street improvements shall be made consistent with public works standards and subject to the requirements of the Oregon Fire Code. An improvement agreement or non-remonstrance agreement may be required to ensure future improvements or participation in a Local Improvement District. ***	Added reference for clarity
4.0150 POULTRY, LIVESTOCK AND BEEKEEPING The keeping of poultry and livestock <u>accessory to a residential use</u> is permitted in the LDR-5, LDR-7, TR, TLDR, MDR-12 and MDR -24 districts provided the poultry <u>is kept 25 feet or more from any residence</u> and livestock are kept over 100 feet from any residence, other than the dwelling on the same lot except the residence of the owner of the poultry and livestock. See the Gresham Revised Code for additional requirements <u>related to the keeping of chickens and for standards related to beekeeping.</u>	Added language for clarity; updated standard for consistency with requirement in Gresham Revised Code

Section 5. Volume 3, Development Code, Section 4.0200 Commercial Land Use Districts is amended as follows:

Proposed Text Amendment	Commentary
*** 4.0220 Permitted Uses Table 4.0220 lists those uses that are permitted in each the <u>Commercial Land Use Districts</u> District. • P = Permitted use • L = Use is permitted, but is limited in the extent to which it may be permitted	Rewording for clarity

- NP = Use not permitted
- SUR = Use permitted subject to a Special Use Review

Each of these uses must comply with the site development requirements of **Section 4.0230-4.0231** and all other applicable requirements of the Community Development Code.

Table 4.0220: Permitted Uses in the Commercial Land Use Districts

USES	NC
RESIDENTIAL¹	
Single Detached Dwelling	NP
Duplex	NP
Triplex	NP
Quadplex	NP
Townhouse	NP
Cottage Cluster	NP
Multifamily/ <u>Shared Housing Facility</u>	NP
Elderly Housing	NP
Manufactured Dwelling Park	NP
Residential Facility	NP
Residential Home	NP
Affordable Housing	P ²

Table 4.0220: Permitted Uses in the Commercial Land Use Districts

INSTITUTIONAL USES	
Civic Use	SUR
Community Services	SUR
Medical	SUR
Parks, Open Spaces, <u>Paths</u> and Trails	SUR
Religious Institutions	SUR
Schools	SUR

4.0230 Commercial Land Use District Standards

The site development requirements listed in **Table 4.0230** are applicable to all development within the Neighborhood Commercial district. Development within this district shall also be consistent with all other applicable requirements of the Community Development Code.

Adding Shared Housing facility to the table

Consistency, terminology

	NC	
A. Maximum Site Size	4 acres ¹	Clarifying applicability of standards
B. Minimum Lot Size	10,000 square feet	
C. Minimum Lot Dimensions		
Width	60 feet	
Depth	70 feet	
D. Minimum Yard Setbacks²		
Front	20 feet	
Side - interior lot	0 feet	
Side - corner lot	0 feet on the interior side, and 15 feet on the side abutting the street ³ .	
Rear	0 feet	
E. Maximum Building Height	35 feet See Section <u>4.0231(A)</u> ⁴	Clarifying applicability of standards
F. Maximum Lot Coverage	50%	
G. On-Site Activities	See Section 4.0231(B) ⁵	
H. Public Facilities, Site and Supplementary Requirements	See Section 4.0231(C)	
<u>I. Transit Design Criteria and Standards</u>	<u>Yes; Development along designated Design Streets as shown on Figure 7.0210 and are not exempted per 7.0210(C).</u>	Clarifying applicability of standards
Table 4.0230 Notes: ¹ This requirement does not apply to the Springwater Plan District. ² Buffering and screening may be required in addition to these setbacks. See Section 9.0100 for the buffering and screening requirements. Also, refer to the height transition area requirement found in the Maximum Building Height Section 4.0231(A) since it can increase the minimum yard setbacks where a development abuts a residential district. *** 4.0231 Additional Commercial Land Use District Standards A. Maximum Building Height: Three (3) stories or forty (40) feet unless equipped with a built-in fire protection system. When fire sprinklers, alarms, and when needed, enclosed, pressurized exit stairwell systems are provided, the building height can be increased to sixty-five (65) feet.		Code reference moved to inside the Table

B. On Site Activities: 1. No outdoor business activities, product display or storage shall be located within yard setback or buffering and screening areas. 2. Areas devoted to on-site outdoor business activities, product display or storage must be located so that they do not interfere with pedestrian circulation. C. Public Facilities, Site, and Supplementary Requirements. All developments shall also be subject to the applicable requirements of Section 4.0230 - Commercial Land Use District Standards; Section 7.0210 - Transit and Pedestrian Design Criteria and Standards, when located along designated Design Streets; Section 7.0212 - Standards for New Solid Waste and Recycling; Section 7.0310 - Commercial, Institutional, and Mixed Use Developments; Article 9-Common Requirements; and Appendix 5.000 - Public Facilities. ***	Clarifying applicability of standards
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Section 6. Volume 3, Development Code, Section 4.0300 Industrial Land Use Districts is amended as follows:

Proposed Text Amendment	Commentary																														
*** Table 4.0320: Permitted Uses in the Industrial Land Use Districts <table><tr><th>USES</th><th>HI</th><th>GI</th></tr><tr><td colspan="3">RESIDENTIAL</td></tr><tr><td>Single Detached Dwelling</td><td>NP</td><td>NP</td></tr><tr><td>Duplex</td><td>NP</td><td>NP</td></tr><tr><td>Triplex</td><td>NP</td><td>NP</td></tr><tr><td>Quadplex</td><td>NP</td><td>NP</td></tr><tr><td>Townhouse</td><td>NP</td><td>NP</td></tr><tr><td>Cottage Cluster</td><td>NP</td><td>NP</td></tr><tr><td>Multifamily/<u>Shared Housing Facility</u></td><td>NP</td><td>NP</td></tr><tr><td>Elderly Housing</td><td>NP</td><td>NP</td></tr></table>	USES	HI	GI	RESIDENTIAL			Single Detached Dwelling	NP	NP	Duplex	NP	NP	Triplex	NP	NP	Quadplex	NP	NP	Townhouse	NP	NP	Cottage Cluster	NP	NP	Multifamily/ <u>Shared Housing Facility</u>	NP	NP	Elderly Housing	NP	NP	Adding Shared Housing facility to table
USES	HI	GI																													
RESIDENTIAL																															
Single Detached Dwelling	NP	NP																													
Duplex	NP	NP																													
Triplex	NP	NP																													
Quadplex	NP	NP																													
Townhouse	NP	NP																													
Cottage Cluster	NP	NP																													
Multifamily/ <u>Shared Housing Facility</u>	NP	NP																													
Elderly Housing	NP	NP																													

Manufactured Dwelling Park	NP	NP
Residential Facility	NP	NP
Residential Home	NP	NP
Affordable Housing	NP	P ¹
COMMERCIAL		
Auto-Dependent Use	NP	NP
Business and Retail Service and Trade	L ²	L ²
Clinics	L ²	L ²
Commercial Parking	NP	NP
Daycare Facilities	SUR	SUR
Live-Work	NP	NP
Major Event Entertainment	SUR	SUR
Mini-Storage Facilities	NP	NP
Outdoor Commercial	NP	NP
INDUSTRIAL		
Construction	P	P
Exclusive Heavy Industrial Uses	P	NP
Industrial Office	L ³	P
Information Services	NP	P
Manufacturing	P	P
Miscellaneous Industrial	P	L ⁴
Trade Schools	NP	P
Transportation/Distribution	P	P
Warehousing/Storage	P	P
Waste Management	P/SUR ⁵	P/SUR ⁵
Wholesale Trade	NP	P
INSTITUTIONAL USES		
Civic Uses	SUR	SUR
Community Services	L/SUR ⁶	L/SUR ⁶
Medical	NP	NP

Parks, Open Spaces, <u>Paths</u> and Trails	L/SUR ⁷	L/SUR ⁷	Clarification, terminology
Religious Institutions	L/SUR ⁸	L/SUR ⁸	
Schools	L/SUR ⁸	L/SUR ⁸	
<u>RENEABLE RENEWABLE ENERGY</u> ⁹			Fixing typo
Solar Energy Systems	P ¹⁰	P ¹⁰	
Wind Energy Systems	L/SUR ¹¹	L/SUR ¹¹	
Biomass Energy Systems	L/SUR ¹²	L/SUR ¹²	
Geothermal Energy Systems	P ¹³	P ¹³	
Hydro-Micro Energy Systems	L ¹⁴	L ¹⁴	
<u>OTHER</u>			
Basic Utilities			
Minor basic utilities	P	P	
Major basic utilities	SUR	SUR	
Heliports	SUR	SUR	
Wireless Communication Facilities	SUR	SUR	
Temporary, Intermittent & Interim Uses	P	P	
Marijuana Businesses	L ¹⁵	L ¹⁵	

Notes:

1. Affordable housing development is permitted:

 a. On property owned by a public body, and adjacent to property where residential or school uses are permitted, or

 b. When an applicant demonstrates that the title for the parcel(s) where the facility is to be developed was held by the governing body for the applicant as of April 2, 2009. See **Section 10.1700**.

2. This includes the sale of goods and materials and of professional services to the general public. Examples include restaurants, stores, mini-marts, factory outlet stores and office supplies. Examples of professional services that cater to daily general public customers include bank branches, financial, insurance, real estate, legal, medical and dental offices.

In order to ensure that these uses are primarily intended to serve the needs of workers in the immediate area the following standards apply:

The total gross leasable square footage shall not exceed 3,000 square feet per use and shall not exceed 5,000 square feet cumulative gross leasable square footage within the same development project. For the purposes of this section, a development project is: a) a single building with less than 50,000 square feet of gross floor area that does not share common development features (such as access, parking, or utilities) with another building that has less than 50,000 square feet of gross floor area, whether or not the second building is located on the same or a different parcel or lot; or b) more than one building with less than 50,000 square feet of gross floor area that shares common development features (such as access, parking, or utilities) with another building that has less than 50,000 square feet of

gross floor area, whether or not the buildings are located on the same or a different parcel or lot; or c) a single building with 50,000 square feet or more of gross floor area. Shall not be permitted in a stand-alone building and instead be included within a building whose primary purpose is for an industrial use. Only administrative offices which are related to the operation of the industrial use of the property are permitted in the HI. Up to 20% <u>percent</u> of the total floor area may consist of these administrative offices. Multiple tenant office buildings are prohibited. Auto and truck salvaging and wrecking are not permitted in GI. All other miscellaneous industrial uses located adjacent to properties that are residentially designated land shall be located at least 100 feet from the residential property. Waste Management uses are permitted uses, except for solid waste transfer station, composting facilities, and landfills, which are subject to a Special Use Review. When located in the GI, waste management uses adjacent to residentially designated land shall be located a 3. least 100 feet from the residential property. 4. The following Community Service Uses are not permitted in the HI and GI districts: adult or senior centers, drug and alcohol treatment facilities, cemeteries, and mausoleums. 5. The following Parks, Open Spaces, <u>Paths and</u> Trails are not permitted in the HI and GI districts: public urban plazas, public neighborhood parks, public community parks, and golf courses. However, public urban plazas, public neighborhood parks, and public community parks are permitted in the HI and GI districts when an applicant demonstrates that title for the parcel(s) where the facility is to be developed was held by the governing body for the applicant as of April 2, 2009. 6. Religious institutions, elementary schools, middle schools and high schools are permitted in the HI and GI districts when an applicant demonstrates that title for the parcel(s) where the facility is to be developed was held by the governing body for the applicant as of April 2, 2009. 7. See Section 10.900 <u>10.0900</u> for additional standards that apply. ***	Consistency, terminology Correcting reference																
Table 4.0330 Development Standards for the Heavy Industrial and General Industrial Districts																	
	<table><tr><th></th><th>HI</th><th>GI</th></tr><tr><td>A. Minimum Lot Size</td><td>None: See Section 4.0331(A)</td><td>None: See Section 4.0331(A)</td></tr><tr><td>B. Minimum Average Floor Area Ratio (FAR)</td><td>None</td><td>None</td></tr><tr><td>C. Minimum Building Setbacks</td><td>20 feet front & street side; 0 feet for interior side and rear</td><td>20 feet front & street side; 0 feet for interior side and rear</td></tr><tr><td>D. Minimum Building Height</td><td>None</td><td>None</td></tr></table>		HI	GI	A. Minimum Lot Size	None: See Section 4.0331(A)	None: See Section 4.0331(A)	B. Minimum Average Floor Area Ratio (FAR)	None	None	C. Minimum Building Setbacks	20 feet front & street side; 0 feet for interior side and rear	20 feet front & street side; 0 feet for interior side and rear	D. Minimum Building Height	None	None	Correcting terminology
	HI	GI															
A. Minimum Lot Size	None: See Section 4.0331(A)	None: See Section 4.0331(A)															
B. Minimum Average Floor Area Ratio (FAR)	None	None															
C. Minimum Building Setbacks	20 feet front & street side; 0 feet for interior side and rear	20 feet front & street side; 0 feet for interior side and rear															
D. Minimum Building Height	None	None															

E. Maximum Building Height	None	None	Minimum off-street parking no longer applies with adopted Parking code; minimum bicycle parking does apply
F. Height Transition Standards	See Section 9.0600	See Section 9.0600	
G. Minimum Off-Street <u>Bicycle</u> Parking Required	See Section 9.0851	See Section 9.0851	
H. Maximum Off-Street Parking	See Section 9.0851	See Section 9.0851	
I. Pedestrian Circulation and Standards	See Section 7.0320	See Section 7.0320	
J. Screening & Buffering	See Section 9.0100	See Section 9.0100	
K. Landscaping	See Section 7.0320	See Section 7.0320	
L. Outdoor Uses and Outdoor Storage Uses	Yes; 100% of the site area may include outdoor uses and outdoor storage associated with industrial uses. Screening required, see Sections 4.0331(B) and 9.0100	Yes; no more than 50% of the site area may include outdoor uses and storage associated with industrial uses. Screening required, see Sections 4.0331(B) and 9.0100	
M. Parking, Loading and Unloading Area Standards	See Section 4.0331(C) and 9.0800	See Section 4.0331(C) and 9.0800	
N. External Effects	See Section 4.0331(D)	See Section 4.0331(D)	
O. Mechanical Equipment Screening	See Section 4.0331(E)	See Section 4.0331(E)	
P. Exterior Building Treatment	See Section 4.0331(F)	See Section 4.0331(F)	
Q. Well Field Protection	See Section 4.0331(G)	See Section 4.0331(G)	
R. Public Facility Site and Supplementary Requirements	See Section 4.0331(H)	See Section 4.0331(H)	
S. Stormwater Management	See Section 4.0341	See Section 4.0341	
T. <u>Transit Design Criteria and Standards</u>	<u>Yes; Development along designated Design Streets as shown on Figure 7.0210 and are not exempted per 7.0210(C).</u>	<u>Yes; Development along designated Design Streets as shown on Figure 7.0210, and are not exempted per 7.0210(C).</u>	Clarifying applicability of standards
4.0331 Additional Industrial Land Use District Standards ***			

B. Outdoor Uses to be Screened 1. Screening. All outdoor use and storage uses-areas shall be screened from adjacent properties by a six-foot high sight-obscuring fence or wall. <u>When outdoor uses and storage areas are more than 250 feet from abutting public rights-of-way and/or abutting properties, or are screened by a building, the screening fence or wall is not required.</u> 2. Landscaped Setback. All screened or walled outdoor use and storage areas which abut a public street shall be set back a minimum of 25 feet from abutting the property line(s)- public rights-of-way. <u>Within that the landscaped setback area, trees shall be planted at a spacing of 1 per 30 linear feet and evergreen shrubs shall be planted at a ratio of 40 shrubs per 100 linear feet of landscape area.</u> The plants <u>New plant material</u> shall be of such a variety and arranged so as to allow only minimum gaps between foliage of mature trees and plants within four years of planting <u>meet the standards of 9.0110.E. When outdoor uses and storage areas are more than 250 feet from abutting public rights-of-way or are behind a building, the landscape setback per this standard is not required. Buffer standards per Table 9.0111(A) for abutting uses and 9.0110.D - Buffers across streets, may also be applicable.</u> 3. Alternate Plan. plan: an <u>An</u> applicant may propose a reduction in the minimum setback required in (2) above to a minimum of at least 20 feet by providing a detailed plan with specifications for landscaping and screening, including plantings, fences, walls, walks, berms and other features designed to afford the degree of the desired screening. The manager <u>Manager</u> may approve an alternative plan if proposed buffering and screening makes up for the lack of horizontal distance and the result minimizes any impact that the storage has to the public street. ***	Rewording and clarifying standard Simplifying wording and revising to be clear and objective Revising for consistent formatting
F. Exterior Building Treatment in the GI District In the GI District, unfinished metal structure siding shall not be the major <u>primary</u> (over 50% <u>percent of the entire structure</u>) exterior material. Materials such as finished metal, wood, tilt-up concrete, masonry or glass should be the primary structural siding materials.	Rewording for clarity
G. Well Field Protection Industrial and commercial development may be subject to the provisions of Gresham Revised Code Article 5.75 Well Field Protection.	
H. Public Facility, Site, and Supplementary Requirements All developments shall also be subject to the applicable requirements of Sections 4.0320 and 4.0341; Section 7.0212 - Standards for New Solid Waste and Recycling Collection Areas; Section 7.0320 - Industrial Developments; Article 9 – Common Requirements; and Appendix 5.000 - Public Facilities.	Clarifying applicability of standards

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Section 7. Volume 3, Development Code, Section 4.0400 Corridor Districts is amended as follows:

Proposed Text Amendment	Commentary
*** Corridor District Characteristics 4.0410 Rockwood Town Center (RTC) This district encompasses the heart of Central Rockwood. It is centered on the triangle formed by E. Burnside, NE 181st Ave., and SE Stark St., but also takes in adjacent properties around the triangle. Primary uses permitted in RTC are retail commercial, services, office uses and housing. Mixed-use developments and various institutional uses (e.g. library, public meeting halls, government facilities) are also permitted. The scale and character of new development is intended to support and reinforce the image of a town center, with buildings of at least two stories, oriented to streets and pedestrians, and with parking lots behind or to the sides of buildings. A portion of the Rockwood Town Center will be the focus of more concentrated high-density residential, office, commercial, service and institutional mixed-use development in a village type urban form. Within <u>portions of</u> this area, proposals to develop multifamily structures and townhouses that front on streets are required to have a mixed-use component along the street frontage. Mixed-use consists of commercial, office, or institutional uses or combinations thereof in combination with residential uses. This “Mixed-Use” Rockwood Town Center area consists of the “triangle” described above, and other properties which front on its abutting streets (see Appendix 9.000). 4.0411 Station Centers (SC) This district takes in properties which are adjacent to, or within easy walking distance, of light rail stations at 162nd Avenue, 172nd Avenue, <u>and</u> Ruby Junction (197th Ave.), and Gresham City Hall. The Station Centers district is intended to accommodate uses which are directly supportive of light rail transit. Development types permitted include retail and service businesses, offices, mixed-use projects, higher-density housing, and townhouses. Acknowledging the different character of existing land uses adjacent to the Ruby Jct. light rail station, an overlay designation <u>(Station Center-Ruby Junction)</u> here will also permit auto-dependent uses, and small-scale light industrial uses. *** Table 4.0420: Permitted Uses in the Corridor Land Use Districts	Clarifying intent Revising for accuracy

USES	RTC	SC	SC- RJ	CMF	CMU	CC	MC	Adding Shared Housing Facility to table
RESIDENTIAL ¹								
Single Detached Dwelling	NP	NP	NP	L ²	NP	NP	NP	
Duplex	NP	P	P	P	P	NP	NP	
Triplex	NP	P	P	P	P	NP	NP	
Quadplex	NP	P	P	P	P	NP	NP	
Townhouse	L ³	P	P	P	P	NP	NP	
Cottage Cluster	NP	NP	NP	L ²	NP	NP	NP	
Multifamily/ <u>Shared Housing Facility</u> ²⁸	L ^{3, 4}	L ^{4, 5}	P ⁴	P	P ⁴	L ^{4, 6, 7a}	L ^{4, 6, 8a}	
Elderly Housing	SUR ₃	SUR	SUR	SUR	SUR	SUR	SUR	
Manufactured Dwelling Park	NP	NP	NP	NP	NP	NP	NP	
Residential Facility	P ³	P	P	P	P	L ^{6, 7a}	L ^{6, 8a}	
Residential Home	NP	NP	NP	L ²	NP	NP	NP	
Affordable Housing	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	
COMMERCIAL								
Auto-Dependent Use	L ¹⁰	NP	P	NP	L ¹¹	L ^{7a, 7b}	L ^{8a, 8b}	
Business and Retail Service and Trade	P	L ¹²	P	NP	L ¹¹	L ^{7a, 7b}	L ^{8a, 8b}	
Clinics	P	L ¹²	P	NP	L ¹¹	L ^{7a, 7b}	L ^{8a, 8b}	
Commercial Parking	SUR	SUR	SUR	SUR	SUR	SUR	SUR	
Daycare Facilities	P	L ¹²	SUR	SUR	P	P	P	
Live-Work	P	P	P	NP	P	P	P	
Major Event Entertainment	SUR	SUR	SUR	NP	SUR	SUR	SUR	
Mini-Storage Facilities	NP	NP	NP	NP	NP	NP	NP	
Outdoor Commercial	NP	NP	L ¹³	NP	L ¹³	L ^{7a, 7b}	L ^{8a, 8b}	
INDUSTRIAL								
Construction	NP	NP	L ¹⁴	NP	NP	NP	NP	
Exclusive Heavy Industrial Uses	NP	NP	NP	NP	NP	NP	NP	
Industrial Office	NP	NP	NP	NP	NP	NP	NP	
Information Services	NP	NP	NP	NP	NP	NP	NP	
Manufacturing	NP	NP	NP	NP	NP	NP	NP	
Miscellaneous	NP	NP	NP	NP	NP	NP	NP	

Industrial								Clarification, terminology
Trade Schools	NP	NP	NP	NP	NP	NP	NP	
Transportation/Distribution	NP	NP	NP	NP	NP	NP	NP	
Warehousing/Storage	NP	NP	NP	NP	NP	NP	NP	
Waste Management	NP	NP	NP	NP	L/SUR ¹⁵	L/SUR ¹⁵	L/SUR ¹⁵	
Wholesale Trade	NP	NP	NP	NP	NP	NP	NP	
INSTITUTIONAL USES								
Civic Use	SUR	SUR	SUR	SUR	SUR	SUR	SUR	
Community Services	SUR	SUR	SUR	SUR	SUR	SUR	SUR	
Medical	SUR	SUR	SUR	SUR	SUR	SUR	SUR	
Parks, Open Spaces <u>Paths</u> and Trails	L/SUR ¹⁶	L/SUR ¹⁶	SUR	SUR	SUR	SUR	SUR	
Religious Institutions	P	P	P	SUR	P	L ^{7a, 7b}	L ^{8a, 8b}	
Schools	P/SUR ²⁰	P/SUR ^{17, 19, 20}	P/SUR ²⁰	SUR ²⁰	P/SUR ²⁰	P/SUR ²⁰	P/SUR ²⁰	
RENEWABLE ENERGY ^{19, 21}								Correcting citations to table notes
Solar Energy Systems	L/SUR ²²	L/SUR ²²	L/SUR ²²	L/SUR ²²	L/SUR ²²	L/SUR ²²	L/SUR ²²	
Wind Energy Systems	L/SUR ²³	L/SUR ²³	L/SUR ²³	L/SUR ²³	L/SUR ²³	L/SUR ²³	L/SUR ²³	
Biomass Energy Systems	L ²⁴	L ²⁴	L ²⁴	L ²⁴	L ²⁴	L ²⁴	L ²⁴	
Geothermal Energy Systems	L/SUR ²⁵	L/SUR ²⁵	L/SUR ²⁵	L/SUR ²⁵	L/SUR ²⁵	L/SUR ²⁵	L/SUR ²⁵	
Micro-Hydro Energy Systems	L ²⁶	L ²⁶	L ²⁶	L ²⁶	L ²⁶	L ²⁶	L ²⁶	
OTHER								
Basic Utilities Minor basic utilities Major basic utilities	P SUR	P SUR	P SUR	P L/SUR ¹⁸	P SUR	P SUR	P SUR	
Heliports ^{17, 19}	SUR	NP	NP	NP	NP	SUR	NP	

Wireless Communication Facilities	SUR	SUR	SUR	SUR	SUR	SUR	SUR	Correcting citation to table note
Temporary, Intermittent & Interim Uses	P	P	P	P	P	P	P	
Marijuana Businesses	NP	NP	NP	NP	NP	L ²⁷	L ²⁷	

Table 4.0420 Notes

1. Temporary health hardship dwellings may be permitted per Section 10.1300. 2. Permitted only along the NE Glisan and NE 162nd Avenue corridors. <u>Middle housing land divisions are not permitted in the CMF land use district outside these areas.</u> 3. Within the area identified on the Appendix 9.000 map (Rockwood Town Center Mixed Use Area), all buildings <u>on parcels with at least 100 feet of frontage on Stark that are within 500 feet of the center lines of the intersections of Stark and 181st or 187th Avenues</u> shall have non-residential uses at the ground floor frontages with primary entries on Stark. In a mixed use building, residential uses are allowed above and behind the non-residential uses on Stark. Ground floor residential uses on Burnside within the area identified on the Appendix 9.000 map (Rockwood Town Center Mixed Use Area) shall have individual entries oriented to Burnside and located above grade a minimum of 4 feet and a maximum of 9 feet. Windows into living areas for ground floor residential uses shall be sited for privacy. Except for Section 7.0210(A)(4) and (5), Transit and Pedestrian Design Criteria and Standards of Section 7.0210 shall apply to all residential development with frontage on Burnside within the RTC district. All other applicable design and development criteria in this code shall apply. 4. Conversion of a hotel or motel to an emergency shelter or to affordable housing is permitted pursuant to Section 10.0420; conversion of a building from commercial use to residential use is permitted pursuant to Section 10.0430. Such conversions are exempt from <u>any limitations on ground floor residential uses. See Section 10.0420.</u> 5. New In the SC district, <u>new</u> Multifamily shall be developed as a mixed use project <u>that includes commercial and/or institutional uses</u> when the subject parcel fronts <u>had at least 100 feet of frontage as of Feb 5, 2025 on</u> East Burnside and is within 500 feet of the center lines of the intersections of East Burnside and 162nd, 172nd or 197th Avenues. A development proposal may be exempted from this standard upon an affirmative finding that the street frontage has insufficient dimensions, such as in the case of flag lots or irregular shaped parcels, whereby it is physically impracticable to develop commercial or institutional uses. Housing developed for persons with special needs is exempted from the mixed use requirement. This is housing for persons with “special needs” consistent with the definition of the most recent “Consolidated Action Plan” as approved by the US. Department of Housing and Urban Development. 6. <u>In the CC and MC districts, on streets classified as principal arterial, major arterial, standard arterial or boulevard, ground floor street-facing facades within 40 feet of the street shall be occupied by commercial or institutional uses for at least 50 percent of the building’s linear street frontage. (Exceptions to the 50 percent requirement may be permitted when required</u>	Clarifying standard Clarifying standard Standard moved elsewhere in code for improved usability Revising to comply with State requirements Revising to be clear and objective
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by the building code.) May be permitted in conjunction with mixed use developments. Such developments are permitted provided they remain primarily non-residential. This is achieved by having: 1) at least 51% of the site's ground floor uses be commercial or institutional uses; and 2) at least 75% of the linear street footage be fronted by a ground floor commercial or institutional use. The street frontage requirement only applies to a street classified as principal arterial, major arterial, standard arterial or boulevard. The 75% standard does not apply to those parts of street not fronted by a building due to a driveway or other site element required by the Development Code, such as a required buffer or height transition area.	
7. Community Commercial. a) The maximum building footprint size permitted for any building, regardless of the type of uses within it, shall be 100,000 square feet; and b) The maximum total building size (floor area) for commercial uses shall be 100,000 sq. ft.	
8. Moderate Commercial. a) The maximum building footprint size permitted for any building, regardless of the type of uses within it, shall be 40,000 square feet with an exception for a maximum building footprint size of 60,000 square feet for a grocery store use; b) The maximum total building size (floor area) for commercial uses shall be 80,000 sq. ft.	
9. Affordable housing development is permitted. <u>See Special criteria and standards may apply, pursuant to Section 10.1700.</u>	Revising for clarity
10. In the <u>Rockwood</u> Town Center district, Auto-Dependent Uses are limited to sites fronting on standard, <u>or</u> major or principal arterial streets.	Revising for clarity
11. The maximum building footprint size permitted for any building occupied entirely by a commercial use or uses shall be 20,000 square feet. For mixed use buildings, the residential and commercial components shall comply with the standards of Section 7.0103(B)(1)(S4).	City no longer uses principal arterial street classification
12. A commercial use permitted in the Station Center district (except for the Ruby Junction Overlay) must be located on a parcel of which some portion is within 500 feet of the intersection of the centerlines of East Burnside / 162nd, or East Burnside / 172nd, or East Burnside / 197th Ave, or East Burnside / 181st, or within ¼ mile of the intersection of the centerlines of Division Street / Eastman Parkway or Division Street / Kelly Avenue.	Requirement removed
13. <u>In the SC-RJ and CMU land use districts, certain Outdoor Commercial uses are prohibited, including vehicle sales lots, pursuant to Section 4.0437.</u> The maximum site size for a new Outdoor Commercial use is 2 acres. Certain types of Outdoor Commercial Uses may be prohibited. See Section 4.0437.	Footnote no longer applies in these locations
14. Any industrial use shall be limited to a maximum of 45,000 square feet of gross floor area. In addition, any new industrial use shall employ at least one person per 500 square feet of gross floor area. An applicant for design review for a new industrial use shall submit documentation as part of the application demonstrating conformance with this employee density requirement. Industrial developments are subject to standards pertaining to GI in Sections 4.0330 and 4.0331.	Revising for clarity
15. Solid waste transfer stations, composting facilities, and landfills may pursue approval through the Special Use Review process. When located in the Corridor Districts, waste management uses adjacent to residentially designated land shall be located at least 100 feet from the residential property.	
16. Golf courses are not permitted through a Special Use Review.	
17. Schools are permitted in the SC district if they are located on a parcel of which some portion is within 500 feet of the intersection of the centerlines of East Burnside / 162nd, or East Burnside / 172nd, or East Burnside / 197th Ave, or East Burnside / 181st, or within ¼ mile of	

the intersection of the centerlines of Division Street / Eastman Parkway or Division Street / Kelly Avenue. If they are not within this area, they are subject to a Special Use Review.

Footnote no longer applies in these locations

Table 4.0430 Development Requirements For Corridor Districts

	Rockwood Town Center	Station Centers	Station Center (Ruby Jct. Overlay)	Corridor Multi-family ¹⁶¹⁴	Corridor Mixed-Use	Community Commercial	Moderate Commercial
A. Minimum Lot Size (Section 4.0431)	10,000 square feet for residential ; none for commercial, institutional and mixed-use ⁶⁸	10,000 square feet for residential ; none for commercial, institutional and mixed-use ^{68, 79}	10,000 square feet for residential ; none for commercial, institutional, mixed-use, & industrial ^{6 & 79}	10,000 square feet ^{68, 79}	10,000 square feet for residential ; none for commercial, institutional and mixed-use ^{68, 79}	None	None
B. Minimum Street Frontage (Section 4.0431)	100 feet for residential ; none for commercial, institutional and mixed use ¹⁴¹¹	100 feet for residential ; none for commercial, institutional and mixed use ^{8, 11144}	100 feet for residential ; none for commercial, institutional, mixed use, & industrial ^{8, 11, 144}	100 feet for residential ; ^{8, 11144}	100 feet for residential ; none for commercial, institutional and mixed use ^{8, 11144}	None	None
C. Minimum Lot Width/Depth Ratio (Section 4.0431)	<u>0.5</u> : 1 for residential ; none for commercial, institutional and mixed use ⁶⁸	<u>0.5</u> : 1 for residential ; none for commercial, institutional and mixed use ⁶⁸	<u>0.5</u> : 1 for residential ; none for commercial, institutional, mixed use, & industrial ^{6 & 8}	<u>0.5</u> : 1 for residential ; ⁸⁶	<u>0.5</u> : 1 for residential ; none for commercial, institutional and mixed use ⁶⁸	None	None

Revisions to numbering of footnotes for accuracy

Revisions for consistent conventions

D. Minimum Floor Area Ratio (FAR) (Section 4.0432)	<u>0.5</u> : 1	<u>0.6</u> : 1	<u>0.6</u> : 1 for commercial, institutional and mixed-uses; none for industrial	None	None, except <u>0.4</u> : 1 in Central Rockwood Plan Area ^{13,10}	None, except <u>0.4</u> : 1 in Central Rockwood Plan Area ^{13,10}	None, except <u>0.4</u> : 1 in Central Rockwood Plan Area ^{13,10}	Revisions for accuracy, consistency, and clarity
E. Minimum Residential Net Density¹⁹¹⁵ (See definition of Net Density in Article 3)	18 units per acre for Townhouses; 20 units per acre for Multifamily	18 units per acre for Townhouses; 24 units per acre for Multifamily	18 units per acre for Townhouses; 24 units per acre for Multifamily	12 units per acre	12 units per acre	12 units per acre	12 units per acre	Revisions for accuracy, consistency, and clarity
F. Maximum Residential Net Density²⁰¹⁶ (See definition of Net Density in Article 3)	Unlimited inside Stark/Burnside/181st Avenue Triangle; 40 units per acre elsewhere	60 units per acre	60 units per acre	24 units per acre	24 units per acre	40 units per acre	40 units per acre	Revisions for accuracy, consistency, and clarity

G. Minimum Building Setbacks (Section Sections 4.0433 and Section 7.0500 7.0512.A. 2)	<u>Setbacks</u> at Street: <u>See</u> <u>Section</u> <u>7.0512.A.2</u> Commercial, mixed- use, and institution al: 0 feet front, side and rear for commercial, mixed- use, and institution al uses; <u>Residential</u> I: 5 feet front and street- side, 0 feet interior side, 15 feet rear for residential 1, 4613	<u>Setbacks</u> at Street: <u>See</u> <u>Section</u> <u>7.0512.A.2</u> Commercial, mixed- use, and institution al: 0 feet front, side and rear for commercial, mixed- use, and institution al uses; <u>Residential</u> I: 5 feet front and street- side, 0 feet interior side, 15 feet rear for residential 1, 4613	<u>Setbacks</u> at Street (not including Industrial) : <u>See</u> <u>Section</u> <u>7.0512.A.2</u> Commercial, mixed- use, and Institution al: 0 feet front, side and rear for commercial, mixed- use, and Institution al uses; <u>Residential</u> I: 5 feet front and street- side, 0 feet interior side, 15 feet rear for residential 1, 4613 . For Industrial uses; see Table 4.0330 [±]	5 feet front and street- side; 15 feet rear; 0 feet interior side; 5 feet streetside ¹	5 feet front and street- side; 15 feet rear; 0 feet interior side; 5 feet streetside ¹	0 feet front and street- side, interior side and rear; including streetside e	0 feet front and stre et- side, inter ior side and rear; inclu ding stre etsid e	Townhouse standards added to Rockwood Design District; establishes maximum number allowed in a row before a break.
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H. Maximum Building Setbacks (Section 4.0433 and 7.0512.A.2)	<u>Setbacks at Street:</u> <u>See Section 7.0512.A.2</u> <u>Commercial, Institutional & Mixed-Use:</u> 10 feet front and street-side² None for interior side and rear. <u>Residential:</u> 20 feet front and street-side^{3a}. None for interior side and rear; 20 feet street-side^{3a}	<u>Setbacks at Street:</u> <u>See Section 7.0512.A.2</u> <u>All Development:</u> 20 feet front and street-side^{3a}. None for rear and interior side; 20 feet for street-side^{3a}	<u>Setbacks at Street (not including Industrial):</u> <u>See Section 7.0512.A.2</u> <u>For residential, commercial, institutional and mixed-use:</u> <u>Residential:</u> <u>Commercial, Institutional & Mixed-use:</u> 20 feet front and street-side^{3a}. none for rear and interior side; 20 feet for street-side^{3a} <u>Industrial:</u> No maximum for industrial uses.	20 feet front and street-side^{3a}. None for rear and interior side; 20 feet for street-side^{3a}	20 feet front and street-side^{3a}. None for rear and interior side; 20 feet for street-side^{3a}	10 feet front and street-side^{3b, 3c}. None for rear and interior side; 10 feet for street-side^{3b, 3c}	10 feet front and street-side^{3b, 3c}. None for rear and interior side; 10 feet for street-side^{3b, 3c}	
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I. Maximum Building Height²²¹⁷ (Section 4.0434)	Inside the Triangle Area: Commercial and Institutional: 6 stories; Buildings that include other uses: 4 stories; Outside the Triangle Area: 10 stories for all uses. ^{15, 2212, 18}	10 stories in Outside Triangle Area and 80 feet elsewhere ^{15, 2212, 18}	10 stories in Outside Triangle Area and 80 feet elsewhere ^{15, 2212, 18}	45 feet ²²¹⁸	45 feet ²²¹⁸	45 feet	45 feet	Transit Design Criteria not applicable to development in a Design District.
J. Transit Design Criteria and Standards Apply (Section 4.0435) Maximum Number of Attached Townhouses	<u>As provided in Section 7.0512.B.1</u> Yes ⁷	<u>As provided in Section 7.0512.B.1</u> Yes ⁷	<u>As provided in Section 7.0512.B.1</u> Yes ⁷	<u>8</u> Yes ⁷	<u>6</u> Yes ⁷	<u>NA</u> Yes	<u>NA</u> Yes	
K. Minimum Off-Street Parking Required	None	None	None	None	None	None	None	

L. Maximum Off-Street Parking Permitted	2 spaces/ unit for residential ^{4, 5} ; all other uses see Section 9.0851.	1.5 spaces/ unit for residential ^{4, 5} ; all other uses see Section 9.0851.	1.5 spaces/ unit for residential ^{4, 5} ; all other uses see Section 9.0851.	As provided in Section 9.0851⁴	As provided in Section 9.0851^{4,5}	As provided in Section 9.0851⁵	As provided in Section 9.0851⁵	Revisions for clarity
M. Screening and Buffering Required (Section 9.0100)	No, except where abutting LDR-5, LDR-7, TR, TLDR, CMF, or CMU ¹²⁹	No, except where abutting LDR-5, LDR-7, TR, TLDR, CMF, or CMU ¹²⁹	No, except where abutting CMF and <u>for In addition,</u> auto-dependen t commercial, outdoor commercial and industrial uses <u>shall provide a buffer per Table 9.0111(A)</u> ¹²⁹	Yes ¹²⁹	Yes ¹²⁹	Yes	Yes	
N. Clear Vision Area Required (Section 4.0439.0 200)	Yes ⁶	Yes ⁶	Yes ⁶	Yes	Yes	Yes	Yes	

Table 4.0430 Notes:
1. Minimum setbacks for Townhouses (except in those areas of CMF along the NE Glisan and NE 162nd Avenue corridors see table note 4816) are:
(a) Front Yard:
 (i) Front façade = 5 feet
 (ii) Front Porch = 3 feet
 (iii) Garage = 20 feet
(b) Side Yard:
 (i) Interior = 5 feet for any side of a dwelling structure that is not a common wall with another dwelling structure;
 (ii) Interior - Common: 0 ft feet

Correcting reference

(iii) Street side (corner lot): Façade = 5 feet; Porch = 5 feet; Garage with access from street side = 20 feet. (c) Rear Yard = 10 feet if there is no alley; 5 feet if there is an alley. 2. A maximum front or streetside setback of up to twenty (20) feet may be permitted when enhanced pedestrian spaces and amenities are provided that comply with Section 7.0103(A)(5)(S1) and (S2) 7.0112.A.5.S1 and S2. 3. The following setback standards apply: (a) When abutting a Principal Arterial, a Major Arterial, a Minor Arterial or Boulevard street, the maximum front or streetside setback for a building containing dwelling units is thirty (30) feet. The maximum front or streetside setback may be exceeded when enhanced pedestrian spaces and amenities are provided that comply with Section 7.0103(A)(5)(S1) and (S2) 7.0112.A.5.S1 and S2. (b) When abutting a Principal Arterial, a Major Arterial, a Minor Arterial or Boulevard street, the maximum front or streetside setback for a building containing commercial uses is ten (10) feet. The maximum front or streetside setback may be exceeded when enhanced pedestrian spaces and amenities are provided per Section 7.0103(A)(5)(S1) and (S2) 7.0112.A.5.S1 and S2. (c) When abutting a Collector, Community or Local streets, the maximum front or streetside setback is five (5) feet. The maximum front or streetside setback may be exceeded when enhanced pedestrian spaces and amenities are provided that comply with Section 7.0103(A)(5)(S1) and (S2) 7.0112.A.5.S1 and S2. 4 There is no maximum parking limitation for Townhouses. 5 For commercial uses, when included in a mixed-use development, the maximum amount of off-street parking shall be as provided in Section 9.0850 for each commercial use. 6 Conformance with clear vision standards of Section 9.0200 shall be required only for developments with direct access to an arterial street. 7 Ground floor window standards for commercial buildings on Design Streets (Section 7.0210) do not apply to residential developments. 86 Minimum lot size and lot width/depth ratio standards do not apply to lots or parcels created for Townhouses. Minimum lot dimensions for Townhouse lots (except in those areas of CMF along the NE Glisan and NE 162nd Avenue corridors see table note 4814) are as follows: Width at building line Interior Lot 16 feet (lots of less than 22 feet in width shall take access from an alley or from a shared access) Corner Lot 16 feet where it abuts an alley 25 feet where there is no alley or shared access Depth 0 feet - all developments that include townhouses shall receive both land division approval to create lots for the townhouses as required in Section 6.0001, and design review approval as required in Section 7.0001. 79 There is no minimum lot size requirement for duplexes in the SC, CMF and CMU districts. 408 Minimum street frontage for duplex in the SC, CMF (except in those areas along the NE Glisan and NE 162nd Avenue corridors see table note 48-14) and CMU districts is 35 feet, except corner lots shall be 40 feet as measured from the corner radius end point to the property corner. 449 Screening and buffering are not required for townhouses abutting the LDR-5, LDR-7, TLDR, or TR District. 4210 The Central Rockwood Plan Area is the area shown as Central Rockwood Plan Land Use Districts on Figure 1 of Appendix 39, Volume 1 of the Gresham Community Development Plan. 4311 Minimum street frontage for townhouses shall be 16 feet, except corner lots shall be 25 feet as measured from the corner radius end point to the property corner if there is an alley or shared access, and 32 feet from the corner radius end point to the property corner if there is no alley or shared access. A reduction in the minimum street frontage may be approved when the applicant can document compliance with Section 10.1520 of the Community Development Code. 4412 Within the Rockwood Design District:	Table Note renumbering needed City no longer uses Principal Arterial street classification Table notes no longer needed Renumbering required
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a. Triangle Area. For lands in the Triangle Area as described in Section 7.05047.0510 buildings shall not exceed six stories for buildings with exclusively commercial and/or institutional uses and four stories in height for buildings that include other uses. b. Outside Triangle Area. For lands in the Outside Triangle Area as described in Section 7.05047.0510 buildings shall not exceed ten (10) stories in height. See Section 7.0503(B)(6)7.0512.B.6 Gateways for additional building height requirements for properties at the three gateway street intersections of: a. 181st and Burnside b. 181st and Stark c. Burnside and Stark 1345 Within the Rockwood Design District: a. Triangle Area. See 7.0503(A)(2) Section 7.0512.A.2 Building Frontage and Placement for minimum and maximum front building setbacks. b. Outside Triangle Area. See Section 7.0503(A)(2)7.0512.A.2 Building Frontage and Placement for minimum and maximum front building setbacks. 1614 Single detached dwellings and middle housing in the areas of CMF along the NE Glisan and NE 162nd Avenue corridors shall conform with development standards of Tables 4.0130 and 4.0131 for the TLDR district, except minimum net density for middle housing shall be 12 units per acre and maximum density shall be 25 units per acre for townhouses and 24 units per acre for all other middle housing uses. 2015 Minimum residential net density does not apply to affordable housing development. See Section 10.1700. 2416 A density bonus applies to affordable housing development. See Section 10.1700. 2217 A height height bonus applies to affordable housing development. See Section 10.1700. 2318 Height limitations for Townhouses (except in the areas of CMF along the NE Glisan and NE 162nd Avenue corridors, see table note 4814) shall be as follows: (i) Minimum Building Height: CMU and CMF districts: 1 Story All other districts: 2 Stories (ii) Maximum Building Height: 45 ft. <u>feet</u> 4.0431 Lot Size and Dimensions A. Minimum lot size, minimum street frontage, and minimum lot width/depth ratio shall be as specified in Table 4.0430 for new development. The lot width/depth ratio shall be determined by dividing the lot width dimension by the lot depth dimension. B. Minimum lot size, street frontage, and lot width/depth ratio standards of Table 4.0430 shall be satisfied prior to issuance of a development permit for attached dwellings <u>multifamily development</u>. *** 4.0433 Setbacks	Correcting references and formatting Revising for clarity
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Required minimum and maximum setback standards are specified in Table 4.0430 and Section 7.0500. A. Minimum setback distances shall be determined in conformance with the definition for "Setback" as specified in Section 3.0103. B. <u>Setbacks in Corridor land use districts:</u> 1. For Rockwood Town Center (RTC), Station Centers (SC) and Station Center-Ruby Junction (SC-RJ) within the Rockwood Design District see Section 7.0500. For Station Center elsewhere in the city, the following shall apply: Conformance with maximum setback distance is achieved for a commercial or mixed-use building when at least one (1) primary entrance located on the façade facing the street is placed no farther from the property line than the distance specified for Maximum Building Setback in Table 4.0430. Maximum building setbacks may be exceeded when a development incorporates enhanced pedestrian spaces and amenities in the setback area. Enhanced pedestrian spaces and amenities consist of features such as plazas, arcades, courtyards, outdoor cafes, widened sidewalks, benches, shelters, street furniture, public art, or kiosks. In addition, on sites with more than one building, the maximum setback may be exceeded for commercial, mixed-use, and residential buildings containing three (3) or more dwelling units, provided conformance is achieved with the maximum setback distance for at least one (1) building. For townhouse buildings, conformance also must be achieved with building orientation standards of Section 7.0432, <u>Sections 7.0431</u> (for CMF and CMU) and 7.0500 (for RTC, SC, and SC-RJ), as applicable. 2. For <u>multifamily, mixed-use, institutional, and commercial developments in Corridor Mixed-Use (CMU), Corridor Multi-Family (CMF), Community Commercial (CC), and Moderate Commercial (MC), see Section 7.0100. <u>Table 4.0430 and Section 7.0100</u>.</u> 3. For mixed-use developments and multifamily in all districts, see Section 7.0100. C. Setback standards for townhouses are in Table 4.0430, Footnote 1. 4.0434 Building Height Maximum building heights are specified in Table 4.0430. Any required building story must contain a habitable floor. A. In addition to conforming with the Ground Floor Windows requirement of Section 7.0210, for any new commercial or mixed-use building of more than one story, at least twenty percent of the upper facade area shall be made up of display areas or windows for all facades facing a street, except those developments subject to the Corridor Design District Design Standards of Section 7.0100 and those subject to the	This portion of this standard no longer needed Correcting references; Section 7.0432 was deleted Clarifying applicability of standards Standard combined with above No minimum height standards, so
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Rockwood Design Standards of Section 7.0500, and those subject to Plan District requirements such as the Downtown Plan District. BA. The maximum building height for any building containing dwelling units shall be reduced when located adjacent to an LDR-5, LDR-7, TLDR, or TR District, as provided in Section 9.0600. 7.0432(P). CB. Heights of townhouses are identified in Table 4.0430, Footnote 1918, except for those areas of CMF along the NE Glisan and NE 162nd Avenue corridors see Table 4.0430 Footnote 1814. 4.0435 Transit Design Criteria and Standards in Central Rockwood and Corridor Districts The Central Rockwood Plan and Corridor districts are pedestrian districts. As such, new development must have a strong orientation to the pedestrian and be transit-supportive, as well as enhance the appearance and functioning of these districts. In order to achieve these purposes, the <u>design standards shall apply in accordance with Table 4.0435</u>. provisions of Section 7.0500 apply to development within the Rockwood Design District. Additionally, the provisions of Section 7.0210(B)(8) and 7.0210(B)(10)(b) apply to new development requiring design review approval in the Rockwood Design District. Sections 7.0103 and 7.0432 apply to new residential and mixed-use (residential) development. Section 7.0103 applies to commercial development in the Corridor Design District. Except those developments in and reviewed under a Design District, Section 7.0310 applies to Commercial, Institutional, and the non-residential portions of Mixed Use developments that are not in the Downtown Plan District, Civic Neighborhood Plan District, or the Corridor Design District. Section 7.0320 applies to new industrial development requiring design review approval. Section 7.0210(A) applies in addition to other applicable standards and criteria to all developments except to those commercial developments in the Corridor Design District. Additionally, the provisions of Section 7.0210(B) apply to new development requiring design review approval in the Station Center outside the Rockwood Design District.	this is not needed This standard combined with other standards/covered elsewhere Clarifying and updating section reference Updating footnote references Converted text into table for ease of use/better wayfinding						
Table 4.0435 Applicable Design Standards in Central Rockwood and Corridor Districts <table border="1"> <thead> <tr> <th><u>Section</u></th><th><u>Applicability</u></th></tr> </thead> <tbody> <tr> <td><u>Section 7.0112</u></td><td><u>New multifamily residential and mixed-use (residential) development in any district.</u></td></tr> <tr> <td></td><td><u>Commercial, Institutional, and Industrial development in the Corridor Design District. Development in the Rockwood Design District, Downtown Plan District, and Civic Neighborhood Plan District are exempt.</u></td></tr> </tbody> </table>	<u>Section</u>	<u>Applicability</u>	<u>Section 7.0112</u>	<u>New multifamily residential and mixed-use (residential) development in any district.</u>		<u>Commercial, Institutional, and Industrial development in the Corridor Design District. Development in the Rockwood Design District, Downtown Plan District, and Civic Neighborhood Plan District are exempt.</u>	Addition of Table to better identify
<u>Section</u>	<u>Applicability</u>						
<u>Section 7.0112</u>	<u>New multifamily residential and mixed-use (residential) development in any district.</u>						
	<u>Commercial, Institutional, and Industrial development in the Corridor Design District. Development in the Rockwood Design District, Downtown Plan District, and Civic Neighborhood Plan District are exempt.</u>						

Section 7.0210	<u>Development along designated Design Streets as shown on Figure 7.0210 that are not within a Design District, and are not exempted per 7.0210(C).</u>		applicability of design standard sections, in lieu of paragraph format
Section 7.0310	<u>Commercial, Institutional, and the non-residential portions of Mixed Use developments that are not in a Design District.</u>		
Section 7.0320	<u>New industrial development requiring design review approval unless stated elsewhere in the Development Code. Industrial developments in the Downtown Plan District and Civic Neighborhood Plan District are exempt.</u>		
Section 7.0500	<u>All development within the Rockwood Design District, except as noted in Section 7.0502.</u>		
4.0436 Commercial Uses A. At least 85% percent of the square footage devoted to on-site business activities in connection with commercial uses permitted in Table 4.0420 shall be conducted within a completely an enclosed structure, except for outdoor commercial uses where Outdoor Commercial uses are permitted per Table 4.0420. No more than 15% of the area devoted to buildings may be used for outdoor business activities, product display, or storage. However, in the Rockwood Town Center, the Station Center district, and the Corridor Mixed-Use district, the amount of site area used for outdoor business activities, product display, or storage may be up to 50% of the amount of floor area on the site. A portion of the commercial use may be provided as outdoor business activities, product display, or storage. The total square footage of these outdoor activities shall be limited to no more than 15 percent of the area devoted to the building footprint. In the Rockwood Town Center, Station Center, and Corridor Mixed-Use districts, the amount of site area used for outdoor business activities, product display, or storage shall be no more than 50 percent of the building footprint. Where more than one use exists on a site (such as a multi-tenant building), the percentage limitation on outdoor activities shall be based on the footprint area of the tenant use it is associated with. B. No outdoor business activities, product display or storage shall be located within yard setback or buffering and screening areas. Areas devoted to on-site outdoor business activities, product display or storage shall be located so that they do not interfere with pedestrian circulation. 4.0437 Outdoor Commercial Uses			Revising language for clarity
			Revising language for clarity

A. Outdoor commercial uses may be permitted in the Station Center (Ruby Junction Overlay) District or the Corridor Mixed-Use District as indicated in Table 4.0420, subject to the following limitations: 1. Total site size for any new outdoor commercial use shall not exceed two acres. 2. The amount of total site area covered by buildings shall amount to no less than 25%<u>percent</u> of the amount of site area used for outdoor storage or display. 3. Except for buildings used entirely for storage associated with the business, the <u>The maximum front or streetside-street-side setback for any building buildings</u> shall be 20 feet<u>per Table 4.0430 – Maximum Building Setbacks. Structures used entirely for storage associated with the business, may exceed the maximum setback.</u> 4. Screening shall be provided along any portion of the site’s street frontage which is not occupied by a building, in a manner which satisfies provisions of Section 9.0823.C.3 and 4. B. The following types of outdoor commercial uses shall be prohibited within the Station Center (Ruby Junction Overlay) District and the Corridor Mixed-Use District: 1. Vehicle sales lots; 2. Mobile home or manufactured home sales, service, or storage; 3. Recreational vehicles sales, service, or storage.	Correcting section references Revising for accuracy
4.0438 Incidental Drive-Through Uses in Rockwood Design District A. <u>In the Rockwood Design District, drive-through uses as defined in Section 3.0103, are not permitted, except when such use is incidental to a primary site use. The development is subject to applicable standards in Section 7.0512, and shall be designed in conformance with the following standards:</u> 1. <u>The incidental drive-through use is limited to one service window which is part of a primary use structure and to no more than two queuing lanes. Vehicular service bays or islands are not permitted.</u> 2. <u>On a street containing a transitway, no curb cuts are permitted for the exclusive use of drive-through queuing or exit lanes.</u> 3. <u>The drive-through service window and queuing lane(s) are located to not face a light rail transit station or a street containing a transitway, and not adjacent to such transit facilities.</u>	Drive-Through standards section was moved from 7.0210 because it is applicable to Corridor land use districts in Rockwood
*** 4.0440 Off-street Parking for Townhouses in the Rockwood Town Center, Station Center, and Station Center (Ruby Junction Overlay) Districts *** E. Curb cuts shall meet all of the requirements contained in Section A5.400 <u>comply with the Public Works Standards.</u> ***	
4.0441 Public Facilities and Supplementary Requirements	

All developments shall also be subject to the applicable requirements of Section 4.0430 - Site Development Standards; Article 9 - Common Requirements; and Appendix 5.000 - Public Facilities Standards. ***	Curb cut standards are now found in Public Works Standards, not A5.400 Terminology consistency
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Section 8. Volume 3, Development Code, Section 4.1000 Plan Districts is amended as follows:

Proposed Text Amendment	Commentary
4.1000 Enabling Legislation *** E. Within the boundaries of a Plan District, the sub-district designation of any site or small group of sites may be changed to that of a different sub-district already existing within that Plan District. Any such proposal shall be processed under the Type III procedure for Community Development Plan Map Amendments, as provided in Section 12.0001 12.0101. In seeking such an amendment, an applicant shall demonstrate that the proposed change is consistent with the purposes, findings, and recommendations of the study or plan which serves as the basis for the Plan District, and that the proposed change will not have a negative impact on existing or planned public facilities and services.	Correcting code reference

Section 9. Volume 3, Development Code, Section 4.1100 Downtown Plan District is amended as follows:

Proposed Text Amendment	Commentary
SECTION 4.1100 DOWNTOWN PLAN DISTRICT	Section 4.1100 Downtown Plan District is repealed and replaced by Exhibit A.

Section 10. Volume 3, Development Code, Section 4.1200 Civic Neighborhood Plan District is amended as follows:

Proposed Text Amendment	Commentary
SECTION 4.1200 CIVIC NEIGHBORHOOD PLAN DISTRICT	Section 4.1200 Civic Neighborhood Plan District is repealed and replaced by Exhibit B.

Section 11. Volume 3, Development Code, Section 4.1300 Gresham Butte Plan District is amended as follows:

Proposed Text Amendment	Commentary
4.1301 Purpose The Gresham Butte Plan District is an overlay district providing special regulations covering the Gresham Butte area of the city. The boundaries of the Gresham Butte Plan District are shown on the Gresham Butte Overlay Map in Appendix 41 of Volume 1, Gresham Community Development Plan. Contained in this section are special requirements for development within this area. Special requirements for this area are provided to preserve the natural beauty of Gresham Butte. In addition, the requirements are needed to provide for the unique development conditions experienced on Gresham Butte including special needs in the areas of storm water management, and for fire protection and access management. The uses permitted and standards applied match those of the Low-Density Residential-5 District and the Hillside and Geologic Risk Overlay unless modified by this section. *** 4.1311 Density and Average Lot Sizes Table 4.1311 summarizes the density and lot size requirements which apply to the Gresham Butte Plan District. Table 4.1311	Stormwater and access management is covered in other sections of the development code: Public Works Standards and Stormwater Management Manual
*** 4.1311 Density and Average Lot Sizes Table 4.1311 summarizes the density and lot size requirements which apply to the Gresham Butte Plan District.	Revising table name for consistency

Table 4.1311Notes	
*1 Existing vacant properties under .5 acre, with adequate space, get credit for one dwelling unit.	Revising from stars to numbers for consistency
**2 Separate open space must be put in a tract or tracts owned and maintained by <u>all</u> of the property owners of the lots created with the land division. Tract deeds and maintenance agreement(s) must be approved by the City of Gresham prior to the recordation of the final plat or final subdivision.	Revising for clarity
4.1312 Site Development Requirements	
The Site Development Requirements of LDR-5 shall apply unless modified by this section.	
A. Development on a Lot of Record A lot of record may be developed with a permitted use as per the Gresham Community Development Code. Development on a lot of record must be developed with dwellings protected with a fire sprinkler system consistent with Subsection (BC) below.	
B. Setbacks The LDR-5 setback requirements are required except that the side yard setback shall be a minimum of 10 feet to encourage side yard planting.	Correcting reference
C. Fire Suppression Systems Required All new dwelling units constructed within the Gresham Butte District shall be built with fire suppression systems installed consistent with the Building Code and shall be inspected and approved by the Gresham Fire Marshal. New construction <u>Construction</u> within the Gresham Butte Plan District involving the addition to or remodeling (requiring building permits under the Building Code) that either adds to or modifies over 50% <u>percent</u> of the original structure floor area shall be built with a fire suppression system installed as above.	Revising for clarity
D. Access Requirements Access to Gresham Butte shall be enhanced through upgrades to the existing SW Walters Road as described in the City of Gresham Capital Facilities Plan. All development shall be designed to the greatest extent possible in <u>accordance with the City of Gresham Public Works Design Standards</u> to create connectivity between streets and sidewalks and the public trail and path system as described in the current Gresham Parks and Recreation, Trails and Natural Areas Master Plan.	Revising to be clear and objective
E. Area-wide and Basin Specific Utility Facilities In order to effectively manage stormwater runoff from development on Gresham Butte, new development shall participate in area-wide or basin specific stormwater management solutions where the City of Gresham best	

design approaches indicates an area-wide solution based on efficiency for long term maintenance and safety considerations. This participation may also be required for other utilities given the unique topographic and open space features of Gresham Butte. Other facilities preliminarily identified, include but are not limited to sanitary sewer systems and water systems. F. Modifications to Public Facility Standards For SW Walters Road and in the Gresham Butte Plan District, standards of Appendix 5.000 - Public Facilities, Gresham Community Development Code, may be modified including right of way, width, pavement, sidewalk, and other standards with approval by the Manager <u>of a Public Works design modification</u>.	Revising for accuracy
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Section 12. Volume 3, Development Code, Section 4.1400 Pleasant Valley Plan District is amended as follows:

Proposed Text Amendment	Commentary
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General Provisions 4.1401 Purpose 4.1402 Pleasant Valley Plan District Plan Map 4.1403 Pleasant Valley Sub-districts in General PLEASANT VALLEY RESIDENTIAL SUB-DISTRICTS Purpose and Characteristics 4.1410 Low-Density Residential - Pleasant Valley (LDR-PV) 4.1411 Medium-Density Residential - Pleasant Valley (MDR-PV) 4.1412 High-Density Residential - Pleasant Valley (HDR-PV) Permitted Uses 4.1413 Permitted Uses 4.1414 Commercial Uses in MDR-PV and HDR-PV Standards 4.1415 Development Standards Table 4.1416 Building Height and Height Transition Standards 4.1417 Housing Variety in LDR-PV and MDR-PV 4.1417 <u>Neighborhood Amenities</u> PLEASANT VALLEY MIXED-USE AND EMPLOYMENT SUB-DISTRICTS Purpose and Characteristics 4.1420 Town Center - Pleasant Valley (TC- PV) 4.1421 Neighborhood Commercial – Pleasant Valley (NC-PV) 4.1422 Mixed Employment - Pleasant Valley (ME-PV) Permitted Uses 4.1423 Permitted Uses Standards 4.1424 Development Standards Table 4.1425 Setbacks 4.1426 Building Height 4.1426 <u>Design Criteria and Standards</u> 4.1427 <u>Landscaping</u> 4.1428 <u>Commercial Uses</u> 4.1429 <u>Open Space</u> PLEASANT VALLEY PUBLIC LAND SUB-DISTRICT Purpose and Characteristics 4.143 <u>40 Public Land – Pleasant Valley (PL-PV)</u>	Revising for consistency Removing deleted section Updating terminology for clarity Removing deleted section Updating code references
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a neighborhood park. <u>It shall, and</u> connects to the larger community by a pattern of streets, blocks, paths and trails, and walkways, and linkages to the Natural Resource Overlay. A mix of lot sizes and housing types, forms, and designs within LDR-PV sub-district areas in the Plan District as a whole and in individual neighborhoods is intended.	Removing unnecessary language																																
4.1411 MEDIUM-DENSITY RESIDENTIAL – PLEASANT VALLEY (MDR-PV) The Medium-Density Residential (MDR-PV) sub-district provides a range of detached and attached dwelling units. Development in this sub-district shall be arranged to form part of an individual neighborhood, as well as serve as a transition between <u>the</u> low density residential <u>sub-district</u> and <u>the</u> employment <u>or</u> and high-density residential housing types and sub-districts. A mix of housing types, forms, and designs in the MDR-PV sub-district in the entire Plan District and in individual neighborhoods is intended.	Revising for accuracy																																
4.1412 HIGH-DENSITY RESIDENTIAL - PLEASANT VALLEY (HDR-PV) The High Density Residential (HDR-<u>PV</u>) sub-district is intended to accommodate the highest density housing in Pleasant Valley. As with the LDR-PV and MDR-PV sub-districts, HDR-PV contributes to completing a variety of housing within, and as part of, individual neighborhoods. The HDR-PV sub-district allows higher development intensities than in LDR-PV and MDR-PV <u>sub-districts</u>, with residential densities ranging from 25 to 40 dwelling units per acre, and with housing choices that reflect differing needs and opportunities within <u>Pleasant Valley, the Plan District</u>. A mix of housing types in the HDR-PV sub-district across the entire Plan District and in individual neighborhoods is intended. *** Table 4.1413: Permitted Uses in the Pleasant Valley District – Residential <table><tr><th>USES</th><th>LDR-PV</th><th>MDR-PV</th><th>HDR-PV</th></tr><tr><td colspan="4">RESIDENTIAL</td></tr><tr><td>Single Detached Dwelling</td><td>P</td><td>P</td><td>L¹</td></tr><tr><td>Duplex</td><td>P</td><td>P</td><td>P</td></tr><tr><td>Triplex</td><td>P</td><td>P</td><td>P</td></tr><tr><td>Quadplex</td><td>P</td><td>P</td><td>P</td></tr><tr><td>Townhouse</td><td>P</td><td>P</td><td>P</td></tr><tr><td>Cottage Cluster</td><td>P</td><td>P</td><td>P</td></tr></table>	USES	LDR-PV	MDR-PV	HDR-PV	RESIDENTIAL				Single Detached Dwelling	P	P	L ¹	Duplex	P	P	P	Triplex	P	P	P	Quadplex	P	P	P	Townhouse	P	P	P	Cottage Cluster	P	P	P	Removing unnecessary language
USES	LDR-PV	MDR-PV	HDR-PV																														
RESIDENTIAL																																	
Single Detached Dwelling	P	P	L ¹																														
Duplex	P	P	P																														
Triplex	P	P	P																														
Quadplex	P	P	P																														
Townhouse	P	P	P																														
Cottage Cluster	P	P	P																														

Multifamily/ <u>Shared Housing Facility</u> ¹	NP	P	P	Adding Shared Housing Facility land use category
Elderly Housing	NP	SUR	SUR	
Manufactured Dwelling Park	NP	NP	NP	
Residential Facility	P	P	P	
Residential Home	P	P	NP	
Affordable Housing	<u>P/L</u> ³	P ⁴	P ⁴	
COMMERCIAL				Revising for accuracy

Table 4.1413 Notes				
1. Single detached dwellings are permitted in conjunction with a development that includes multifamily housing or middle housing types, provided the minimum density is met for the overall development site.				Revising for clarity
2. Transitional housing for individuals transitioning from incarceration facilities are subject to a Special Use Review, unless the application qualifies as affordable housing under Section 10.1700 .				
3. Affordable housing <u>that meets the development standards of the land use district is permitted</u> . shall be owned by a public body (ORS 174.109) or a nonprofit corporation that is owned by a religious corporation, when <u>When</u> the proposed residential use <u>affordable housing</u> is only permitted in the land use district under the affordable housing provisions. See of Section 10.1700, the standards and criteria in that section shall apply.				
4. Affordable housing development is permitted. See Section 10.1700 .				
5. Commercial uses are subject to the Use <u>Limitations</u> in Section 4.1414 .				
6. The commercial portion of the structure shall face the street front and is limited to the first floor. Where a live-work unit has an individual garage, vehicle access to the garage must be from an alley. <u>One</u> A-fascia, awning, or painted wall sign limited to 32 square feet is permitted per each unit.				

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
Commercial uses subject to Table 4.1413, Note 5 shall must meet the following standards:				Revising for clarity
A. Location. New uses are permitted only on corner lots.				
B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
Commercial uses subject to Table 4.1413, Note 5 shall must meet the following standards:				Revising for clarity
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C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

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C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
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C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

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C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
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C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

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C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

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C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

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C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

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C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

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C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
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B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
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A. Location. New uses are permitted only on corner lots.				
B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
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B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
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C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
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C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
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C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
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B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
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B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
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C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
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C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
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A. Location. New uses are permitted only on corner lots.				
B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
Commercial uses subject to Table 4.1413, Note 5 shall must meet the following standards:				Revising for clarity
A. Location. New uses are permitted only on corner lots.				
B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
Commercial uses subject to Table 4.1413, Note 5 shall must meet the following standards:				Revising for clarity
A. Location. New uses are permitted only on corner lots.				
B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
Commercial uses subject to Table 4.1413, Note 5 shall must meet the following standards:				Revising for clarity
A. Location. New uses are permitted only on corner lots.				
B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
Commercial uses subject to Table 4.1413, Note 5 shall must meet the following standards:				Revising for clarity
A. Location. New uses are permitted only on corner lots.				
B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
Commercial uses subject to Table 4.1413, Note 5 shall must meet the following standards:				Revising for clarity
A. Location. New uses are permitted only on corner lots.				
B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
Commercial uses subject to Table 4.1413, Note 5 shall must meet the following standards:				Revising for clarity
A. Location. New uses are permitted only on corner lots.				
B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
Commercial uses subject to Table 4.1413, Note 5 shall must meet the following standards:				Revising for clarity
A. Location. New uses are permitted only on corner lots.				
B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
Commercial uses subject to Table 4.1413, Note 5 shall must meet the following standards:				Revising for clarity
A. Location. New uses are permitted only on corner lots.				
B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
Commercial uses subject to Table 4.1413, Note 5 shall must meet the following standards:				Revising for clarity
A. Location. New uses are permitted only on corner lots.				
B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
Commercial uses subject to Table 4.1413, Note 5 shall must meet the following standards:				Revising for clarity
A. Location. New uses are permitted only on corner lots.				
B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
Commercial uses subject to Table 4.1413, Note 5 shall must meet the following standards:				Revising for clarity
A. Location. New uses are permitted only on corner lots.				
B. Mixed-Use. New uses are permitted only on lots with at least one dwelling unit.				
C. Floor Area. The floor area occupied by a commercial use or uses on a site				Revising for clarity

4.1414 COMMERCIAL USES IN MDR-PV AND HDR-PV				
Commercial uses subject to Table 4.1413, Note 5 shall must meet the following standards:				Revising for clarity
A. Location. New uses are permitted only on corner lots.				
B. Mixed-Use				

Quadplex, Townhouse, Cottage Cluster			
All other uses	none <u>None</u>	0.5:1	0.5:1
E. Minimum Street Frontage³			
1. Interior lot			
Single Detached, Duplex, Triplex, Quadplex, Cottage Cluster	35 ft.	35 ft.	None
Townhouse	18 ft.	18 ft.	18 ft.
Live-Work	NA	18 ft.	18 ft.
All other uses	35 ft.	18 ft.	None
2. Corner lot			
Single Detached, Duplex, Triplex, Quadplex, Cottage Cluster	40 ft.	40 ft.	20 ft.
Townhouse	20 ft.	20 ft.	32 ft.
Live-Work	NA	20 ft.	32 ft.
All other uses	40 ft.	None	None
F. Maximum Building Height⁴			
All uses	35 ft.	35 ft.	45 ft. ⁵
G. Modifications to Maximum <u>Building Height Standards</u> – Section 7.0400 <u>Rear Height Limits</u>			
1. <u>Section 4.1416</u> Building Height and Height Transition Standard			
Single Detached, Duplex, Triplex, Quadplex — <u>All uses</u>	See <u>Section 7.0400</u> for applicability. <u>NA</u>	NA	NA <u>Yes</u>
<u>2. Section 7.000</u> Rear Roof Height Limit Reductions			
All other uses	NA <u>Yes</u>	NA	NA
H. Maximum Floor Area Ratio			
Single Detached, Duplex, Triplex, Quadplex	1.0	NA	NA
All other uses	NA	NA	NA

Revising for consistency

Revising table standards for clarity and accuracy

I. Maximum Number of Attached Townhouses			
Townhouse	4 units	4 units	NA <u>8 units</u>
All other uses	NA	NA	NA
J. Minimum and Maximum Off-Street Parking Required			
All Uses	As provided in Section 9.0851		
K. Alley Access Required for Garage Entrances ⁶			
Townhouse	No	No	Yes
All other uses	No	Yes, if lot width is less than 60 ft.	Yes
L. Buffering Required			
All Uses	See Buffer Matrix, Section 9.0100		
M. Clear Vision Area Required (Section 9.0200)			
All uses	Yes	Yes	Yes
N. Housing Variety			
All residential uses	As provided in Section 7.0450		NA
O. Design Standards			
Single Detached, Duplex, Triplex, Quadplex, Townhouse, Cottage Cluster	As provided in Section 7.0400		
All other uses	Design standards in Section 7.0103 <u>Section 7.0112</u> shall apply ⁷		
P. Neighborhood Amenities Area Required (Section 4.14178)			
All residential uses	Yes	Yes	Yes

Updating maximum number of attached townhouses

Updating code reference

Table 4.1415A Notes

1. Minimum net density does not apply to affordable housing development. See **Section 10.1700**.
2. A density bonus applies to affordable housing development. See **Section 10.1700**.
3. A reduction in the minimum street frontage may be approved when the applicant can document compliance with **Section 10.1520** of the Community Development Code.
4. A height bonus applies to affordable housing development. See **Section 10.1700**.
5. Building height transition standards apply when an abutting lot is in the LDR-PV sub-district. See **Section 4.1416**.
6. This applies to developments in which dwelling units have individual garage entrances. Developments with shared parking areas or parking garages are not subject to this requirement.

7. The Corridor Design District standards in Section 7.0103 Section 7.0112 apply to new multifamily, elderly housing, residential facilities, mixed-use, and non-residential development requiring design review approval. Table 4.1415B: Setbacks												Correcting reference
	FRONT			SIDE						REAR		
	Front Façade/Wall	Front Porch	Garage	Interior Side	Common Wall	Zero Lot Line Option	Street Side Wall	Street Side Porch	Street Side Garage Access	Rear No Alley	Rear With Alley	
1A. Minimum Setbacks												Renumbering for consistency
Single Detached, Duplex, Triplex, Quadplex												
LDR-PV, MDR-PV	10 ft.	8 ft.	20 ft.	5 ft.	0 ft.	6 in. on zero / 6 ft. other	10 ft.	6 ft.	20 ft.	10 ft.	8 ft.	
HDR-PV	5 ft.	5 ft.	20 ft.	5 ft.	0 ft.	NA	5 ft.	5 ft.	5 ft.	15 ft.	5 ft.	
Townhouse												
LDR-PV	10 ft.	8 ft.	20 ft.	5 ft.	0 ft.	NA	8 ft.	8 ft.	20 ft.	10 ft.	8 ft.	
MDR-PV	10 ft.	5 ft.	20 ft.	5 ft.	0 ft.	NA	5 ft.	5 ft.	20 ft.	10 ft.	8 ft.	
HDR-PV	5 f t.	5 ft.	20 ft.	5 ft.	0 ft.	NA	5 ft.	5 ft.	20 ft.	10 ft.	5 ft.	
Cottage Cluster												
LDR-PV	10 ft.	8 ft.	20 ft.	5 ft.	NA	NA	10 ft.	8 ft.	20 ft.	10 ft.	8 ft.	
MDR-PV	10 f t.	8 ft.	20 ft.	5 ft.	NA	NA	10 ft.	8 ft.	20 ft.	10 ft.	8 ft.	
HDR-PV	5 f t.	5 ft.	20 ft.	5 ft.	NA	NA	5 ft.	5 ft.	20 ft.	10 ft.	5 ft.	
Live-Work												
LDR-PV	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
MDR-PV	5 f t.	5 ft.	20 ft. ¹	5 ft.	0 ft.	NA	5 ft.	5 ft.	20 ft.	10 ft.	5 ft.	
HDR-PV	5 f t.	5 ft.	20 ft. ¹	5 ft.	0 ft.	NA	5 ft.	5 ft.	5 ft.	15 ft.	5 ft.	
All other uses												

LDR-PV	10 ft.	8 ft.	20 ft.	5 ft.	0 ft.	NA	10 ft.	8 ft.	20 ft.	15 ft.	8 ft.	
MDR-PV	5 ft.	5 ft.	5 ft.	5 ft.	0 ft.	NA	5 ft.	5 ft.	5 ft.	15 ft.	5 ft.	
HDR-PV	5 ft.	5 ft.	20 ft. ¹	5 ft.	0 ft.	NA	5 ft.	5 ft.	5 ft.	15 ft.	5 ft.	Renumbering for consistency
2B. Maximum Setbacks												
All other uses ²												
LDR-PV	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
MDR-PV	20 ft.	20 ft.	NA	NA	NA	NA	NA	20 ft.	20 ft.	NA	NA	
HDR-PV	20 ft.	20 ft.	NA	NA	NA	NA	NA	20 ft.	20 ft.	NA	NA	
Table 4.1415B Notes 1. The minimum garage setback may be 5 feet when the garage is flush with an adjacent front facade wall or is compliant with <u>the</u> residential design standards in Section 7.0400, as applicable. 2. The maximum front or street side setback from a building that contains dwelling units and that abuts an arterial street is 30 feet. For any development, the maximum front or street side setback may be exceeded when enhanced pedestrian spaces and amenities are provided. 4.1416 BUILDING HEIGHT AND HEIGHT TRANSITION STANDARDS A. Applicability. The following standards apply to buildings to be built on lots in the HDR-PV, TC-PV, NC-PV, and ME-PV sub-districts when <u>they abut the LDR-PV land use district.</u> an abutting lot is zoned LDR-PV. B. <u>At the minimum building setback from a the lot line abutting a lot zoned in the LDR-PV land use district, the maximum building height shall be 35 feet. For every one (1)-foot of additional building setback beyond 35 feet, the maximum building height shall increase by one (1)-foot, up to the maximum total building height for the sub-district, as illustrated in Figure 4.1416.</u> *** 4.1417 HOUSING VARIETY IN LDR PV AND MDR PV Where applicable, the housing variety standards require a minimum amount of different building forms on a development site and that adjacent residential												Rewording for clarity
												Rewording for clarity
												Rewording for clarity

structures have either different building forms or different prominent design features. The purpose of these standards are to promote a wide range of housing choices in Pleasant Valley, and to ensure that residential neighborhoods include a mix of housing types, sizes, and forms. A. Building Form Variety 1. Applicability. The building form variety standards apply when the following criteria are met: a. The development site includes at least 1.5 gross acres of land within the LDR-PV and MDR-PV sub-districts or a combination thereof, except for areas within the Resource Area, High Value Resource Area, Highly Sloped Subarea, and Floodplain; and b. The proposed development includes a Type II or Type III tentative partition or subdivision plan. 2. For each proposed lot, the applicant shall designate one or more building form categories per Subsection 4.1417(A)(3). The development site must meet the applicable minimum requirements in Table 4.1417.	Removing unnecessary language
Table 4.1417 Building Form Category Requirements	
<u>Development Area (Gross Acres)[†]</u>	<u>Building Form (Section 7.0450(A)(3))</u>
<u>Less than 1.5 acres</u>	<u>No more than 80% of lots shall be designated for any one category</u>
<u>1.5 acres to 5 acres</u>	<u>No more than 60% of lots shall be designated for any one category</u>
<u>More than 5 acres</u>	<u>No more than 60% of lots shall be designated for any one category. Development site must include at least 3 categories.</u>
Table Notes: [†]The development area will include gross acreage except for areas within the Resource Area, High Value Resource Area, Highly Sloped Subarea, and Floodplain. 3. The following categories shall be used to apply the building form variety requirements in the LDR-PV and MDR-PV sub-districts: a. 2+ story detached. Qualifying structures include single detached dwellings; detached forms of duplexes, triplexes, or quadplexes; or cottage clusters; provided each structure has at least two stories.	

b. Single-story detached. Qualifying structures include single detached dwellings; detached forms of duplexes, triplexes, or quadplexes; or cottage clusters; provided each structure has only one story. c. Small detached. Qualifying structures include single detached dwellings; detached forms of duplexes, triplexes, or quadplexes; or cottage clusters; provided each structure has a floor area less than 1,400 square feet, excluding garages. d. Rowhouse-style attached. Qualifying structures include townhouses; townhouse-style multifamily units (only available in the MDR-PV sub-district); or attached duplexes, triplexes, or quadplexes. Structures must be constructed in a row of attached units where each unit shares at least one common side wall with an adjacent unit, but does not share a common floor/ceiling with any units. e. Non-rowhouse-style attached (2-4 units). Qualifying structures include duplexes, triplexes, or quadplexes, provided the units are attached in any configuration other than rowhouse style, as provided in (A)(3)(d) (e.g., stacked units). f. MDR-PV sub-district only: Non-rowhouse-style attached (5+ units). Qualifying structures include attached multifamily buildings 4. Demonstrating Compliance. Applicants shall submit evidence demonstrating compliance with the standards in this section as provided below. g. In the tentative land division plan, the applicant shall designate for each lot a building form category(ies) from the list in subsection 4.1417(A)(3). A tentative lot may be designated to fulfill more than one building form category provided: i. The applicable minimum requirements in Table 4.1417 are met (e.g., 80% of lots may be designated as category a, b, or c, and 20% of lots designated as category d); and ii. Buildings that can meet two categories (e.g., both a and c or both b and c) shall not be used to fulfill the requirement for two categories. h. As a condition of approval, it shall be required that any subsequent building permit application is consistent with the building form category or categories designated on the corresponding lot in the tentative land division plan. i. If more than one building form category is permitted to be built on a single lot, the applicant may choose which category to designate the lot at time of building permit submittal. j. Phased development: If an application to develop a site proposes to do so over multiple phases, after each phase is completed, the	
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overall development site must meet the building form variety standards in subsection 4.1417(A). B. Building Design Feature Variety 1. Applicability. The building design feature variety standards apply to building permit applications for new residential structures in the LDR-PV and MDR-PV sub-districts. 2. Definitions. For the purposes of these standards, the following definitions shall apply: a. "Residential structure" means one of the following: a single detached dwelling on a lot; a duplex, triplex, or quadplex on one lot; a cottage cluster on one lot; or a structure containing attached townhouse units. Multifamily structures are excluded from the definition of "residential structure". b. "Lot" refers to a parent lot, not a Middle Housing Lot, in the case of a Middle Housing Land Division. c. "Nearby residential structures" means residential structures that face the same street as the subject structure and that are on lots within 200 feet of the subject lot. 3. Each residential structure in the LDR-PV and MDR-PV sub-districts shall differ from nearby residential structures in at least one of the following ways: a. A different building form pursuant to subsection 4.1417(A)(3); or b. At least one different building design feature listed in subsection 4.1417(B)(4). 4. The following design feature categories shall be used to apply the design feature variety requirements: a. Building lot coverage. Lot coverage does not exceed 50%. b. Front yard depth. Front yard is at least 5 feet deeper than the required minimum front yard, other than rowhouse-style units, as provided in (A)(3)(d). c. Side yard width. At least one side yard is at least 5 feet wider than the minimum required side yard as measured at the front building line. d. Roof style. Roof style options include gable with end facing front, gable with end facing side, hip, gambrel, shed, or flat or combination thereof. e. Garage configuration. Options include the following (carports shall not be considered garages for the purpose of this standard): i. Presence of garage (i.e., garage versus no garage); ii. Size of garage (i.e., 1-car versus 2+ car garage); or iii. Detached versus attached garage.	
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f. Garage door orientation. Options include the following (carports shall not be considered garages for the purpose of this standard): i. Garage door facing the front of the lot; ii. Garage door facing the side of the lot; or iii. Garage door facing the rear of the lot. 5. Within each block, applicants must use at least three (3) of the design feature categories in subsection 4.1417(B)(4) to differentiate residential structures. However, each different building form category proposed on a block pursuant to subsection 4.1417(B)(3)(a) may be used in lieu of one design feature. a. For the purposes of this standard, "block" refers to all the lots with frontages on the same street between two consecutive street intersections. 6. Demonstrating Compliance. Applicants shall submit evidence demonstrating compliance with the standards in this section as provided below. a. At building permit submittal, the applicant shall indicate the applicable building form category (subsection 4.1417(A)(3)). b. At building permit submittal, where nearby residential structures are the same building form category, the applicant shall indicate the applicable design feature category (subsection 4.1417(B)(4)) to demonstrate that nearby residential structures have either a different building form or different design features.	
<u>4.1417.8 NEIGHBORHOOD AMENITIES OPEN SPACE</u>	
A. Purpose. The purpose of requirements in this section is to ensure that residential development in Pleasant Valley provides adequate shared common open space consistent with the Plan District. B. Applicability. Except as provided in subsection (3), Standard 4.1417.B.3, the requirements of this section Section 7.0451 Neighborhood Amenities apply if Standard 4.1417.B.1 and Standard 4.1417.B.2 criteria (1) and (2), below, are met. Deviations from the open space standards in this section shall be subject to review through a Planned Development application (Section 6.0300). 1. The development site includes at least 1.5 2.5 acres within the LDR-PV, MDR-PV, and/or HDR-PV sub-district; and 2. The proposed development includes single-detached dwellings, duplexes, triplexes, quadplexes, or townhouses. 3. Section 4.1417.8 does not apply to the development of multifamily uses, manufactured dwelling parks, or cottage clusters (or that the portion of a site devoted to those uses). The open space provisions in Section 7.0100 apply to multifamily uses. The interior open space design standards in	Updating code Section numbering and title Rewording for consistency, formatting Adding code references Rewording for consistency, clarity

Section 7.0410(C) 7.0410.C apply to manufactured dwelling parks. The common courtyard design standards in Section 7.0400(C) 7.0440.C apply to cottage clusters. C. Area required. Open space shall be provided as follows: 1. A minimum of 15% of the gross land area of the development site that meets the applicability criteria in subsection(B) (excluding land within a Resource Area, High Value Resource Area, and Hillside and Geologic Risk Overlay) shall be allocated as common open space area. 2. The amount of open space in the following categories shall not exceed 50% of the total required open space: a. Land within a Resource Area or High Value Resource Area; and b. Land with slopes over 10%. 3. If Resource Area on the site is required to be placed in a separate tract, pursuant to subsection 5.0700(G)(5), the area within the Resource Area tract may count towards meeting the required common open space area, pursuant to subsection 4.1418(C)(2). D. Common Open Space Requirements. Required common open space shall comply with the following standards: 1. Required common open space shall be placed in one or more tracts of land. Prior to final plat approval, ownership of the open space tract shall be identified to distinguish it from lots intended for sale. The tract may be identified as one of the following: a. Common open space held by a homeowners' association by a restrictive covenant or easement; or b. At the owner's option and if accepted by the City, a public park where the tract has been dedicated to the City. Lands accepted by the City for dedication to the public are not subject to the limits in subsection(C)(3) or the remaining standards in subsection(D). 2. There shall be a financial mechanism that ensures maintenance of any common open space area. 3. Size and dimensions. Each common open space tract must be at least 4,500 square feet in area and must include a portion with minimum dimensions of 65 feet by 65 feet. 4. Access. Except where each lot or parcel in the development abuts one or more of the common open space area(s), common open space tracts must have a minimum of 10 feet of lot frontage along an existing or proposed public street. 5. Improvements. Prior to the issuance of building permits for the development, required common open space areas shall be entirely improved with a combination of the following amenities:	Formatting Removing language repeated elsewhere or updated elsewhere
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a. Lawn; landscaped areas with trees and shrubs (may include areas of lawn); or community gardens (irrigation must be available for use by the residents). Such areas shall include seating including but not limited to picnic tables or benches. Bark mulch is not permitted as a ground cover except under trees and shrubs and within children's play areas. b. Children's play areas. If provided, the children's play area shall have a minimum of four (4) of the following types of play equipment: a swing structure with at least three (3) swings; a slide; a jungle gym or climbing structure; a permanent sand box; natural play elements including boulders, logs, and turf mounds; or other children's play equipment approved for use in a public playground. Required play equipment may or may not be attached to the primary play structure. Equipment must be manufactured to ASTM International (formerly known as American Society for Testing and Materials) F1487-11, or most current standards or other comparable standards applicable to public playground equipment. The children's play area shall be outside of the required building setbacks and buffer areas. Each children's play area must be enclosed along any perimeter that is within 10 feet of a street, alley, property line, or parking area. The play areas shall be enclosed by one or a combination of any of the following: a 2.5 feet to 3 feet high wall, planter, or fence; or by 18-inch high benches or seats. c. Hardscaped improvements, including but not limited to the following, provided the total of hardscaped areas does not exceed 50% of the required open space area: i. Inground permanent swimming pools, spas, or hot tubs. ii. Sports courts for tennis, pickleball, handball, volleyball, and badminton courts and/or basketball. iii. Pathways, decks, or other hard surface areas. ***	
4.1420 TOWN CENTER - PLEASANT VALLEY (TC-PV)	
A. Purpose. The town center <u>Town Center</u> is intended to be the heart of the Pleasant Valley community. It will contain a mix of retail, office, and civic uses, and housing uses opportunities in a pedestrian oriented <u>environment</u> area. The town center shall be the focus of retail, civic, and office related uses, and services that accommodates erve the daily needs of the local community. It shall be served by a multi-modal transportation system with <u>strong good access</u> by vehicular, pedestrian, bicycle, and transit <u>access</u> traffic.	Capitalization Rewording for clarity and consistency

plazas, public neighborhood parks, and public community parks are permitted in the ME-PV district when an applicant demonstrates that title for the parcel(s) where the facility is to be developed was held by the governing body for the applicant as of April 2, 2009. *** 4.1421 NEIGHBORHOOD COMMERCIAL – PLEASANT VALLEY (NC-PV)	
Purpose and Characteristics The Neighborhood Commercial (NC-PV) sub-district provides for a mix of local retail, service, office, and live-work uses that encourages short walking, biking, and driving trips from adjacent neighborhoods. The Neighborhood Commercial sub-district shall have the following characteristics: A. Neighborhood commercial centers are small (approximately 3-5 acres) and provide uses that serve the adjacent neighborhoods. B. The retail, service and office uses are concentrated (nodal form) and located on or near transit streets with opportunities for good retail <u>located on street</u> corners. C. Site design supports compatibility with the adjacent neighborhood through the orientation of buildings along streets, provision of pedestrian amenities, and design of a pedestrian-friendly streetscape, and other techniques. 4.1422 MIXED EMPLOYMENT – PLEASANT VALLEY (ME-PV)	Formatting consistency with other code sections Clarification
Purpose and Characteristics The Mixed Employment (ME-PV) sub-district is primarily intended to provide a range of employment opportunities as well as commercial uses that meet local needs for goods and services. Primary uses shall include offices, services, retail, knowledge-based industries (graphic communications, creative services, etc.), research and development facilities, medical facilities, and other businesses that provide on-site employment and contribute to a complete community. Housing shall be allowed within a mixed-use building. Characteristics for the <u>The Mixed Employment sub-district shall have the following characteristics include:</u> A. ME-PV Mixed employment areas shall be located <u>on</u> an arterial or collector street where there is access to transit.	Clarifying language Formatting, clarifying language

B. ME-PV <u>Mixed employment</u> areas shall be near a neighborhood commercial center or the town center. C. ME-PV <u>When mixed employment</u> areas <u>are</u> adjacent to Resource Areas shall be designed to provide a compatible relationship to the Resource Areas. D. D<u>The design of mixed employment shall be</u>will create pedestrian-friendly areas and utilize cost effective green development practices. ***	Updating to clarify applicability of the standard																																																												
Table 4.1423: Permitted Uses in the Pleasant Valley District Mixed Use and Employment																																																													
<table><tr><th>USES</th><th>TC-PV</th><th>NC-PV</th><th>ME-PV</th></tr><tr><td colspan="4">RESIDENTIAL</td></tr><tr><td>Single Detached Dwelling</td><td>NP</td><td>NP</td><td>NP</td></tr><tr><td>Duplex</td><td>NP</td><td>NP</td><td>NP</td></tr><tr><td>Triplex</td><td>NP</td><td>NP</td><td>NP</td></tr><tr><td>Quadplex</td><td>NP</td><td>NP</td><td>NP</td></tr><tr><td>Townhouse</td><td>L¹</td><td>L¹</td><td>NP</td></tr><tr><td>Cottage Cluster</td><td>NP</td><td>NP</td><td>NP</td></tr><tr><td>Multifamily/<u>Shared Housing Facility</u></td><td>L^{1,3}</td><td>L^{1,3}</td><td>L^{2,3}</td></tr><tr><td>Elderly Housing</td><td>SUR</td><td>SUR</td><td>SUR</td></tr><tr><td>Manufactured Dwelling Park</td><td>NP</td><td>NP</td><td>NP</td></tr><tr><td>Residential Facility</td><td>L¹</td><td>L¹</td><td>L²</td></tr><tr><td>Residential Home</td><td>NP</td><td>NP</td><td>NP</td></tr><tr><td>Affordable Housing</td><td>P⁴</td><td>P⁴</td><td>P⁴</td></tr><tr><td colspan="4">COMMERCIAL</td></tr></table>	USES	TC-PV	NC-PV	ME-PV	RESIDENTIAL				Single Detached Dwelling	NP	NP	NP	Duplex	NP	NP	NP	Triplex	NP	NP	NP	Quadplex	NP	NP	NP	Townhouse	L ¹	L ¹	NP	Cottage Cluster	NP	NP	NP	Multifamily/ <u>Shared Housing Facility</u>	L ^{1,3}	L ^{1,3}	L ^{2,3}	Elderly Housing	SUR	SUR	SUR	Manufactured Dwelling Park	NP	NP	NP	Residential Facility	L ¹	L ¹	L ²	Residential Home	NP	NP	NP	Affordable Housing	P ⁴	P ⁴	P ⁴	COMMERCIAL				Updating Table, use types include Shared Housing Facility
USES	TC-PV	NC-PV	ME-PV																																																										
RESIDENTIAL																																																													
Single Detached Dwelling	NP	NP	NP																																																										
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Residential Home	NP	NP	NP																																																										
Affordable Housing	P ⁴	P ⁴	P ⁴																																																										
COMMERCIAL																																																													
*** Table 4.1423 Notes 1. In TC-PV and NC-PV on SE Giese Road, SE 172nd Avenue, or SE 190th Avenue, any ground floor street-facing façade within 40 feet of the street shall be commercial or institutional uses except for lobbies (unless required by the building code). <u>100 percent of ground floor, street-facing facades within 40 feet of the street shall be occupied by commercial or institutional uses, except that a portion of the facade area may be occupied by a residential lobby. Further reductions to meet building code requirements shall be permitted.</u> 2. Residential uses <u>shall be</u> permitted only as part of a mixed-use building and are not permitted on when they are not located on the ground floor.		Clarifying applicability of commercial ground floor requirement Updating for clarity																																																											

3. Conversion of a hotel or motel to an emergency shelter or to affordable housing is permitted. See Section 10.0420. 4. Affordable housing development is permitted. See Section 10.1700. 5. The maximum building footprint for any building occupied entirely by a commercial use or uses, or other use subject to this footnote, shall be 15,000 square feet. Larger religious institutions may be pursued through a <u>shall be subject to a</u> Special Use Review. 6. Retail uses which include the sale, lease or rent of new or used products to the general public, or the provision of product repair or services for consumer and business goods, are limited to a maximum of 60,000 square feet of gross leasable area in a single building or a single lot or parcel, or on contiguous lots or parcels, including those separated only by transportation right-of-way. A variance from this size limitation is prohibited. Where this size limitation conflicts with the commercial service and retail total floor area allowances of this table, the more restrictive size limitation shall govern. 7. The commercial portion of the structure shall face the street front <u>occupy the street-facing façade</u> and <u>commercial use</u> is limited to the first floor. Where a live-work unit has an individual garage, vehicle access to the garage must be from an alley. A fascia, awning, or painted wall sign limited to 32 square feet is permitted per each unit. 8. Theme parks are not permitted. 9. Limited to mixed use buildings (retail and non-retail or residential uses). Retail may be no more than 50 percent of the total floor area of the building. 10. The maximum site size for an Outdoor Commercial Use is two acres. See also Section 4.14289. 11. Industrial uses are allowed only if the activities and storage are indoors or screened from view by a sight-obscuring fence or wall. 12. For purposes of this table, the following uses are permitted: any combination of administrative, research and development, production, assembly, and testing functions. ***	Updating for clarity												
4.1424 DEVELOPMENT STANDARDS TABLE Table 4.1424 summarizes development standards, which apply within the Pleasant Valley Town Center, Neighborhood Commercial, and Mixed Employment sub-districts <u>of Pleasant Valley</u>. The standards contained in this table are supplemented by the referenced subsections, which provide additional clarification and guidance. Table 4.1424 Mixed-Use and Employment Sub-districts <table><tr><th></th><th>TC-PV</th><th>NC-PV</th><th>ME-PV</th></tr><tr><td>A. Minimum Lot Size</td><td>None</td><td>None</td><td>None</td></tr><tr><td>B. Minimum Residential Density</td><td>None</td><td>None</td><td>None</td></tr></table>		TC-PV	NC-PV	ME-PV	A. Minimum Lot Size	None	None	None	B. Minimum Residential Density	None	None	None	Updating code reference
	TC-PV	NC-PV	ME-PV										
A. Minimum Lot Size	None	None	None										
B. Minimum Residential Density	None	None	None										

C. Maximum Residential Density	None	None	None	
D. Minimum Building Setbacks (Section 4.1425)	0 feet	0 feet	0 feet	
E. Maximum Building Setbacks (Section 4.1425)	5 feet front and street side; none for interior side and rear. ¹	10 feet front and street side; none for interior side and rear. ¹	20 feet front and street side on arterial or collector frontage; none on all other frontages; none for interior side and rear	
F. Maximum Building Height	45 feet ^{2,3}	45 feet ^{2,3}	45 feet ^{2,3}	
G. Minimum Off-Street Parking Required	As provided in Section 9.0851	As provided in Section 9.0851	As provided in Section 9.0851	
H. Maximum Off-Street Parking Permitted	As provided in Section 9.0851	As provided in Section 9.0851	As provided in Section 9.0851	
I. Design Criteria and Standards Apply (Section 4.14267)	Yes ⁴	Yes ⁴	Yes	
J. Screening & Buffering Required (Section 9.0100)	No, except where abutting LDR-PV	No, except where abutting LDR-PV	No, except where abutting LDR-PV ⁴	Updating code reference
K. Landscaping (Section 4.14287)	Yes	Yes	Yes	
L. Commercial Uses (Section 4.14289)	Yes	Yes	Yes	
M. Open Space (Section 4.14301)	Yes	No	No	Deleting section reference

4.1425 SETBACKS				
Required minimum and maximum setback standards are specified in Table 4.1424(A) .				

A. Minimum setback distances shall be determined in conformance with the definition for “Setback” as specified in Section 3.0103. B. Conformance with maximum setback distance is achieved for a commercial or mixed-use building when at least one primary entrance located on the street-facing façade facing the street is placed no farther from the property line than the distance specified for <u>the maximum building setback</u> Maximum Building Setback in Table 4.1424(EA). Maximum building setbacks may be exceeded when a development incorporates enhanced pedestrian spaces and amenities in the setback area. Enhanced pedestrian spaces and amenities consist of features such as plazas, arcades, courtyards, outdoor cafes, widened sidewalks, benches, shelters, street furniture, public art, or kiosks. In addition, on sites with more than one building, the maximum setback may be exceeded, provided conformance is achieved with the maximum setback distance for at least one building. When phased development is proposed, buildings constructed during the initial phase(s) are exempt from this standard, provided the applicant demonstrates that buildings proposed for a later phase(s) will fulfill the maximum setback requirement. ***	Formatting, clarification
4.1426 BUILDING HEIGHT Maximum building heights are specified in Table 4.1424(A). A. The maximum building height shall be reduced when located adjacent to the LDR-PV district, as provided in Section 4.1416.	Removed section; footnote references in Table 4.1424(A) reference Section 4.1416.
4.14267 TRANSIT DESIGN CRITERIA AND STANDARDS The mixed-use and employment sub-districts of Pleasant Valley <u>These sub-districts</u> are pedestrian districts. As such, new development must have a strong orientation to the <u>street, pedestrian</u> and be transit-supportive, as well as <u>and</u> enhance the appearance and functioning of these sub-districts. A. In order to achieve these purposes, <u>The following design regulations apply:</u> Section 7.0103-7.0112 applies to new multifamily, elderly housing, residential facilities, commercial, mixed-use, and industrial development requiring design review approval. The commercial design standards in Section 7.0103-7.0112 shall apply to industrial development. <u>In the TC-PV sub-district, proposed commercial and institutional</u>	Clarification, terminology Updated section number and name Updated for clarity

development on sites larger than 20,000 square feet shall meet the <u>Rockwood Design District standards for publicly accessible open space as provided in standards 7.0512.A.5.S2-S5</u> 23. Section 7.0432 7.0431 applies to new townhouse projects. ***	Updated code references
<u>4.14278</u> LANDSCAPING ***	Updated section numbering
<u>4.14289</u> COMMERCIAL USES ***	Updated section numbering
<u>4.142930</u> TOWN CENTER OPEN SPACE In the TC-PV sub-district, proposed commercial and institutional development on sites larger than 20,000 sq. ft. shall meet the Rockwood Design District standards for publicly accessible open space as provided in Section 7.0503(A)(5)(S3) (S6) 7.0512.A.5.S2-S4. *** Pleasant Valley Public Land Sub-district <u>PURPOSE AND CHARACTERISTICS</u>	Updated code references
<u>4.14340</u> PUBLIC LAND – PLEASANT VALLEY (PL-PV) <u>The Public Land sub-district of Pleasant Valley is intended to provide public awareness of the possible uses of public land, to accommodate community-serving uses, and to provide minimum standards for the development of parks and schools. The PL-PV sub-district includes land that serves the cultural, educational, recreational, and public service needs of Pleasant Valley and the larger community.</u> <u>PL-PV is reserved for designated public facilities and shall only apply to land owned by governmental agencies for public use or benefit.</u> A. Sub-district Purpose and Characteristics 1. The Public Land sub-district may be applied to major parcels of land serving the cultural, educational, recreational, and public service needs of Pleasant Valley and the larger community, including parks, open	Provided new subdistrict description; deleted previous description

spaces, public schools, and other public uses. This sub-district is reserved for designated public facilities and shall only apply to lands owned by governmental agencies for public use or benefit. 2. The PL-PV sub-district is intended to provide public awareness of the possible uses of public land; accommodate community-serving uses; and provide minimum standards for the development of parks and schools. 3. Other publicly owned lands not included within the PL-PV sub-district shall be subject to the development standards of the sub-district in which they are located. PERMITTED USES 4.14341 PERMITTED USES																													
Table 4.14341 lists the types of land uses that are permitted in the Public Land sub-district of Pleasant Valley. ***	Updated section numbering																												
Table 4.14341: Permitted Uses in the Pleasant Valley District Public Land Sub-district <table border="1"> <thead> <tr> <th>USES</th><th>PL-PV</th></tr> </thead> <tbody> <tr> <td colspan="2">RESIDENTIAL</td></tr> <tr> <td>Single Detached Dwelling</td><td>NP</td></tr> <tr> <td>Duplex</td><td>NP</td></tr> <tr> <td>Triplex</td><td>NP</td></tr> <tr> <td>Quadplex</td><td>NP</td></tr> <tr> <td>Townhouse</td><td>NP</td></tr> <tr> <td>Cottage Cluster</td><td>NP</td></tr> <tr> <td>Multifamily</td><td>NP</td></tr> <tr> <td>Elderly Housing</td><td>NP</td></tr> <tr> <td>Manufactured Dwelling Park</td><td>NP</td></tr> <tr> <td>Residential Facility</td><td>NP</td></tr> <tr> <td>Residential Home</td><td>NP</td></tr> <tr> <td>Affordable Housing</td><td>p¹</td></tr> </tbody> </table>	USES	PL-PV	RESIDENTIAL		Single Detached Dwelling	NP	Duplex	NP	Triplex	NP	Quadplex	NP	Townhouse	NP	Cottage Cluster	NP	Multifamily	NP	Elderly Housing	NP	Manufactured Dwelling Park	NP	Residential Facility	NP	Residential Home	NP	Affordable Housing	p ¹	Updated Table numbering
USES	PL-PV																												
RESIDENTIAL																													
Single Detached Dwelling	NP																												
Duplex	NP																												
Triplex	NP																												
Quadplex	NP																												
Townhouse	NP																												
Cottage Cluster	NP																												
Multifamily	NP																												
Elderly Housing	NP																												
Manufactured Dwelling Park	NP																												
Residential Facility	NP																												
Residential Home	NP																												
Affordable Housing	p ¹																												

COMMERCIAL	
Auto-Dependent Use	NP
Business and Retail Service and Trade	NP
Clinics	NP
Commercial Parking	NP
Daycare Facilities	NP
Live-Work	NP
Major Event Entertainment	NP
Mini-Storage Facilities	NP
Outdoor Commercial	NP
INDUSTRIAL	
Construction	NP
Exclusive Heavy Industrial Uses	NP
Industrial Office	NP
Information Services	NP
Manufacturing	NP
Miscellaneous Industrial	NP
Trade Schools	NP
Transportation/Distribution	NP
Warehousing/Storage	NP
Waste Management	NP
Wholesale Trade	<u>NP</u>
INSTITUTIONAL USES	
Civic Uses	SUR

Community Services	SUR
Medical	NP
Parks and Open Spaces	SUR
Religious Institutions	NP
Schools	P
RENEWABLE ENERGY²	
Solar Energy Systems	L/SUR ³
Wind Energy Systems	L/SUR ⁴
Biomass Energy Systems	L ⁵
Geothermal Energy Systems	L/SUR ⁶
Micro-Hydro Energy Systems	L ⁷
OTHER	
Basic Utilities	
Minor Basic Utilities	P
Major Basic Utilities	L/SUR ⁸
Heliports	NP
Wireless Communications Facilities	SUR
Temporary, Intermittent & Interim Uses	P
Marijuana Businesses	NP
Table 4.14341 Notes 1. Affordable housing development is permitted. See Section 10.1700. 2. See Section 10.0900 for additional standards that apply. 3. For limitations, see Section 4.14504.1434 Solar Energy System Standards for Pleasant Valley Districts. 4. For limitations, see Section 4.14514.1435 Wind Energy System Standards for Pleasant Valley Districts. 5. For limitations, see Section 4.14524.1436 Biomass Energy System Standards for Pleasant Valley Districts.	

Updated table number

Updated code references

6. For limitations, see Section 4.1453 4.1437 Geothermal Energy System Standards for Pleasant Valley Districts. 7. For limitations, see Section 4.1454 4.1438 Micro-Hydro Energy System Standards for Pleasant Valley Districts. 8. Electrical generating facilities are not permitted. Standards 4.14342 DEVELOPMENT STANDARDS TABLE	Updated section numbering																		
Table 4.14342 summarizes development standards, which apply within the Pleasant Valley Public Land sub-district. The standards contained in this table are supplemented by the referenced subsections, which provide additional clarification and guidance.	Updated Table numbering																		
Table 4.14342 Development Standards in Public Land Sub-district <table border="1"> <tr> <th></th><th>PL-PV</th></tr> <tr> <td>A. Minimum Lot Size</td><td>None</td></tr> <tr> <td>B. Minimum Building Setbacks (Section 4.14343)</td><td>As provided in Section 4.14343</td></tr> <tr> <td>C. Maximum Building Height</td><td>45 feet¹</td></tr> <tr> <td>D. Minimum Off-Street Parking Required</td><td>As provided in Section 9.0851 None</td></tr> <tr> <td>E. Maximum Off-Street Parking Permitted</td><td>As provided in Section 9.0851</td></tr> <tr> <td>F. Transit Design Criteria and Standards Apply</td><td>No</td></tr> <tr> <td>G. Screening & Buffering Required (Section 9.0100)</td><td>Yes, except as provided in Section 8.0117.C.3</td></tr> <tr> <td>H. Landscaping (7.0310)</td><td>School use: As provided in Section 7.0310(A)-(D) Park Use: No</td></tr> </table>		PL-PV	A. Minimum Lot Size	None	B. Minimum Building Setbacks (Section 4.14343)	As provided in Section 4.14343	C. Maximum Building Height	45 feet ¹	D. Minimum Off-Street Parking Required	As provided in Section 9.0851 None	E. Maximum Off-Street Parking Permitted	As provided in Section 9.0851	F. Transit Design Criteria and Standards Apply	No	G. Screening & Buffering Required (Section 9.0100)	Yes, except as provided in Section 8.0117.C.3	H. Landscaping (7.0310)	School use: As provided in Section 7.0310(A)-(D) Park Use: No	Updated code references Update parking requirement for consistency with CFEC code updates
	PL-PV																		
A. Minimum Lot Size	None																		
B. Minimum Building Setbacks (Section 4.14343)	As provided in Section 4.14343																		
C. Maximum Building Height	45 feet ¹																		
D. Minimum Off-Street Parking Required	As provided in Section 9.0851 None																		
E. Maximum Off-Street Parking Permitted	As provided in Section 9.0851																		
F. Transit Design Criteria and Standards Apply	No																		
G. Screening & Buffering Required (Section 9.0100)	Yes, except as provided in Section 8.0117.C.3																		
H. Landscaping (7.0310)	School use: As provided in Section 7.0310(A)-(D) Park Use: No																		
Table 4.1464 4.1432 Notes 1. When the abutting lot is zoned LDR-PV or MDR-PV, the maximum building height shall be 35 feet at the minimum building setback from the shared lot line. For every one (1) foot of additional building setback beyond the minimum setback, the	Updated Table numbering Updated formatting																		

maximum building height shall increase by one (1) foot, up to a maximum total building height of 45 feet.	Updated Section numberings
4.14343 SETBACKS	

4.14344 SOLAR ENERGY STANDARDS FOR PLEASANT VALLEY DISTRICTS	

4.14345 WIND ENERGY STANDARDS FOR PLEASANT VALLEY DISTRICTS	

4.14346 BIOMASS ENERGY STANDARDS FOR PLEASANT VALLEY DISTRICTS	

4.14347 GEOTHERMAL ENERGY STANDARDS FOR PLEASANT VALLEY DISTRICTS	

4.14348 MICRO-HYDRO ENERGY STANDARDS FOR PLEASANT VALLEY DISTRICTS	

Section 13. Volume 3, Development Code, Section 4.1500 Springwater Plan District is amended as follows:

Proposed Text Amendment	Commentary
***	Updating table of contents
Additional Springwater Standards	
4.1564 Stormwater Green Development Practices	
4.1565 Tree Planting Requirements	

4.1501 Purpose	

This section of the Community Development Code implements the Springwater Plan District (Plan District). The purposes of the Plan District are to: (1) implement the Comprehensive Plan's goals, policies, and action measures for Springwater; (2) create a vibrant employment center; and, (3) further the central theme of Springwater's vision to integrate land use, transportation, and natural resources. Springwater is intended to be a complete community that includes a variety of houses, business, civic and other uses, neighborhoods, a Village Center, a Research/Technology Industrial area, and an Industrial Area. The inclusion and provision of parks and schools, open spaces, paths and trails, an effective and reliable transportation system, and extensive protection, restoration, and enhancement of the natural resources are all goals of this district.

Table 4.1507: Permitted Uses in the Springwater District – Residential

USES	VLDR-SW	LDR-SW	THR-SW
RESIDENTIAL			
Single Detached Dwelling	P	P	NP
Duplex	P	P	NP
Triplex	P	P	NP
Quadplex	P	P	NP
Townhouse	P	P	P
Cottage Cluster	P	P	P
Multifamily/ <u>Shared Housing Facility</u> ¹	NP	NP	NP
Elderly Housing	NP	NP	SUR
Manufactured Dwelling Park	NP	NP	NP
Residential Facility	P	P	P
Residential Home	P	P	P
Affordable Housing	<u>P/L</u> ²	<u>P/L</u> ²	P ³
COMMERCIAL			

INSTITUTIONAL USES			
Civic Uses	L/SUR	SUR	SUR
Community Services	SUR	SUR	SUR
Medical	NP	NP	NP
Parks, Open Spaces, <u>Paths</u> and Trails	SUR	SUR	SUR
Religious Institutions	L/SUR ³	SUR	SUR
Schools	SUR	SUR	SUR

Consistency, terminology

Adding new use type to table

Consistency, terminology

Table 4.1507 Notes:

1. Transitional housing for individuals transitioning from incarceration facilities are subject to a Special Use Review.
2. Affordable housing that meets the development standards of the land use district is permitted. ~~shall be owned by a public body (ORS 174.109) or a nonprofit corporation that is owned by a religious corporation when~~ When the proposed ~~residential use~~ affordable housing is only permitted in the land use district under the affordable housing provisions. ~~See of~~ Section 10.1700, the standards and criteria in that section shall apply.

4.1510 DESIGN STANDARDS

- A. The design standards of **Section 7.0420** shall apply to single detached dwellings, duplexes, triplexes, and quadplexes in the VLDR-SW and LRD-SW districts.
- B. The design standards of **Section 7.0431** shall apply to Townhouses in the VLDR-SW, LRD-SW, and THR-SW districts.
- C. The design standards of **Section 7.0440** shall apply to Cottage Clusters in the VLDR-SW, LRD-SW, and THR-SW districts
 1. In addition, Cottages in the THR-SW district shall have individual entries distinguished by porches, porticos, or stoops, of at least 40 square feet.
- D. Housing Variety standards of Section 7.0450 shall apply in the VLDR-SW, and LDR-SW districts or a combination thereof.

Table 4.1520: Permitted Uses in the Springwater District Mixed-Use, Employment and Industrial

USES	VC-SW	RTI-SW	IND-SW ²⁰	NC-SW
RESIDENTIAL				
Single Detached Dwelling	NP	NP	NP	NP
Duplex	NP	NP	NP	NP
Triplex	NP	NP	NP	NP
Quadplex	NP	NP	NP	NP
Townhouse	NP	NP	NP	NP

Revising for clarity

Revising to comply with State requirements

Adding a new standard for consistency across zoning districts

Cottage Cluster	NP	NP	NP	NP	Adding new use type to table
Multifamily/ <u>Shared Housing Facility</u>	L ^{1, 2}	L ²	L ²	NP	
Elderly Housing	SUR	NP	NP	NP	
Manufactured Dwelling Park	NP	NP	NP	NP	
Residential Facility	L ¹	NP	NP	NP	
Residential Home	NP	NP	NP	NP	
Affordable Housing	P ³	P ³	L ⁴	P ³	
COMMERCIAL					Consistency, terminology

INSTITUTIONAL USES					
Civic Uses	SUR	SUR	SUR	SUR	
Community Services	SUR	L/SUR ¹⁷	L/SUR ¹⁷	SUR	
Medical	SUR	SUR	NP	SUR	
Parks, Open Spaces, <u>Paths</u> and Trails	L/SUR ¹⁸	L/SUR ¹⁸	L/SUR ¹⁸	SUR	
Religious Institutions	SUR	L/SUR ¹⁹	L/SUR ¹⁹	SUR	Formatting
Schools	P/SUR ²³	L/SUR ¹⁹	L/SUR ¹⁹	SUR	

Table 4.1520 Notes					

¹⁸ Golf courses are not permitted in the VC-SW, RTI-SW or IND-SW districts. The following additional Parks, Open Spaces, <u>Paths</u> and Trails are not permitted in the RTI-SW or IND-SW districts: public urban plazas, public neighborhood parks, and public community parks. However, public urban plazas, public neighborhood parks, and public community parks are permitted in the RTI-SW and IND-SW districts when an applicant demonstrates that title for the parcel(s) where the facility is to be developed was held by the governing body for the applicant as of April 2, 2009.					

4.1525 PEDESTRIAN DESIGN CRITERIA AND STANDARDS					Correcting reference
A. The VC-SW District is a pedestrian district. As such, new development must have a strong orientation to the pedestrian and be transit-supportive, as well as enhance the appearance and functioning of this district.					
B. In order to achieve these purposes, the provisions of Section 7.0103 <u>7.0112</u> apply to multifamily, elderly housing and mixed-use (residential) developments, and Section 7.0310 apply to new commercial, mixed-use (commercial), and employment development requiring design review approval in these Sub-districts, along with other applicable standards and criteria.					

4.1526 Landscaping B. Landscaping for storm-water <u>stormwater</u> management shall count towards total percentage of required landscaping.	Consistency, terminology
4.1528 ARCHITECTURAL DESIGN REVIEW A. Purpose The standards contained in this section are intended to ensure good quality design in new building construction within the Plan District. Good design results in buildings that are visually compatible with one another and adjacent neighborhoods contributing to a district that is attractive, stimulating, active, and safe. These qualities in turn contribute to the creation of mixed-use areas, which facilitate easy pedestrian movement and establishment of a rich mixture of uses. A diversity of architectural styles is encouraged in the Village Center Main Street Sub-district. B. Provisions of this section shall apply to proposals for the following types of building construction within the Plan District: 1. New multifamily developments (three or more units); 21. New commercial buildings; 32. New mixed-use (<u>commercial</u>) buildings; 43. New institutional buildings; 54. Substantial improvement (as defined in Section 3.0103) of any of the building types specified in this subsection. ***	Removing standard for consistency across zoning districts
4.1529 Public Facilities and Supplementary Requirements All developments shall also be subject to the applicable requirements of Article 9 – Common Requirements and Appendix 5.000 – Public Facilities Standards. ***	Consistency, terminology
Additional Springwater Standards 4.1564 Stormwater Green Development Practices Stormwater shall be managed using green development practices to the maximum extent practicable following the requirements in this chapter, as well as Section 9.0501 and the Stormwater Management Manual. Stormwater Management	Delete section; Stormwater management requirements are now the same throughout the City with the

A. Purpose and Scope. The regulations of this chapter implement the management of stormwater runoff from all new development in ways that minimize impacts on localized and downstream flooding and protect water quality and aquatic habitat through the use of green development practices. The guiding principal of green development practices is to mimic the natural hydrology of watersheds to manage stormwater drainage and water quality, moderate air and water temperatures, and provide aesthetic value. B. Stormwater runoff from new development shall be managed on-site. Applicants for new development must submit a stormwater report that must be approved by the manager prior to issuance of a building permit. The stormwater management plan, as required by the Gresham Stormwater Management Manual, shall provide details for developing in a manner that eliminates adverse impacts to water quality and aquatic habitat in downstream water bodies, with a particular focus on water quality parameters that are listed under Section 303(d) of the Clean Water Act and species that are listed as threatened or endangered under the Endangered Species Act. Specific requirements for the stormwater report are detailed in the Stormwater Management Manual. C. Parking lot landscaping may be used as the water quality treatment facility for parking lots. 1. Purpose: This section is enacted with the purpose of achieving multiple functions from parking lot landscaping by using it for on-site/on-lot stormwater facilities for water quality treatment. 2. Appropriate designs are contained in the Gresham Stormwater Management Manual. 3. Landscaping for stormwater management within parking lots will count towards total percentage of landscaping required on site. D. Stormwater discharges from private property must be discharged into an approved conveyance facility. Direct discharge to the Johnson Creek and its tributaries must be limited to the maximum extent possible and must have prior approval from the City. E. A grading or building permit may not be issued for a property unless a stormwater management plan has been approved that is consistent with this section. F. Operations and maintenance requirements 1. The property owner, its successors or assigns, including any property manager, shall adequately maintain the on-site/on-lot	standards found in other sections of the development code, the Stormwater Management Manual and the Gresham Public Works Standards
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stormwater management facilities according to the operations and maintenance specifications for those facilities outlined in the most recent version of Gresham's Stormwater Management Manual. 2. — A homeowners association may take over maintenance of on-site stormwater facilities provided that the homeowners association enters into a contract with the City agreeing to take over operations and maintenance from the property owner(s) and provided that provisions for financing necessary maintenance are included in deed restrictions or other contractual agreements. In lieu of a contract with the homeowners association, the City may adopt code provisions regarding a property owner's ultimate responsibility to adequately maintain on-site stormwater facilities if the homeowner association fails to do so. G. — Impervious Surface Coverage The total percentage of a lot that can be covered by impervious surfaces (structures, including roof projections, impervious decks, and surfaces such as asphalt or concrete driveways, which substantially reduce and alter the natural filtration characteristics of the soil) is limited by the slope of the lot for all developments as follows: • — Lot Slope (Lot Coverage limit for impervious surfaces) • — Less than 15% (40%) • — 15% or greater (35%) ***	
4.1565 TREE PLANTING REQUIREMENTS A. Purpose and scope This section is enacted with the goal of enhancing and protecting the existing tree canopy within the community to improve water quality, habitat, and aesthetics, and to minimize urban heat island effects. The tree-planting standard is a requirement for all new development. It encourages the planting and protection of trees, minimizes the impact of tree loss during development, and ensures a sustained tree canopy. B. Tree planting requirements Applicants must submit a tree preservation or planting plan indicating how they will meet the following requirements. All planted trees shall be selected from the City of Gresham Recommended Tree List. ***	

1. All new and replacement water supply systems <u>infrastructure</u> shall be designed to minimize or eliminate infiltration of flood waters into the system. 2. New and replacement sanitary sewage systems <u>wastewater infrastructure</u> shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters. 3. On-site waste disposal <u>Private onsite wastewater treatment</u> systems shall be located to avoid impairment to them or contamination from them during flooding. ***	
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Section 15. Volume 3, Development Code, Section 5.0200 Hillside and Geologic Risk Overlay (HGRO) is amended as follows:

Proposed Text Amendment	Commentary
*** 5.0210 Standards for Specific Development Types within the Hillside and Geologic Risk Overlay (HGRO) The addition to the general development standards in Section 5.0209, the standards in this section are applicable to specified types of development. *** B. Land Divisions and Lot Line Adjustments. The following standards apply to all land divisions (including Planned Developments) and Lot Line Adjustments. *** 5. Areas outside the permanent disturbance area shall be placed in an easement (public or private) or tract. If preservation is proposed to be private, it can be either by tract or as a part of an individual lot (with an easement). Public preservation shall be by tract only. Easement types shall be natural resource, open space, or public access easements <u>Natural Resource and Watershed, Open Space, or Public Access</u>, in accordance with Section 9.0300 provided that the easement ensures that the land within the easement shall be left undisturbed and protected from construction and post-development impacts. Acceptance of proposed dedication of open space <u>an easement or tract</u> shall be at the City's discretion. *** 5.0211 Additional Development Standards for Highly Sloped Subareas (HSS) The HSS is a subarea of the HGRO. In addition to the general development standards in Section 5.0210 Section 5.0210 and the applicable development	Formatting and to match easement name in Section 9.0303. Clarification. Make bold for consistent formatting.

standards in Section 5.0211 , the standards of this section apply to regulated development within HSS. *** D. Open Space Improvements. Open spaces may be improved with private walking/hiking trails, or with public trails or paths <u>or trails</u>. Public trails or paths <u>or trails</u> shall be limited to public open spaces, and private trails or paths shall be limited to private open spaces and conservation easements. ***	Private paths and trails do not need private easements.
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Section 16. Volume 3, Development Code, Section 5.0500 Open Space Overlay District is amended as follows:

Proposed Text Amendment	Commentary
*** Permitted Uses 5.0520 Permitted Land Uses A. The following uses are permitted in the Open Space Overlay District: - Utility structures, including but not limited to substations, telephone switching stations, electrical generation facilities, and other facilities required for the transmission of power or communications Sewerage or drainageway system structures <u>Wastewater and stormwater infrastructure</u>, including but not limited to pump stations, or sewage wastewater or storm water treatment plants <u>and stormwater treatment detention facilities</u> ***	Removing out of date technology from examples. Consistent terminology.

Section 17. Volume 3, Development Code, Section 5.0700 Natural Resources Overlay is amended as follows:

Proposed Text Amendment	Commentary

5.0710 Standards for Specific Development Types within a Resource Area

D. Standards for Right-of-Ways and Public Access Easements. In addition to the general standards in **Section 5.0709(A)**, the following standards apply to public ~~right-of-ways~~ rights-of-way (ROW) and Public Access Easements, including roads and bridges (stream crossings). ROW and public access easements being proposed in conjunction with other development (e.g. a land division) shall be subject to the standards of this section in addition to the NRO standards applicable to that development. Applicants who cannot or choose not to comply with the standards of this section may apply for Alternative Review in accordance with **Section 5.0712**.

3. Reduction of cross section for rights of way that lie entirely within the RA or HVRA may be allowed by removing median, parking lane, planter strip, or combination thereof. Alleys may be utilized, including:
 - a. Dead-end alleys not exceeding a length of 150 feet that may be designed for ~~two-way~~ two-way operation.
 - b. Alleys entirely within RA or HVRA are exempt from the alley design restriction of ~~Appendix 5.501(H)(6)~~ **Appendix 5.501(G)(5)**.

G. Standards for Land Divisions and Property Line Adjustments.
Applicants who cannot or choose not to comply with the standards of this section may apply for Alternative Review in accordance with **Section 5.0712**.

5. Except as allowed pursuant to Subsection (6) below, when a property containing any RA is divided, plats shall delineate and show the RA as a separate unbuildable tract according to the following process:

- b. Prior to final plat approval, ownership of the RA tract shall be identified to distinguish it from lots intended for sale. The tract may be identified as any one of the following:
 - i. Private natural area held by the owner or homeowners' association by a restrictive covenant conveying stormwater and surface water management rights to the City; or

ii. For residential subdivisions, private natural area subject to Natural Resource <u>and Watershed</u> Easement established in accordance with Section 9.0300 <u>9.0303</u>; or iii. At the owner's option and if accepted by the City, public natural area where the tract has been dedicated to the City or Metro along with conveying storm<u>water</u> and surface water management rights to the City; ***	Consistent terminology and more precise code reference.
6. If the parent parcel is less than 22,000 square feet, a separate tract is not required. However, the Applicant shall place at least 70% <u>percent</u> of the RA in a Natural Resource <u>and Watershed</u> Easement established in accordance with Section 9.0300 <u>9.0303</u>. ***	Consistent terminology and more precise code reference.

Section 18. Volume 3, Development Code, Section 6.0000 Introductory Provisions is amended as follows:

Proposed Text Amendment	Commentary
ARTICLE 6 LAND DIVISIONS Section 6.0000 Introductory Provisions <u>for Land Divisions</u> *** 6.0001 PURPOSE AND AUTHORITY	Revising for clarity
No land may be divided without first obtaining a development permit. A. No land or ownerships may be divided prior to approval of a partition or subdivision in accordance with this code. Except as provided for in 6.0001(B) 6.0001.B, if a development permit application to divide land is submitted that does not involve other proposed development, the application shall state an intended form of future development for the resulting land parcels. This intended future development will then be processed along with the land division processing just as though the applicant were intending to proceed with the further development. B. For non-residential land divisions where it is more practical to determine how public facilities will be provided in a required subsequent	Reformatting text for consistency

development permit application, the proposed land division may be approved if: 1. It is feasible to provide public facilities to each lot; and 2. Adequate public facilities are provided with further development. C. A land division is processed by approving a tentative plan prior to approval of the final plat. If there is compliance with the approved tentative plan, the Manager may approve final plats for land divisions under the Type I procedure. D.D. An application for an expedited land division will be processed in accordance with the provisions of ORS 197.360 through 197.380. ***	Reformatting text for consistency
6.0012 LOTS IN ENVIRONMENTAL OVERLAY DISTRICTS Development permit requests in Floodplain Overlay District, Hillside and Geologic Overlay, Natural Resource Overlay may be developed in accordance with the provisions of the underlying district the relevant sections of Article V <u>5</u>, and if applicable, Section 6.0300. ***	Revising for consistency
6.0014 LAND DIVISION WITH LEFTOVER PARCEL A. Applicability. This provision applies within the LDR-7, LDR-5, TLDR, TR, LDR-PV, MDR-PV, and LDR-SW subdistricts, or on lots where there is an existing single detached or middle housing unit which will be on the leftover parcel in the HDR-PV, TC-PV, MUE-PV, EC-PV, and THR-SW subdistricts. B. Conditions. An application for a land division may have a maximum of two "leftover" parcels, or portions of the property which are capable of further development and which are not included as part of a phased subdivision if the following conditions are met: C. In the HDR-PV, TC-PV, MUE-PV, EC-PV, and THR-SW subdistricts, the parent parcel has an existing habitable home on it built on or before April 6, 2018. D. The leftover parcel(s) must be capable of further development. E. The land division will not preclude ultimate buildout of the parent parcel per an adopted or submitted and approved Master Plan, as applicable. F. The area of up to two leftover parcels may be excluded from the average lot size calculation provided that a future development plan is submitted which demonstrates that the parcel(s) can be developed consistent with applicable standards.	This section of code has been rewritten to simplify the process of land divisions which are eligible to create leftover parcels. The original intent of this code section was to facilitate development of land, with minimal administrative hurdles, while still affording the opportunity for the landowner retain ownership of their existing home on the property. These changes are intended to reduce

G. As required per Section 10.0120(C) and Section 10.0203(F)(2), when a land division places the primary residence on a separate parcel than an accessory structure or an accessory dwelling, the accessory structure or dwelling must be: H. Removed upon transfer of ownership of either parcel; or I. An accessory dwelling be converted to a conforming primary dwelling as part of the land division application. J. Development of Leftover Parcels. Parcels created under this provision may not be developed until: K. Lots are created pursuant to Article 6 – Land Divisions and to the Master Plan, where applicable. Lots shall be consistent with the standards of the applicable underlying sub-district(s) and other applicable provisions of the Community Development Code; or L. The development is approved through the Special Use Review process found in Section 8.0100. M. Submittal Requirements. The following must be provided with submittal for the land division: N. Payment in lieu of required future improvements along the existing street frontage(s) of the leftover parcel(s); O. In the LDR PV, MDR PV, HDR PV, TC PV, MUE PV, and EC PV sub-districts, dedication or all perimeter right(s) of way of the created leftover parcel(s). Dedications shall be in compliance with the Master Plan, where applicable. P. A deed restriction requiring removal of any applicable accessory structure or accessory dwelling pursuant to Section 6.0014(B)(5) above upon transfer of ownership of either parcel. Q. A site plan shall be provided showing the minimum density build-out of the leftover parcel(s). In applicable Pleasant Valley and Springwater sub-districts the site plan shall be per the approved, or submitted and approved, Master Plan. Site plans shall include the following: R. For single detached dwelling and middle housing developments; S. A conceptual plot plan. T. Access and street layout, as applicable. U. Plan requirements of other applicable provisions of the Community Development Code. V. For all other uses, including but not limited to multifamily, commercial, mixed-use, and Special use Reviews: W. A conceptual plot plan. X. Future uses. Y. Building footprints. Z. Parking areas. AA. Access and street layout (as applicable). BB. Plan requirements of other applicable provisions of the Community Development Code.	some of the burdens of the process while still achieving the desired outcome
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- A. Purpose & Applicability.** Leftover parcel land division is intended to create opportunities for certain large parcels to develop without redeveloping the existing use on-site. The intent is to allow a portion of property to be divided off for development sooner than if the owner divested themselves of their property in its entirety. This provision applies to all residential and mixed-use subdistricts where there is one existing dwelling unit or one of the following Special Uses: Civic Uses, Community Services, or Religious Institutions.
- B. Approval Criteria.**
- 1.** The parent parcel has an existing habitable dwelling unit, Civic Use, Community Service use, or Religious Institution built on or before April 6, 2018.
 - 2.** A leftover parcel land division shall create a maximum of two new parcels. One parcel must include one existing dwelling unit, a Civic Use, Community Service use, or Religious Institution. The other parcel must be vacant.
 - 3.** The maximum lot size of the lot containing one existing dwelling unit, Civic Use, Community Service use, or Religious Institution shall be 30,000 square feet and the minimum lot size for the vacant parcel shall be 4.0 acres.
 - 4.** Both parcels shall meet the minimum requirements for public street access.
- C. Further Development of Divided Parcels.** The vacant parcel created under this provision may not be developed until:
- 1.** Lots are created pursuant to **Article 6 – Land Divisions**. Lots shall be consistent with the standards of the applicable underlying sub-district(s) and other applicable provisions of the Community Development Code; or
 - 2.** The development is approved through the Special Use Review process found in **Section 8.0100**.
- D. Submittal Requirements.** In addition to the submittal requirements of **Section 6.0200 Partitions and Subdivisions**, for leftover parcel land divisions the following must be submitted with the tentative plan:
- 1.** A preliminary plan that proposes dedications to the extent required to bring the streets’ right-of-way to current standard If the adjacent rights-of-way do not meet the minimum right-of-way width of the streets’ functional classification.
 - 2.** Draft deed restriction language requiring removal of any applicable accessory structure or accessory dwelling located on a separate parcel

<u>than the primary residence after a land division, pursuant to Section 6.0014.B.51 above, upon transfer of ownership of either parcel.</u> 6.0020 CONDOMINIUMS	
A. Condominium Review. A request to create condominiums shall be reviewed under the Type II Procedure as part of the Design Review or Land Division process by the State of Oregon under the provisions of ORS Chapter 100. B. Plat Approval for a Condominium. 1. Upon approval by the Manager, the applicant shall submit all necessary documents and final plat copies following the applicable requirements of Section 6.0400 of this document and applicable sections of ORS 94.550 to 94.785, ORS Chapter 100, and the platting requirements of ORS Chapter 92. 2. Public improvements must comply with the standards of Appendix 5.000. 3. 1. Plat recording shall not occur until the County Recording Officer has received a written approval from the Manager establishing compliance of the proposal with all applicable City of Gresham Development Codes. <u>reviewed and approved the plat pursuant to ORS Chapter 100 and the platting requirements of ORS Chapter 92.</u>	Revising for process accuracy Revising for accuracy

Section 19. Volume 3, Development Code, Section 6.0100 Lot Line Adjustments and Lot Consolidations is amended as follows:

Proposed Text Amendment	Commentary
*** 6.0101 LOT LINE ADJUSTMENTS AND LOT CONSOLIDATIONS A. Lot line adjustments and lot consolidations shall be processed under the Type I procedure and shall be approved by the Manager provided that the adjusted lots comply with the applicable requirements of the Community Development Code with the exception of Sections 5.0100, 5.0210, 5.0300, 5.0400, 5.0500, 9.0100, and 9.0500 and Appendix 5.000 – Public Facilities Standards. If the lot line adjustment application is processed with another development application, all the applicable requirements of the Community Development Code shall apply.	Correcting references; section name incorrect and unnecessary

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Section 20. Volume 3, Development Code, Section 6.0200 Partitions and Subdivisions is amended as follows:

Proposed Text Amendment	Commentary
6.0211 PHASED SUBDIVISION An application for a Phased Subdivision shall be reviewed by the Manager under the <u>Type I procedure</u>. The approval authority may authorize a time schedule for platting a subdivision in phases. Each phase may be for a period of time in excess of one year but the total time period for all phases shall not be greater than five years without resubmission of the tentative plan. Each phase so platted and developed shall conform to the applicable requirements of this code. If a phased development or subdivision is proposed for a development that includes townhouses, the first phase shall conform to density requirements without consideration of subsequent phases. Later phases shall conform to density requirements in a cumulative fashion, taking into account previous phases and while continuing to meet density standards at each phase. This is calculated by adding the number of lots for the current phase and all previous phases and dividing by the acreage of the current phase (taking into account subtractions in the “Net Density” definition) and all previous phases. The result shall meet the applicable density standard. *** 6.0214 EXPIRATION OF PARTITIONS AND SUBDIVISIONS A tentative land division plan approval expires two (2) years <u>one (1) year</u> from the effective date. Those tentative land division plans approved on or after September 19, 2017 shall expire one (1) year from the effective date. ***	Revising for process clarity Extended time period was added during recession and was meant to be temporary.

Section 21. Volume 3, Development Code, Section 6.0300 Planned Developments is amended as follows:

Proposed Text Amendment	Commentary
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*** Development Standards 6.0320 Site Development Requirements 6.0321 Exception to Site Development and Zoning Standards 6.0322 PD Density Transfer for sites <u>Sites</u> with Hillside and <u>Geologic Risk</u> Overlay District *** 6.0320 SITE DEVELOPMENT REQUIREMENTS	Consistency terminology
*** D. Planned Developments may not prohibit Middle Housing Land Divisions (see Section 6.0503.<u>GH</u>). *** 6.0321 EXCEPTION TO SITE DEVELOPMENT AND ZONING STANDARDS	Subsection reference updated by this code amendment
*** Table Notes 1. Developments subject to Overlay Districts may also be restricted in density as per those Overlay Districts. 2. It shall be demonstrated for each lot that there is a building <u>buildable</u> area of adequate space to accommodate the proposed dwelling type. 3. Structures with zero lot lines and/or common wall construction are subject to appropriate building and fire code standards at the time of building permit application. 4. Whichever is greater. 5. It shall be demonstrated that general utility facilities can be accommodated and, if necessary, general utility easements shall be provided. *** 6.0324 OPEN SPACE AREAS	Revising for consistent terminology

The approval authority shall evaluate proposed open space areas based on the following criteria: *** The open space areas may be either public open space or private common open space. 1. Public open space must comply with requirements of Section 5.0500 of the Community Development Code. *** F. Open space areas that are not located in a Special Purpose Overlay District may be improved with active recreation uses or landscaping/passive recreation uses. Active recreation areas shall include, but are not limited to: swimming pools; tennis, basketball, volleyball and badminton courts; children's play areas; baseball and soccer fields, <u>dog parks</u>, etc. Landscaping or passive recreation uses shall include, but are not limited to: picnic and barbecue facilities; reflection parks; vegetated stormwater facilities; lawn and other landscaped areas; and community gardens, etc. Active open space areas shall be of a sufficient size for the proposed active use. Active and passive open space areas shall be made accessible to all residents of the development.	Consistency n references; bolding reference Adding dog parks based on recent public outreach feedback.
6.0325 STREETS AND ACCESS, PUBLIC OR PRIVATE STATUS All PD proposals shall include a future street/neighborhood circulation plan as per Section 9.0700. Streets provided within a PD shall be public streets, unless it is determined by the City that neighborhood connectivity is not necessary for the provision of access through the PD to other properties, either for purposes of public safety and/or efficiency of traffic circulation and access. Public paths and trails identified as transportation facilities in the Transportation System Plan in a current council-adopted master plan or system plan shall be located within public rights-of-way or public access easements, unless otherwise approved by the City. Private streets <u>accessways</u> may be allowed within a PD if the future street/neighborhood circulation plan demonstrates that connectivity is not necessary through the PD to other properties (as described above), and, the applicant can demonstrate how on-going maintenance of the private streets <u>accessway</u> will be provided for. All streets and public paths and trails shall be designed and constructed according to applicable standards of Appendix 5.000, Section A.5.400 Streets and the Public Works Standards document. *** 6.0327 REQUIRED BUFFERS AND TRANSITIONING	Clarification, terminology Clarification

PDs are not exempt from applicable buffer provisions of Section 9.0100 . However, natural and landscaped open space areas may substitute for required buffers via the alternative buffer plan provision of Section 9.0110(F)(3) Section 9.0110.H.2 . The transitioning of housing types (lower to higher bulk, scale and density) is required at the perimeter of PD's regardless of whether or not a buffer is required by Section 9.0100 . Buffer or transition variations may be considered as part of alternative buffer plan proposals.	Reference update
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Section 22. Volume 3, Development Code, Section 6.0400 Land Division Final Plat Requirements is amended as follows:

Proposed Text Amendment	Commentary
*** Approval Timeline 6.0411 Reinstatement of Tentative Plan Approval Status 6.0412 Effective Date for Final Plat Approval *** 6.0403 PARTITIONS AND SUBDIVISIONS - FINAL PLAT	Subsection deleted.
*** <u>A. After the City has indicated no further revisions to the plat are needed, the</u> The applicant shall submit two (2) originals of the final plat on 7 mil mylar that complies with ORS Chapters 92 and 209 on a material and of a size required by the Multnomah County Surveyor. The applicant shall first submit an electronic copy of the final plat. The final plat shall comply with the Tentative Plan conditions of approval. The following data requirements, if applicable, shall also be shown on the final plat. 1. All tracts of land intended to be deeded or dedicated for public use; 2. Street names as approved by the Manager on the preliminary final plat copies in accordance with the City of Gresham Street Naming and Property Addressing Guidelines; 3. Any non-access strips. B. A final subdivision or partition plat shall be submitted to the Manager for final approval under the Type I procedure prior to expiration of the tentative plan pursuant to Section 11.0105. Within 20 days of submission, the Manager shall determine whether the material conforms with the approved tentative plan and with the applicable requirements of this code. If the Manager determines that the material does not conform, the applicant may make corrections prior to issuance of a final decision.	Clarification Removing specifics for printed "mylar" as standards are under County or State jurisdiction Non-access strips are no longer utilized

C. The Manager shall approve a final subdivision or partition plat when the plat conforms with the approved tentative plan, other applicable requirements of this code and the following are submitted: 1. Lands to be deeded or dedicated for public use are provided for on the final plat or on separate documents. 2. An approved guarantee of completion <u>Guarantee of Completion</u> for required public improvements <u>facilities</u> that have not been completed and accepted by the City. 3. An approved grading and drainage plan if grading is required. 4. Approved construction drawings for required public improvements <u>facilities</u>. D. When the Manager determines that the plat conforms, the Manager shall sign and date the plat if the other requirements for a development permit have been fulfilled. E. A final condominium plat may be approved by the Manager when all criteria of subsection (C) are met and when the condominium plat meets applicable ORS provisions for Condominium Platting. F. E. Prior to City signature, all street names on the Final Plat shall conform to the City of Gresham Street Naming and Property Addressing Guidelines and the City of Gresham Development Code.	Formatting and terminology consistency. Removing references to condominium plats
6.0404 APPROVAL SIGNATURES FOR FINAL SUBDIVISION PLAT	
Following the review and Manager's approval of a subdivision plat, the applicant shall take the following actions: G. Obtain the approval signatures on the final subdivision plat of the directors <u>Manager</u> certifying that the plat is approved. H. Obtain the approval signature on the final subdivision plat of the county assessor <u>County Assessor</u> certifying that all taxes on the property have been paid or bonded for in accordance with state law. ***	Process description. The manager can, and currently does, delegate authority.
6.0405 APPROVAL SIGNATURES FOR FINAL PARTITION PLAT	
Following review and Manager's approval of a final partition plat, the applicant shall take the following actions: I. Obtain the approval signature on the final partition plat by the County Surveyor certifying that the final partition plat complies with all applicable survey laws. Before certifying, the surveyor may make field investigations to verify that the plat survey is sufficiently accurate. If the surveyor determines that the partition plat does not comply, the applicant shall make corrections.	

When the surveyor <u>Surveyor</u> determines that the plat conforms, the surveyor <u>Surveyor</u> shall sign and date the plat. J. <u>Obtain the approval signatures on the final partition plat of the Manager certifying that the plat is approved.</u> K. <u>Obtain the approval signature on the final partition plat of the County Assessor certifying</u> B.D. File a statement of water right and, if a water right is appurtenant, a copy of the acknowledgment from the Water Resources Department. C.E. Deliver the approved final partition plat and accompanying documents to the county recorder <u>County Recorder</u> for recording. D.F. Return a copy of each associated recorded document to the City for filing.	Process description Matching subdivision process and current practice Formatting
APPROVAL TIMELINE 6.0411 REINSTATEMENT OF TENTATIVE PLAN APPROVAL STATUS	Deletion of section; This code section is
L. Prior to the expiration date of a tentative plan extension the Manager may, upon written request of the applicant, assign an inactive status to the tentative plan. B. An inactive plan may have its tentative plan approval status reinstated, under the Type II procedure, if the plan is found to be consistent with the following criteria: 2. There have been no changes in the Community Development Code that would necessitate a modification of the tentative plan; A. The facts upon which the approval was based have not changed to an extent sufficient to warrant refiling of the tentative plan; and B. There are no other development approvals that would be affected. C. If the tentative plan approval status is reinstated the applicant shall comply with the City's final plan technical information requirements in effect at the time of reinstatement. A land division that has been reinstated shall be recorded with Multnomah County within three years from the date the inactive plan was reinstated.	rarely utilized (potentially only once in the last 25 years) and is problematic as it relates to public infrastructure and implementation of subsequent Council-approved code and plan updates.
6.0412 EFFECTIVE DATE FOR FINAL PLAT APPROVAL	
A plat shall be final upon the recording with the county <u>County</u> of the approved plat and any required document(s). Approved plats shall become void if not recorded within one year after approval of the final plat. Work specifically authorized following tentative approval may take place prior to issuance of the final plat development permit.	Formatting

Section 23. Volume 3, Development Code, Section 6.0500 Middle Housing Land Division is amended as follows:

Proposed Text Amendment	Commentary
*** 6.0501 PURPOSE The Middle Housing Land Division process supports homeownership by allowing lots with middle housing to divide such that each middle housing dwelling is on its own lot. As used in this section, a “middle housing land division” is the division of a lot or parcel on which the development of middle housing is allowed under ORS 197.758 <u>197A.420</u> (2) or (3). A Middle Housing Land Division includes both a preliminary approval and a final plat and is not a land use decision or a limited land use decision under ORS 197.015. *** 6.0503 REVIEW CRITERIA AND STANDARDS	Correcting reference
A. The Manager shall approve a Middle Housing Land Division upon finding: 1. The parent lot or parcel is developed, <u>or proposed to be developed</u>, with Middle Housing, or the application for middle housing land division is concurrent with, <u>or pending</u>, a building permit for construction of middle housing on the subject parcel. Where the parent lot or parcel has an existing dwelling unit(s) not classified as middle housing, the dwelling(s) shall be converted to middle housing through the concurrent building permit. 2. Each resulting middle housing lot shall contain exactly one dwelling unit, except for lots, parcels, or tracts used as common areas. 3. Each lot is served with utilities separately. 4. All easements necessary for each dwelling unit shall be provided. Easements shall ensure: a. Provision of and access for maintenance and replacement to all utilities; b. Pedestrian access from each dwelling unit to a private or public road; c. All dedicated driveways, parking, common use areas, shared building elements, and dedicated common area can be accessed and used. 5. <u>For dwellings that are built prior to or concurrent with the land division, evidence</u> Evidence submitted by the applicant demonstrates buildings or structures on a resulting middle housing lot will comply with applicable building code provisions relating to new property lines and how buildings or structures located on new lots/parcels will comply with Oregon Residential Specialty Code or Low-Rise Residential Dwelling Code, as applicable.	Revising for accuracy Clarification Clarification

B. The Manager shall apply additional conditions to the approval of a tentative plan for a middle housing land division to: 1. Prohibit the further division of the resulting middle housing lots or parcels. 2. Require that a notation appear on the final plat indicating that approval was a Middle Housing Land Divisions under ORS 197.758 (2) or (3) <u>92.031</u>. C. A Middle Housing Land Division does not alter the type of middle housing developed on the parent lot or parcel (for example a lot or parcel developed with a detached quadplex that is divided will result in four middle housing lots each developed with a quadplex unit not four single detached dwellings). D. Where the parent lot or parcel abuts the street and dedication or frontage improvements consistent with Table A5.501 were not provided when the lot or parcel was created, dedication and improvements shall be provided that meet the standards of A5.500 and the Public Works Standards. E. The standards of Sections 6.0010-6.0412 do not apply to a Middle Housing Land Division. 1. The Manager shall not enforce any provision in a recorded instrument affecting real property that is executed on or after August 8, 2019 if the provision would allow the development of a single detached dwelling on the real property but would prohibit the development of, or the partitioning or subdividing of lands according to the provisions of Section 6.0500 for, the following: a. Middle housing, as defined in ORS 197.758 (Development of Middle Housing; Local Regulations); or b. An accessory dwelling unit allowed under ORS 197.312(5) (Limitation on City and County Prohibitions – Needed Housing within UGBs). F. The Manager shall not require the final plat before issuance of building permits but is not responsible if utilities or buildings must be moved to meet code requirements relating to property line location. G. <u>A parent parcel that was created by a standard land division may be further divided through a middle housing land division within the same calendar year as the original land division. The undivided parcels from the original land division shall not be part of the resulting land division plat for the middle housing land division.</u> H. G. Planned Developments and Planned Communities. For development created through Section 6.0300 or ORS 94.550-94.783 the following shall apply: *** 6.0504 PROCEDURES	Correcting reference Adding a standard for clarity
A Middle Housing Land Division is not <u>a</u> land use procedure. Unless the applicant requests to use the procedures in Section 6.0200 – Partitions and Subdivisions (a	Correcting typo

Type II land use procedure), the following procedure for Middle Housing Land Division shall be followed. C. Pre-Application Conference. A pre-application conference is not required. D. Neighborhood Meeting. A neighborhood meeting is not required. E. Application Requirements. Applications for development permits shall be submitted upon forms established by the Manager. Applications will not be accepted in partial submittals. All of the following items must be submitted to initiate the completeness review: 3. Application form, including required notarized signature(s) that demonstrate consent of all owners of the affected property; 4. Deed, title report, or other proof of ownership; 5. Information addressing the criteria of Section 6.0502 6.0503 in sufficient detail for review and action; *** G. Appeals: An appeal of a decision made under this section shall be made as follows: 6. An appeal must be filed within fourteen (14) calendar days of mailing of the notice of the decision, or, in the case of weekends and holidays, the next business day, and be accompanied by the applicable deposit for costs <u>appeal fee</u>. *** 10. Notwithstanding any other provision of law, the hearings officer shall order the local government to refund the applicable deposit for costs <u>appeal fee</u> to an appellant who materially improves his or her <u>their</u> position from the decision of the local government. The hearings officer shall assess the cost of the appeal in excess of the deposit for costs <u>appeal fee</u>, up to a maximum of \$500, including the deposit paid under subsection (1) of this section, against an appellant who does not materially improve his or her <u>their</u> position from the decision of the local government. The local government shall pay the portion of the costs of the appeal not assessed against the appellant. The costs of the appeal include the compensation paid the hearings officer and costs incurred by the local government, but not the costs of other parties. *** 6.0505 MIDDLE HOUSING FINAL PLAT	Correcting reference Current fee resolution includes an appeal fee, not a deposit Inclusive language
*** C. Approval Criteria. The Manager shall approve or deny the final plat for the Middle Housing Land Division. Approval shall be based on the following criteria:	

Section 24. Volume 3, Development Code, Section 7.0000 Purpose and Authority is amended as follows:

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Design Review examines most residential, commercial, industrial and institutional developments and developments in Design Districts for compliance with the design criteria of the Community Development Code. <u>7.0002 GENERAL</u> A. The scope of Design Review reviews the proposed use, the exterior of the buildings, structures, and other development and the site on which the buildings, structures, and other development is located. B. All Design Review requests shall comply with all applicable standards in the Community Development Code. Development which only affects a portion of a site shall conform with the applicable standards for that portion of the site where development is proposed. Where Nonconforming development exists on part of a site (not being re-developed) compliance with the Standards applicable to Non-Conforming Developments in Section 8.0200 is required unless otherwise noted. C. In mixed-use projects, the standards and criteria for each component use as described in <u>Section 4.1100</u>, <u>Section 4.1200</u>, <u>Section 7.0100</u>, <u>Section 7.0200</u>, <u>Section 7.0300</u>, <u>Section 7.0400</u>, and <u>Section 7.0500</u> shall apply to the review of each component of the mixed-use proposal. Uses exempt from Design Review include: 1. Single detached dwellings, duplexes, triplexes, quadplexes, townhouses, and cottage clusters in the <u>LDR-5, LDR-7, LDR-GB, LDR-7, LDR-5, TR, TLDR, MDR-12, MDR-24, OFR, DRL-1, DRL-2, DCC, DMU, DTM, LDR-GB, LDR-PV, MDR-PV, HDR-PV, VLDR-SW, LDR-SW, THR-SW, CMF, CMU, SC, and SC-RJ</u>, <u>LDR-PV, MDR-PV, and HDR-PV districts, as well as the areas of CMF along the NE Glisan and NE 162nd Avenue corridors.</u> 2. <u>Townhouses in LDR-5, LDR-7, TR, TLDR, MDR-12, MDR-24, OFR, LDR-GB, DRL-1, DRL-2, VLDR-SW, LDR-SW, THR-SW, LDR-PV, MDR-PV, HDR-PV, TC-PV, NC-PV, CMF, and CMU. Duplexes, triplexes, and quadplexes in the CMU district and the areas of CMF not along the NE Glisan and NE 162nd Avenue corridors.</u> 3. Accessory dwellings 4. Minor basic utilities 5. Portable classrooms 6. Co-located antennas for a wireless communications facility 7. Renewable energy systems except that the following standards discussing mechanical equipment placement and screening apply: a. 4.1151(A)(1)(C)(13) and (25) b. 4.1151(A)(1)(D)(13) and (25) c. 4.1151(B)(2)(C)(1) and (2) d. 4.1151(B)(2)(D)(1) and (2) e. 4.1250(B)(4)(G2)	Correcting reference Clarifying applicability of standards
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f. 4.1250(B)(4)(S1) and (G1) g. 4.1250(B)(4)(S7) and (G7) h. 4.1250(B)(7)(S3) and (G3) i. 4.1428(G)(11) j. 4.1528(G)(9) k. 4.1568(B)(15) l. 7.0103(B)(4)(G1) and (S1) m. 7.0103(B)(4)(G3) and (S3) n. 7.0103(B)(4)(G4) and (S4)(c) o. 7.0103(B)(4)(G10) and (S10) p. 7.0310(Q) q. 7.0432(M)(2), (3), and (4) r. 7.0503(B)(4)(G1) and (G2) s. 7.0503(B)(4)(S1) and (S2) t. 7.0503(A)(6)(G2) and 7.0503(A)(6)(S2) u. 7.0503(B)(4)(G3) and 7.0503(B)(4)(S3)(b) <u>a. 4.1151.B.4.G1 and S1</u> <u>b. 4.1151.B.4.G2 and S2</u> <u>c. 4.1151.B.4.G3 and S3</u> <u>d. 4.1151.B.4.G10 and S10</u> <u>e. 4.1250.B.4.G1 and S1</u> <u>f. 4.1250.B.4.G2 and S2</u> <u>g. 4.1250.B.4.G6 and S6</u> <u>h. 4.1528.G.9</u> <u>i. 4.1568.B.8</u> <u>j. 7.0112.B.4.G1 and S1</u> <u>k. 7.0112.B.4.G2 and S2</u> <u>l. 7.0112.B.4.G3 and S3</u> <u>m. 7.0112.B.4.G9 and S9</u> <u>n. 7.0310.Q</u> <u>o. 7.0512.B.4.G1 and S1</u>	Correcting references
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<u>p. 7.0512.B.4.G2 and S2</u> <u>q. 7.0512.B.4.G3 and S3</u> 8. Structures under 200 square feet not visible from a public place. 9. Conversions of hotels and motels to emergency shelters or affordable housing under Section 10.0420. 10. <u>Addition, elimination, or changes to existing site amenities and features, provided none of the thresholds for DR-A in Section 7.0003.A.3 are met, and provided the improvements continue to meet any applicable clear and objective design standards.</u> *** Table 7.0003 Design Review Categories	Adding exemption for changes to small site amenities that typically do not add floor area such as site furniture, play equipment
A. DESIGN REVIEW A (DR-A)	
1. Process Type I, reviewed with the building permit as applicable.	
2. Conditions a. Developments in Design Districts use only clear and objective standards	
3. Types¹ The Design Review may include the following development types: a. All Districts: i. Changes in primary use when the proposed use is not listed as Limited or Special Use Review ii. Interior tenant improvements iii. Additions or alterations to canopies, awnings, or other mounted structures <u>mounted</u> to an existing facade or roof iv. Addition, elimination, or change in window or door <u>dimensions or</u> locations v. New floor area, or floor area additions, of no more than 1,000<u>2,000</u> sq. ft. vi. New outdoor areas, or outdoor area additions, of no more than 1,000<u>2,000</u> sq. ft., <u>provided there is no expansion of building floor area.</u> vii. New structures without floor area, or additions to structures without floor area, of no more than 1,000<u>2,000</u> sq. ft. in size and not visible from a public place viii. Accessory Dwellings meeting the standards of Section 10.0100 and located within the existing primary home	Revising for clarity Revising threshold for levels of design review from 1,000 sq. ft. to 2,000 sq. ft. Revising applicability

ix-viii. <u>New parking lots and parking lot additions that do not include the use of the provisions in Sections 9.0853.D – FG or 9.0854</u> <u>ix. Addition or modification of required on-site lighting.</u> b. Design Districts: i. New floor area, or floor area additions, of no more than <u>1,0002,000</u> sq. ft., and adding less than 50 ft. of building frontage <u>along</u> on a street. ii. Accessory structures of no more than <u>1,0002,000</u> sq. ft., and adding less than 50 ft. of building frontage on <u>along</u> a street. iii. Changes to facades of one-story buildings <u>when the total area of change is</u> no more than 160 ft. in width iv. Facade changes <u>Changes to facades</u> of any scale proposing only a change in materials, where <u>when</u> the proposed materials meet the clear and objective standards and do not include the use of metal siding v. Structures under 200 sq. ft. visible from a public place. c. DCC, DMU, DTM, DRL 1, DRL 2, CNRM: i. Accessory Dwellings of no more than 750 sq. ft. d. Downtown Districts: i. Duplexes	Correcting reference Revising applicability Revising threshold for levels of design review Revising for clarity Revising applicability; metal now has a minimum gauge
B. DESIGN REVIEW B (DR-B)	
1. Process Type I application.	
2. Conditions a. Thresholds of DR-A exceeded j. Not located in a Design District k. No new development on a vacant site l. The primary use is not proposed to change m. Existing parking, landscaping, and buffering requirements met n. Existing public facilities adequate o. No new residential units proposed	
3. Types¹ The Design Review may include the following development types: a. Industrial Use: i. Floor area additions over greater than <u>1,0002,000</u> sq. ft. and not exceeding 25,000 sq. ft., or 25 percent of the existing floor area on the entire site, whichever is less. ii. Outdoor area additions over greater than <u>1,0002,000</u> sq. ft. and not exceeding 25,000 sq. ft. or 25 percent of the existing outdoor area of the entire site, whichever is less.	Revising threshold for levels of design review

b. Non-Industrial Use: i. Floor area additions over greater than 1,000-2,000 sq. ft. and not exceeding 10,000 sq. ft. or 25 percent of the existing floor area of the entire site, whichever is less. ii. Outdoor area additions over greater than 1,000-2,000 sq. ft. and not exceeding 10,000 sq. ft. or 25 percent of the existing outdoor area of the entire site, whichever is less.	
C. DESIGN REVIEW C (DR-C)	
1. Process Type II application. Pre-application meetings required only for development described in <u>Section 7.0003.C.3.b.iv-vi</u> and (c) below. No Neighborhood Meeting required.	Correcting reference
2. Conditions a. Thresholds of DR-A and/or DR-B exceeded b. In non-design districts: no new floor area or outdoor use area <u>on a vacant site is proposed</u> c. Development in In Design Districts: <u>developments use no more than three five discretionary guidelines guideline requests</u>	Revising threshold for levels of design review; increasing to 5 requests
3. Types¹ The Design Review may include the following development types: a. All Districts: i. A change in primary use when the proposed use is listed as Limited ii. Change to public facility requirements iii. Changes to buffers including alternate or a new alternative buffer <u>buffers</u> iv. New driveway access v. Change in landscaping requirements vi. New parking lots and parking lot additions using the provisions in <u>Sections 9.0853(D – G) or 9.0854</u> b. Design Districts: i. Structures under 200 sq. ft. visible from a public place ii. Addition of no more than 50 ft. of building frontage along a street iii. Exterior facade changes iv. New structures or additions with a total of no more than 2,000 sq. ft. of floor area vii. v. <u>v.</u> New structures or additions without floor area of no more than 2,000 sq. ft. in area.	Revising for clarity Revising for consistency Correcting numbering

viii-vi. New outdoor areas or additions to outdoor areas exceeding those allowed in DR-A and DR-B c. Downtown Districts: i. Duplexes exceeding the thresholds of DR-A	Revising applicability; duplexes will be reviewed under Residential design standards
D. DESIGN REVIEW D (DR-D)	
1. Process Type II application. Pre-application Meeting required. Neighborhood Meeting required unless otherwise noted.	
2. Conditions a. Thresholds of DR-A through DR-C exceeded b. DR-E threshold not met c. Developments in In Design Districts; <u>developments</u> use no more than three <u>five</u> discretionary guidelines	Revising threshold for levels of design review

3. Types¹	The Design Review may include the following development types: a. All Districts: i. Multifamily residential; ii. Townhouse <u>Townhouses (except as provided in Section 7.0002.D.2)</u>; iii. Manufactured dwelling parks; iv. Commercial; v. Mixed Use; vi. Institutional Use; or vii. Parking garages <u>structures</u> b. Industrial Districts: i. Uses not requiring a Neighborhood Meeting: 1. Industrial Office 2. Information Services 3. Manufacturing 4. Trade Schools 5. Transportation/Distribution 6. Warehousing/Storage ii. Uses requiring a Neighborhood Meeting: 1. Construction 2. Exclusive Heavy Industrial 3. Miscellaneous Industrial 4. Waste Management 5. Wholesale Trade c. Design Districts: i. Developments exceeding the thresholds of DR-C and not subject to a DR-E.	Revising for clarity Revising for consistent terminology, parking structures
E. DESIGN REVIEW E (DR-E)		
1. Process	Type III application with Design Commission hearing. Pre-application and Neighborhood Meeting required.	
2. Conditions	a. Design Districts only b. Thresholds of DR-A through DR-D exceeded	

3. Types¹	The Design Review may include one of the following development types: a. Design Districts: i. Any other development <u>Development</u>, regardless of size, using more than three <u>five</u> discretionary guidelines.	Revising threshold for levels of design review
*** 7.0004 Phased Design Review E. Purpose and Process: The purpose of a Phased Design Review is to review and approve a specific design proposal for a site that is achieved over a longer time horizon than what is typical without having to go through a new design review for future phases. <u>An application for a Phased Design Review shall be reviewed by the Manager under a Type I procedure.</u> ***	Adding process description for clarity	
7.0005 DIGITAL MODELS IN THE DOWNTOWN PLAN AREA DESIGN DISTRICTS ii. <u>When identified as a requirement in the application submittal checklist, For proposals that were approved through applicants for the design review process in the area shown on Figure 7.0005, shall provide a three-dimensional, basswood (or similar material as approved by the Manager) digital model of the approved proposal is required proposed building and site features for new with the developments application. or for existing buildings where expansion will increase the building footprint by more than 50 percent.</u> iii. <u>The three-dimensional model of the proposal as approved must be submitted to be placed in the City's Downtown model prior to the issuance of a building permit. may be submitted on a USB drive, through email, or via a shared online drive, in a software format identified by the Planner.</u> iv. <u>The scale of the model must be 1 inch equals 50 feet. three-dimensional model shall provide exterior details of buildings, such as the location of windows, doors, recesses and projections, roof features, and building massing. Site features such as parking areas, open space features, and accessory structures may also be provided.</u> v. <u>The model requirements will be waived if the application does not involve a change in the bulk of buildings on a site for which the City possesses an accurate model. Interior features of the building(s) are not required to be presented as part of the model, and shall be removed in order to reduce the file size of the model. File sizes shall be minimized to the greatest extent possible while retaining the pertinent development code design criteria data.</u>		Revising this section to acknowledge that digital models in all design districts are sufficient and physical models are not necessary

(Figure 7.0005 follows)

Figure 7.005



Removing
Downtown map for
3D models

Section 7.0100 — Corridor Design District

Section 7.0100 Corridor Design District is contained in a separate document entitled Section 7.0100

Removing
unnecessary
language

Section 25. Volume 3, Development Code, Section 7.0100 Corridor Design District is amended as follows:

Proposed Text Amendment	Commentary
Section 7.0100 CORRIDOR DESIGN DISTRICT	Section 7.0100 Corridor Design District is repealed and replaced by Exhibit C.

Section 26. Volume 3, Development Code, Section 7.0200 General Design Standards is amended as follows:

Proposed Text Amendment	Commentary
*** <u>7.0210 Transit and Pedestrian Design Criteria and Standards</u> A. Purpose and Applicability and Design Criteria and Standards 1. A. Purpose. Transit and Pedestrian Design Criteria and Standards are intended to provide for convenient, direct, and accessible pedestrian routes to and from public sidewalks and transit facilities and other pedestrian destinations; to provide for safe, pleasant, and convenient pedestrian circulation by connecting activities within a structure to the adjacent sidewalk and to nearby transit stops; and to promote the use of pedestrian and transit modes to retail and commercial facilities. Standards for windows and walls are designed to encourage surveillance opportunities, to avoid a monotonous pedestrian environment, and to prevent fortress-like facades along public streets. 2. B. Applicability. Transit and Pedestrian Design Criteria and Standards shall apply to development along designated Design Streets as shown on Figure 7.0210 and in those Station Center lands that are not within the Rockwood Design District that are outside of a design district. Section 7.0210(B)(8) and Section 7.0210(B)(10)(b) do apply to developments within the Rockwood Design District. 3. C. Exemptions. Exceptions to Transit and Pedestrian Design Criteria and Standards on Design Streets <u>include:</u> a-1. Certain motor vehicle service uses permitted in the underlying district are exempt from Transit and Pedestrian Design Criteria and Standards: These uses include gas pump islands, service stations, car washes, and vehicle service bays. However, walk-in retail uses such as a mini-mart or convenience store connected with a motor vehicle service use, are not exempt. b-2. Industrial uses within the General and Heavy Industrial Districts. <u>3.</u> When a site has frontage on both a Design Street and on other streets, the Transit and Pedestrian Design Criteria and Standards shall apply only to site development along the Design Street frontage, unless otherwise specified. <u>4.</u> Development sites within the <u>Downtown Plan District, Civic Neighborhood Plan District, Corridor Design District, Rockwood Design District, Springwater Plan District, and Pleasant Valley Plan District.</u> <u>5.</u> Residential development. <u>D. Design Criteria and Standards.</u>	Revising lettering and numbering for improved organization of standards Removing unnecessary language, including references to land use districts that no longer exist, and improving clarity Clarifying applicability of standards

4-1. Orientation/Design of Building and Entrance for Non-Residential Buildings on Design Streets and in those Station Center lands that are not within the Rockwood Design District. a. Primary building and entry orientation shall be to the street rather than to a parking lot. <u>A building may have more than one primary entry.</u> All buildings shall have at least one (1) of their primary entrances oriented toward a Design Street, or (if no Design Street in the Station Center lands that are not within the Rockwood Design District) toward an adjacent street. A building may have more than one primary entry as defined in the Building Code. When a primary entrance is located on more than one street, the full address (including street name) shall also be clearly posted on or near the entrance not bearing the assigned street address. b. If a lot has frontage on more than one Design Street, the building shall provide one primary entrance oriented to a Design Street or shall provide a single entrance at the corner where two streets intersect. c. Buildings shall have a primary entrance connecting directly between the Design Street (or other abutting street when there is no Design Street) and the building interior. Primary entrances for non-residential development shall be open to the public during all business hours. d. Primary building entrances shall be architecturally emphasized and visible from the street. e. All building entrances and exits shall be well lighted. All unit <u>individual tenant</u> entrances shall be posted with the assigned address as determined by the Manager. Failure to post an address as assigned by the Manager shall constitute a violation of the Code. Exterior lighting should be an integral part of the architectural and landscape design. The minimum lighting level for non-residential building entries is an average of 3.5 foot-candles <u>(1.0 minimum)</u>. Lighting shall be at <u>a</u> pedestrian scale (3 feet to 12 feet <u>in height</u>) and the source light shall be shielded to reduce glare. f. For building facades over 300 feet in length on a Design Street, two or more primary entrances facing the street must be provided. g. Building entrances shall incorporate arcades, roofs, porches, alcoves, porticoes, and or awnings that protect pedestrians from the rain and sun. h. Building entries <u>entrances</u> must comply with the accessibility standards as outlined in the Building Code.	Removing unnecessary language Revising for clarity Removing unnecessary language Revising for consistent terminology Revising for clarity Revising for clarity Revising for clarity
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5.2. Ground Floor Windows, Window Walls, Blank Walls, and Design for Non-Residential Buildings on Design Streets and in those Station Center lands that are not within the Rockwood Design District. a. All development buildings shall provide ground floor windows along street facades. Required window areas must be either windows that allow views into working areas or lobbies, or pedestrian entrances, or display windows. <u>Display windows, when used, shall extend a minimum of 2 feet into the building and shall contain three dimensional objects such as product displays.</u> Required windows shall have a sill no higher than 4 feet above grade, except as follows: -Where interior floor levels prohibit such placement, the sill height may be raised to allow it to be no more than 2 feet above the finished floor level, up to a maximum sill height of -6 feet above grade. b. .For any wall within 30 feet of a street, at least 20 percent% of the ground floor wall area facing the street shall be display areas windows, windows, or doorways. <u>Blank walls are prohibited. At least 20 percent of the area of the street-facing facades above the ground floor shall be comprised of display windows or windows. Blank walls are not permitted on street-facing facades unless required by Building Code.</u> c. .Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows along street facades. d. <u>All Buildings must include changes in relief on 15% of their street-facing facades shall be articulated and have a rhythm established by repeating design elements at regular spacing for at least 15 percent of the façade area. Buildings shall use articulating elements such as cornices, belt courses, bases, window treatments, canopies, fluted masonry integrated landscape planters, or other designs for pedestrian interest and scale.</u> e. Building facades greater than 100 feet in length shall have offset jogs, using elements such as bay windows and recessed entrances for pedestrian scale. <u>structural exterior wall offsets, projections, and/or recesses. A minimum of 12 inches in horizontal variation shall be used at intervals of 50 feet or less along the full height of the structure's street-facing façade.</u> <u>3. Parking Lot Location on Design Streets.</u> a. <u>Except for uses exempted under Section 7.0210(A)(3), Section 9.0821 (Parking Lot Location on Design Streets) shall apply to parking lots on sites that are subject to the Transit and Pedestrian Design Criteria and Standards. On-site auto surface parking areas, garages, parking structures, and auto circulation areas shall not be located between a building and an abutting street</u>	Updating standards with clear and objective language; adding standards for transparency on street facing facades Revising for clarity Revising for clarity Adding options for articulation, consistent with design district options Revising for clarity Adding standards to address placement of
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<u>right-of-way. Auto parking and circulation areas shall be located to the side, interior, rear, on top of, or beneath buildings.</u> <u>b. Auto parking areas shall be behind the maximum setback or behind a line drawn parallel to the street at the point where the building is closest to the street, whichever is closest to the street.</u> <u>c. In no circumstances shall the parking area be closer than 8 feet to the right-of-way, to accommodate perimeter screening as required per Section 9.0823.C. For sites with multiple frontages, auto parking areas shall be no closer than 8 feet to the right-of-way on any other frontage, regardless of building location.</u> 7-4. Service and Loading areas shall be located in accordance with the restrictions of Section 9.0822(A)(12)(11)-9.0840. B. Additional Design Criteria and Standards for Station Center lands that are not within the Rockwood Design District: 1. All development within the Station Center lands that are not within the Rockwood Design District shall follow standards for Orientation/Design of Building and Entrance of Section 7.0210(A)(4) and parking lot location standards of Section 9.0821. However, townhouses and duplexes which are not located on a Design Street are exempt from the parking location standards of Section 9.0821(A) and (B). Development within the Station Center lands that are not within the Rockwood Design District shall also meet the following additional criteria of subsections (B)(3) through (B)(10) below. 2. Exceptions: As specified in subsections (B)(3) through (10) below, some Additional Transit and Pedestrian Design Criteria apply only to sites that abut or face a transit station (across the street) or that abut a street containing a transitway (e.g. Burnside). Some criteria may not apply to sites with unique physical characteristics. 3. Pedestrian Environment and Access to Transit Facilities — All Sites a. Development shall provide convenient, direct, and barrier-free pedestrian circulation between buildings and adjacent light rail stations, park and ride facilities, public sidewalks, and pedestrian routes. All buildings and sites shall orient their interior and on-site pedestrian circulation to the closest adjacent light rail station. Pedestrian activity centers within one-quarter mile walking distance should also be considered in the layout of pedestrian circulation. b. On-site vehicular and pedestrian circulation shall be designed to minimize vehicular/pedestrian conflicts (e.g. driveway crossings). c. Enhanced pedestrian spaces and amenities accessible to the public are encouraged, such as plazas, arcades, galleries, courtyards, outdoor cafes, widened public sidewalks (more than 6 feet wide outside the public right of way), benches, shelters,	parking on Design Streets, consistent with Design District standards Correcting reference Removing standards that are repeated elsewhere in the code, or that no longer apply
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street furniture, public art, kiosks, and street vending. Arcades (covered walks) are encouraged between public art, kiosks, and street vending. Covered walks are also encouraged between primary building entries and adjacent public sidewalks and on other on-site walkways. 4. Building Facades Adjacent to Transit Facilities a. Site abutting or facing a light rail station: Building should maintain a continuity in design elements with the stations, such as roof lines and materials, and should connect to existing or proposed transit pedestrian spaces and amenities and to transit station landscape treatments. b. All Sites: Buildings should avoid blank walls and provide a series of openings (windows, entries, display areas) on facades which are at street level and/or which face a light rail station. c. All Sites: Enhanced pedestrian spaces as described in subsection (3)(c) above. 5. Building Orientation to Light Rail Transit a. Site abutting or facing a light rail station, or abutting a street containing a transitway: At least one primary building entry and facade shall face the station or the transitway street. b. Site abutting or facing a light rail station: All building(s) and site design arrangements shall be linked as directly as possible to the light rail station by a continuous on-site landscaped courtyard plaza or square that leads directly to the station and public walkways accessing the station. Areas for the courtyards, plazas, or squares must contain seating and 20% landscape areas including trees within the enhanced areas. 6. Required Parking and Parking Location — All Sites: Parking and maneuvering areas, except spaces designated for park and ride or kiss and ride use, should be located on portions of a site that are furthest in walking distance from an adjacent light rail station. 7. Building Setback Variation — All Sites: The required minimum building yard setback standards of the underlying land use district may be reduced to zero. Minimum yard setbacks shall apply to off-street parking spaces. 8. Incidental Drive-Through Uses — All Sites: Drive through uses as defined in Section 3.0103 are not permitted, except when such use is incidental to a primary site use and when designed in conformance with the following standards: a. The incidental drive-through use is limited to one service window which is part of a primary use structure and to no more than two queuing lanes. Vehicular service bays or islands are not permitted.	Relocating drive-through limitation standard to Corridor Land Use Districts
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b. On a street containing a transitway, no curb cuts are permitted for the exclusive use of drive-through queuing or exit lanes. c. The drive-through service window and queuing lane(s) are located as far as practical from the closest light rail transit station or a street containing a transitway, and not adjacent to such transit facilities. 9. Service and Loading Areas -- All Sites. Service and loading areas shall be visually screened from a light rail station or transitway. See also the restrictions of Section 9.0822(A)(12). 10. Special Criteria for sites abutting or facing a light rail station or park and ride facility contiguous to a light rail station (e.g., Cleveland, or City Hall). The Manager shall approve a development when the applicant can demonstrate compliance with relevant portions of the Community Development Plan and the following criteria are satisfied: a. The development satisfies applicable design review criteria and standards, especially those related to transit development (Sections 7.0210 (A) and (B)). Also see the applicable parking standards in Section 9.0800 and the applicable transit standards found in Section A5.504. b. The development satisfies the applicable Public Transit Services and Central Area Development Policy Implementation strategies in Volume II, Policies, Gresham Community Development Plan. ***	
<u>7.0212 STANDARDS FOR NEW SOLID WASTE AND RECYCLING COLLECTION AREAS FOR MULTIFAMILY, COMMERCIAL, INDUSTRIAL, AND INSTITUTIONAL DEVELOPMENT</u> A. Multifamily development, commercial development, industrial development, and institutional development shall provide for solid waste and recycling collection areas (collection areas) according to the following standards: 1. There shall be unobstructed and safe access for the local licensed hauler's equipment and personnel, including unobstructed overhead and vertical clearance for collection. 1-a. If a building is using internal collection and staging areas (trash rooms) that are not accessible to the licensee (the hauler) or tenants, a Waste Management Plan must be submitted to the City during Design Review. The Plan must be approved by the City and the hauler prior to Building Permit submittal. 2. Collection areas shall be adequately sized for the necessary number and size of recycling and solid waste containers to serve the	Added process for review of trash rooms by

development at maximum occupancy, as outlined in the City of Gresham Solid Waste and Recycling Collection Service Planning Matrix guidelines. <u>This equals 40 gallons of waste, 40 gallons of recycling, and 1 gallon of glass per unit (GRC 7.25.400). Based on these minimum requirements, enclosures shall be adequately sized to house containers that meet minimum unit waste requirements for collection up to two-times per week.</u> 3. An adequate number of collection areas shall be provided in <u>central</u> locations that are conveniently accessible by the development's users, tenants and/or residents. 4. <u>Collection areas must comply with the Americans with Disabilities Act and shall include garbage, recycling, glass, and compost (when applicable) receptacles. Separate locations for garbage and recycling are not permitted.</u> 4-5. When solid waste and recycling collection areas are not within the same enclosure, they shall be located no more than 20 feet from each other. Outdoor collection area enclosures must comply with the City's current Stormwater Management Manual. 5-6. No collection area shall be located within any required buffer, screening, or setback areas. 6-7. Collection areas shall comply with the Gresham Revised Code, 7.25, related to placement of containers for collection. 7-8. Exterior Outdoor collection areas shall be entirely screened by the employment of a vegetative screening and/or minimum six-foot high sight-obscuring enclosure (fence) or wall. Alternatively, they may be screened by a 6-foot high brick or concrete block (or similar material) wall. This applies to townhouses only if a shared common collection area is provided for the site. a. Enclosures constructed of wood or chain link fencing material shall contain a bumper curb at ground level inside the enclosure or fencing, at least 8 inches thick and four inches high, and 12 inches from enclosure walls to prevent damage from container impacts. b. Enclosures constructed of concrete, brick, masonry block, or similar type of materials shall contain a bumper curb to prevent damage from container impacts, or a bumper rail. The rail shall be secured by anchor bolts recessed in the rail within the perimeter walls of the enclosure at a height compatible with service container. 8-9. Enclosure gates shall swing free of obstructions and have restrainers in the open and closed positions. The gate swing should shall open to a minimum of 120 degrees. 9-10. "No Parking" signs shall be placed in a prominent location on, or near, the enclosure or painted on the pavement in front of the collection area to provide unobstructed and safe access for servicing containers.	Environmental Services and the trash hauler Adding standard to address accessibility in trash enclosures Updating standard Adding language for clarity Revising to be clear and objective
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10-11. The location for collection areas and method of storage shall conform to local fire and structural specialty code provisions and be accepted by the approval authority. 11-12. Within enclosures, containers shall be located on a level cement concrete pad, a minimum four (4) inches thick, at ground elevation or other location compatible with the local licensed hauler's equipment at the time of construction. A permanent cover must be added over the entire waste enclosure for multifamily residential developments, <u>and</u> businesses generating food waste, and enclosures where oil and grease waste will be stored. The area under the cover shall be hydraulically isolated and drain to the sanitary sewer <u>public wastewater</u> system. Waste storage areas for all other businesses must provide water quality treatment for any stormwater coming into contact with waste containers. 12-13. Collection areas designed for containers smaller than three yards shall have a staging area in front of the enclosure with a minimum length and width to allow for a three-foot perimeter around all sides of the container when being serviced outside of the enclosure. 13-14. The vehicular approach area and staging area shall not have a percent of grade exceeding three (3) percent <u>(3%)</u>, sloped in any direction. 14-15. Adequate room shall be provided within enclosures for length and width of the service containers and for maneuverability in depositing solid waste or recyclable materials. a. A minimum of two feet, including pad area, shall be provided around the sides and rear of each container. b. A minimum of three feet, including pad area, shall be provided in front of each container for maneuverability in depositing solid waste or recyclable materials. c. In cases where the containers face each other, a minimum of four feet shall be provided in between containers. 15-16. Adequate area shall be provided around the outside or enclosures to allow for maintenance to prevent accumulation of waste. 16-17. Containers 3 yards and larger must be placed facing the opening of the enclosure. 17-18. For containers of three yards and larger, including drop boxes and compactors, the minimum safe access to the front of a service container pad or enclosure shall be a length of 65 feet and width of 12 feet. ***	Revising for clarity
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<u>7.0220 Optional Improvements With Design Review</u> <u>The following provisions apply to non-residential development outside of a design district.</u> To the extent necessary to meet the criteria for design review contained in this ordinance, the approval authority may impose the following additional requirements on a development subject to advising the applicant of the reason in writing. A. Establish the suitability of the landscape plan by having it prepared by a licensed landscape architect. B. Obtain City Engineer's <u>the Manager's</u> approval of a grading and drainage plan for the collection, treatment, retention/detention and conveyance of storm or ground water. C. Establish vehicle and pedestrian access facilities with due consideration to size, location and grade. D. Dedicate and improve public street right-of-way, a public path pedestrian way, or an easement for utilities, a waterway or slope protection. E. In the case of commercial, institutional or industrial development, provide <u>Provide</u> access by a frontage road having limited and controlled access onto a major or standard arterial street by means of traffic signals, traffic control islands, or other means that will preserve the traffic carrying capacity and safety of the major or standard arterial street and will avoid the cumulative effect of individual access points directly onto the major or standard arterial street. F. Provide access to a street that intersects a major or standard arterial street instead of taking access directly from the major or standard arterial street in order to preserve the traffic carrying capacity and safety of the major or standard arterial street and avoid the cumulative effect of individual access points directly onto the major or standard arterial street.	Revising to provide clarity about applicability of these standards Updated for terminology Updated for terminology Removed unneeded text
<u>7.0221 Landscaping Installation</u> <u>The following provisions apply to development outside of a design district.</u> A. .Occupancy permits may be issued prior to the complete installation of all required landscaping if a Guarantee of Completion equal to 110% percent of the estimated cost of plant materials and labor as determined by the Manager is filed with the City ensuring such installation within a time specified by the Manager, but not exceeding six months after occupancy. B. The final landscape inspection shall be made prior to any security being returned. Any portions of the plan not installed, not properly installed, or not properly maintained shall cause the inspection to be postponed until the project is completed or cause the security to be used by the City.	Clarifying applicability

<u>7.0222 Irrigation Provisions</u> Except as required in Section 7.0103, Where underground irrigation is required by this Code, it may be eliminated without the signature of a licensed landscape architect if the existing vegetation which is employed in the landscape plan has been previously established. ***	Revising for clarity
<u>7.0224 Site Lighting</u> The following provisions apply to development outside of a design district. On-site lighting for all developments subject to design review shall be hooded or directional so as to reduce the lighting of adjacent properties. <u>Maximum illumination at a property line adjacent to a residential use shall not exceed 0.5 foot-candles. Maximum illumination at a property line adjacent to a non-residential use shall not exceed 1.0 foot-candle.</u> The Manager may require reduced lighting intensities or special fixtures to accomplish this provision. Lighting plans addressing this requirement are required to be submitted as part of the design review application package. ***	Clarifying applicability Adding clear and objective standards, consistent with Design District standards

Section 27. Volume 3, Development Code, Section 7.0300 Commercial, Institutional, and Industrial Design Standards is amended as follows:

Proposed Text Amendment	Commentary
<u>7.0310 COMMERCIAL (EXCEPT THOSE IN A DESIGN DISTRICT), INSTITUTIONAL, AND MIXED USE DEVELOPMENTS (NON-RESIDENTIAL COMPONENT)</u> Except those developments in and reviewed under a Design District, the following design review criteria and standards shall apply to Commercial, Institutional, and the non-residential portions of Mixed Use Developments. The Downtown Plan District, Civic Neighborhood Plan District, and the Corridor <u>and Rockwood</u> Design Districts are exempt. <u>Industrial development in the Pleasant Valley Plan District is exempt.</u> In designing the <u>building and</u> site development plan and landscaping plan the following design criteria and standards shall apply: A. Areas to be landscaped as defined in Section 3.0100 – Definitions. Decorative walkways, when integrated within the landscaped area, may	Clarifying applicability Revising for clarity Revising to be clear and objective

not contribute more than 5% of the overall <u>A paved internal walkway, when integrated within the landscape area, may satisfy up to 5 percent of the required landscaping area:</u> 1. Institutional Uses All areas not occupied by structures, pavement, or outdoor business activity, display or storage areas. In no case shall less than A minimum of fifteen percent (15% percent) of the gross site area <u>shall be landscaped.</u> 2. Commercial and Mixed Use Developments a. <u>In the Office/Residential District and Neighborhood Commercial District, A a minimum of fifteen percent (15% percent) of the gross site area shall be landscaped.:</u> Office/Residential District Neighborhood Commercial District b. <u>In the Neighborhood Commercial District, setback</u> Setback <u>areas shall be landscaped or provided with enhanced with pedestrian spaces amenities such as benches and drinking fountains.:</u> Neighborhood Commercial District B. Energy conservation is promoted by one or all more <u>of the following measures:</u> 1. Evergreens are planted on the north and east sides of the proposed structure so that the trees will be within 10 feet of the structure at maturity to buffer against the cold north and east winds. 2. Large areas of window glass and unprotected entry doors are avoided on the north and east sides of the structure. Where north and east facing entries cannot be avoided, there shall be an effective windbreak such as a wall, fence or double entry door. 3. The long axis of the building is oriented east and west with unobstructed solar access to the south wall and roof. 4. The majority of the windows are located on the south side of the structure to take advantage of passive solar collection and architectural shading devices (such as window overhangs) are incorporated to reduce summer heat gain. C. Newly planted trees shall be supported (by the use of stakes and wire) to prevent damage by the strong northeast wind; D. Landscaping shall be irrigated by an underground system except that landscaping certified by a licensed landscape architect as being able to survive without irrigation shall be excluded. E. When frequent deliveries coincide with customer hours the loading and delivery areas are shall be <u>separated from parking and pedestrian areas.</u> F. Where possible, the loading and delivery areas are shall be <u>oriented to avoid the cold northeast wind.</u> G. All outdoor storage areas and garbage collection areas are shall be <u>entirely screened by the employment of vegetative materials or</u>	Revising for clarity and consistency Revising for clarity Revising for clarity Revising for clarity Revising for clarity Revising for clarity Revising for clarity
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alternative as deemed appropriate by the <u>Manager approval authority</u>. Exceptions to the preceding requirements include: New or used cars, cycles, and truck sales (but not including car parts or damaged vehicles); new or used boat sales; recreational vehicle sales; mobile homes sales; new or used large equipment sales or rentals; florists and plant nurseries. H. An identification system, as approved by the Manager shall be designed and posted in such a manner as to allow the quick location of on-site buildings and entries per the Oregon Fire Code as administered by the Gresham Fire Marshal, and as described in GRC 10.25.070. I. Traffic Impacts and Transit Facilities. Based on the anticipated vehicular and pedestrian traffic generation, and the policies of the Community Development Plan, adequate right-of-way and improvements to abutting streets shall be provided by the applicant and shall meet the street standards of the City. Required right-of-way improvements may include but not be limited to installation of lighting, signalization, turn lanes, paving, curbs, sidewalks, street signs, bikeways and other facilities needed because of anticipated vehicular and pedestrian traffic generation (refer to Sections A5.400 and A5.500). J. In designing accesses for the development, efforts shall be made to mitigate adverse traffic impacts on adjacent, low-density residential neighborhoods. In assessing such impacts, the typical daily street volumes shall be considered as specified in Sections A5.501. K. On-Site Pedestrian Circulation. Developments shall include an on-site Pedestrian Circulation system <u>internal walkways</u> connecting building entrances, public sidewalks, bicycle and auto parking spaces, transit facilities, and other parts of a site or abutting properties that may attract pedestrians. All developments must comply with the following Standards for On-Site Pedestrian Circulation Systems <u>standards for on-site pedestrian circulation</u>: 1. On-Site exterior pedestrian circulation path facilities <u>Internal walkways and improvements</u> must be provided, and meet meeting accessibility standards of the Building Code. Pedestrian circulation paths within the site <u>Internal walkways</u>, connections to the public sidewalk, and external connections off site shall provide convenient, accessible, and the most practical, direct, barrier-free route design. 2. The on-site pedestrian circulation <u>Internal walkways</u> shall connect the street to the main entrance <u>primary entry</u> of the primary structure on the site; walks and shall be aligned to minimize out-of-direction travel. 3. On-site pedestrian walks <u>Internal walkways</u> must be hard surfaced, and be at least 5 feet wide. A pedestrian walk <u>Internal walkways</u> must be increased to 7 feet wide when bordering parking spaces and surface material shall contrast visually with adjoining surfaces. 4. Where the pedestrian pathways are parallel and adjacent to an auto travel lane, the pathway <u>internal walkways</u> shall use a be raised walk or be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a <u>The ends of raised walk</u>	Revising for clarity; updating references to Oregon Fire Code Rewording for consistency Rewording for clarity and consistency
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internal walkways is used the ends of the raised portions must shall be equipped with curb ramps. 5. On-site pedestrian circulation pathways <u>Internal walkways</u> must be lighted-lit to a level where the system can be used at night by employees, residents, customers or the public to an average of 1.5 foot-candles and a minimum of 0.5 foot-candles. Pedestrian pathway <u>Internal walkway</u> lighting through parking lots shall be designed to light the walkway and to enhance pedestrian safety. 6. Pedestrian facilities <u>Internal walkways</u> must be designed and constructed to provide a direct connection to existing public rights-of-way, public accessways <u>paths and trails</u>, and other on-site pedestrian facilities <u>internal walkways</u>. Pedestrian walkways and facilities <u>Internal walkways</u> shall be constructed: a. Between all primary building entrances and all streets adjacent to the development site. b. To connect any new building entrances on a development site to all other new and existing building entrances except those used for loading and unloading freight. c. At <u>With at least one access point must-connecting</u> to any frontage transit stop. d. To provide a reasonable direct connection between pedestrian destinations and limiting <u>limit</u> out of direction of travel. Where berms, landscaping, fencing or other factors create or would create a site frontage impenetrable barrier to pedestrians and bicyclists, there shall be no less than 1 point of pedestrian access every 200 feet of street frontage where feasible. 7. Sidewalks or pedestrian paths <u>Sidewalks and internal walkways</u> must connect to other pedestrian-use areas on site such as other buildings, parking areas, recreation or play areas, common outdoor areas, and any pedestrian amenities such as plazas, resting areas and viewpoints. 8. Pedestrian pathways <u>Internal walkways</u> must also connect to adjacent developments, when mutually agreed upon between uses. Development patterns must not preclude eventual site-to-site pedestrian connections, even if infeasible at the time of development. 9. Public or Private Schools and Parks over one acre lot size, in addition, shall provide direct pedestrian access from adjacent neighborhoods, using multiple pedestrian access points in all directions, which minimize neighborhood walking distance to a site. 10. On-site vehicular and pedestrian circulation shall be designed to minimize vehicular/pedestrian conflicts through measures such as minimizing driveway crossings, creating separate pedestrian paths <u>internal walkways</u> through the site and parking areas, designating areas for pedestrians by marking crossings with changes in textural material, and other techniques for minimizing vehicular/pedestrian conflicts. Painted stripes are not allowed as permanent marked crossings.	Updating for consistent terminology
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L. The grading and contouring of the site takes place and site surface drainage and on-site storage of surface water facilities are constructed, when necessary, so that there is no adverse effect on neighboring properties, public right-of-way or the public storm drainage <u>stormwater</u> system. M. The circulation pattern is safe and efficient within the boundaries of the site. Consideration shall include the layout of the site with respect to the location, number, design and dimensions of vehicular and pedestrian access, exits, drives, walkways, bikeways, emergency equipment ways <u>access</u>, and other related facilities. N. Attempts to preserve significant wildlife habitat have been made. O. The development is designed in such a manner that as many trees as possible can be preserved. Preserved trees and shrubs shall be protected during construction. P. Crime prevention elements shall be included in the design, with specific attention to landscaping, parking areas, walkways, lighting, entries (with clear, visible address or unit number), exits and visibility. Q. All mechanical equipment on roofs shall be screened when abutting a residentially designated property or a major or standard arterial street. Screening shall obscure mechanical equipment at elevation. R. For mixed-use developments (including those with townhouses), the residential or townhouse component shall address the standards within Section 7.0101-7.0103-7.0112 or 7.0201-7.0430 as applicable while the commercial component shall address the standards of Section 7.0202 <u>7.0310</u>.	Consistent terminology Correcting references
<u>7.0320 Industrial Developments</u> The following design review criteria and standards shall apply to Industrial developments (also see <u>Section 4.0300</u>), unless stated elsewhere in the Development Code. Industrial developments in the Downtown Plan District, and Civic Neighborhood Plan District, <u>and Pleasant Valley Plan District</u> are exempt. A. No less than A minimum of 15 percent of the net site area shall be landscaping, as defined in <u>Section 3.0100 - Definitions</u>. For purposes of this subsection, net site area is the gross site area minus area dedicated to public right-of-way and area in a public access easement. Decorative walkways, when integrated within the landscaped area, may not contribute more than 5 percent. A paved internal walkway, when integrated within the landscape area, may satisfy up to 5 percent of the overall required landscaping area. Landscaping, except for buffer and screening landscaping, shall allow for visibility between 3 and 6 feet to allow for natural surveillance. Up to 75 percent of the required landscaping may include preserved natural area and vegetated stormwater detention/retention facilities. B. Newly planted trees shall be supported by the use of stakes and wire.	Updating applicability language Rewording for consistency and clarity

C. Landscaping shall be irrigated by an underground system, except that landscaping certified by a licensed landscape architect as being able to survive without irrigation shall be excluded. D. An identification system shall be designed and posted as per the Oregon Fire Code as administered by the Gresham Fire Marshal, and as described in GRC 10.25.070. E. Traffic Impacts. Based on the anticipated vehicular and pedestrian traffic generation, and the policies of the Community Development Plan, adequate right-of-way and improvements to abutting streets shall be provided by the applicant and shall meet the street standards of the City. Required right-of-way improvements may include but not be limited to installation of lighting, signalization, turn lanes, paving, curbs, sidewalks, street signs, bikeways and other facilities needed because of anticipated vehicular and pedestrian traffic generation (see Sections A5.400 and A5.500). F. In designing accesses for the development, efforts shall be made to mitigate adverse traffic impacts on adjacent, low-density residential neighborhoods. In assessing such impacts, the typical daily street volumes shall be considered as specified in Section A5.501. G. On-Site Pedestrian Circulation. Developments shall include an on-site pedestrian circulation system <u>internal walkways</u> connecting building entrances, public sidewalks, bicycle and auto parking spaces, transit facilities, and other parts of a site <u>or abutting properties</u> that may attract pedestrian movement <u>pedestrians</u>. <u>All developments must comply with the following standards for on-site pedestrian circulation:</u> 1. To the extent possible, pedestrian circulation paths <u>internal walkways</u> shall provide convenient, practical, barrier-free route design. 2. The on-site pedestrian circulation <u>Internal walkways</u> shall connect the street to the primary entry of the primary structure on the site: <u>and shall be aligned to minimize out-of-direction travel.</u> 3. On-site pedestrian walks <u>Internal walkways</u> must be hard surfaced and at least five <u>5</u> feet wide. A pedestrian walk must be increased to seven feet wide when bordering parking spaces and surface materials shall contrast visually with adjoining surface. <u>Internal walkways that abut the head of vehicle parking spaces shall be 7 feet wide unless wheel stops are used to ensure a minimum 5-foot wide clear walkway. Surfacing material shall contrast visually with adjoining surfaces.</u> 4. Where a pedestrian pathway <u>internal walkways</u> is parallel and adjacent to an auto travel lane, the pathway <u>shall use a be raised walk</u> or be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a <u>The ends of raised walk is used the ends of the raised portions must</u> <u>internal walkways shall be</u> equipped with curb ramps. 5. Where a pedestrian pathway <u>an internal walkway</u> crosses an auto travel lane, the crossing shall incorporate a change in textural material or other technique to minimize vehicular-/pedestrian	Rewording for consistency and clarity Rewording for consistency and clarity Rewording for consistency and clarity
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conflicts. Painted stripes are not allowed as permanent marked crossings. 6. On-site pedestrian circulation pathways <u>Internal walkways</u> must be lighted <u>lit</u> to a level where the system can be used at night – with a minimum of 0.5 foot candles and an average of 1.5 foot-candles. Pedestrian pathway <u>Internal walkway</u> lighting through parking lots shall be designed to light the walkway and to enhance pedestrian safety. 7. Pedestrian facilities <u>Internal walkways</u> must be designed and constructed to provide a direct connection to existing public rights-of-way, public accessways <u>paths and trails</u> and other on-site pedestrian facilities <u>internal walkways</u>. Pedestrian walkways and facilities <u>Internal walkways</u> shall be constructed: a. To connect any new building entrances on a development site to all other new and existing building entrances except those used for loading and unloading freight. b. To connect to a frontage transit stop, if present. c. To provide a reasonable direct connection between pedestrian destinations while limiting out-of-direction travel. Where berms, landscaping, fencing or other factors create or would create a site frontage impenetrable <u>barrier</u> to pedestrians and bicyclists, there shall be at least one point of pedestrian access to the site. H. The Site grading and contouring, of the site takes place and site surface drainage, and on-site storage of surface water facilities are <u>shall be constructed</u> designed, when necessary, so that there is no adverse effect on neighboring properties, public right-of-way or the public storm <u>drainage</u> <u>stormwater</u> system.	Rewording for clarity Consistency, terminology
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Section 28. Volume 3, Development Code, Section 7.0400 Residential Design Standards is amended as follows:

Proposed Text Amendment	Commentary
TABLE OF CONTENTS 7.0410 Manufactured Dwelling Park Design Standards 7.0420 Design Standards for Single Detached, Duplex, Triplex, and Quadplex 7.0430 Townhouse Design Standards	Formatting and Rewording for consistency and clarity; Addition of new section headings

7.0431 Residential District Townhouse Design Standards 7.0432 Corridor District Townhouse Design Standards 7.0440 Cottage Cluster Design Standards <u>7.0450 Housing Variety</u> <u>7.0451 Neighborhood Amenities</u> <u>7.0410 MANUFACTURED DWELLING PARK DESIGN STANDARDS</u> Except as otherwise provided by the Building Code, ORS 446.003 to ORS 446.140 and OAR 918-600-0005 to 918-600-0095, the following standards shall apply: A. Permitted structures 1. Manufactured dwellings have with a gross floor area of at least 400 square feet, provided that all manufactured dwellings shall: a. Bear an insignia of compliance with the Federal Manufactured Housing Construction and Safety Standards Code; or b. If manufactured prior to June 15, 1976, be demonstrated to be in a condition that is not less than the substantial equivalent of construction standards in effect in Oregon at the time the manufactured dwelling was constructed. 2. <u>Prefabricated structures, as defined in ORS 455.010, that are relocatable, more than eight and one-half feet wide, and designed for use as a single detached dwelling.</u> 2-3. Accessory structures, including garages, carports, awnings, and storage buildings located on individual spaces; and utility, service, and recreation facilities to be used in common by residents of the park. 3-4. One dwelling other than a manufactured dwelling for the use of a caretaker or park manager responsible for maintaining or operating the park. B. Space Dimension and Separation 1. Minimum length for any manufactured dwelling space shall be 50 feet; minimum space width shall be 30 feet at any point adjacent to a manufactured dwelling on that space. 2. Manufactured dwellings <u>Dwellings</u> shall be separated by a distance of at least 15 feet. 3. An accessory structure shall be separated from any other structure by a distance of at least 6 feet, except that an accessory structure may be less than 6 feet from a manufactured dwelling on the same space. 4. Each manufactured dwelling shall be set back a distance of at least 6 feet from the closest edge of an adjacent park street or sidewalk. This area shall remain unobstructed by any structure with a height of more than 30 inches	Revising for clarity Revising to comply with State requirements Removing unnecessary language
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above ground level, except that poles, posts, and other customary yard accessories may be permitted. C. Landscaping as defined in Section 3.0103: 1. Perimeter Buffering and Screening a. Abutting all contiguous parcels occupied by uses other than manufactured dwelling parks and adjacent to all public streets, a perimeter setback and buffer area of at least 20 feet in width shall be provided. This area shall remain unoccupied by any structure, street, parking or driveway area, except that private street <u>accessway</u> entrances may cross the perimeter buffer area where necessary to provide access to the park. A perimeter setback of at least 5 feet in width shall be provided when abutting parcels are occupied by manufactured dwelling parks. b. The entire perimeter setback and buffer area shall be landscaped. No less than <u>75% percent</u> of the perimeter setback and buffer area shall be covered with living plant material, including lawns and other ground covers, shrubs, and trees. The landscape plan shall indicate plant species and spacing of plant materials sufficient to achieve the required <u>75% percent</u> coverage within two years of planting. c. Within that portion of the perimeter setback and buffer area which abuts public street right-of-way, screening of the park shall be achieved through a combination of earth berms, or decorative masonry walls, or plant materials sufficient to form a visual screen. <u>The screen shall be at least 6 feet in height. When warranted by topography or other local conditions, the Manager may require screening in excess of 6 feet in height in order to achieve effective visual screening of the park from an abutting public street., except as required for clear</u> Clear-vision areas shall be maintained in accordance with subject to Section 9.0200. <u>Where the average grade of the abutting right-of-way is higher than that of the perimeter setback area, the height of the screen shall be increased by 1 foot for every 1 foot of additional right-of-way height up to a maximum screen height of 8 feet. See subsection (e) for measurement methodology.</u> d. Within that portion of the perimeter setback and buffer area which abuts adjacent parcels, a sight-obscuring wooden fence or a decorative masonry wall at least 6 feet in height shall be installed to screen the park from adjacent properties. When warranted by topography or other local conditions, the Manager may require screening in excess of 6 feet in height in order to achieve effective visual screening of the park from adjacent properties. <u>Where the average grade of the abutting property is higher than that of the perimeter setback area, the height of the screen shall be increased by 1 foot for every 1 foot of additional height of the abutting property's average grade, up to a maximum screen height of 8 feet. See subsection (e) for measurement methodology.</u>	Revising for accuracy Revising to be clear and objective Revising to be clear and objective
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<u>e. For measurement of average grade in (c) and (d), the average grade of the abutting right-of-way shall be measured within 5 feet of the subject property line, and the average grade of the perimeter setback area shall be measured within 5 feet of the subject property line. Measurements shall be taken at 50 foot intervals.</u> 2. Interior Open Space a. At least <u>A minimum of 15% percent</u> of the gross area of a manufactured dwelling park shall be in landscaped open space. <u>included as outdoor open space(s). No greater than 50 percent of the required open space area shall be covered in hardscaping such as internal walkways, shared decks/patios, and/or decorative pavers.</u> Such open space may include the perimeter setback and buffer area, vegetated stormwater facilities, and improved outdoor recreation facilities, but shall not include streets, parking areas, or any land area within designated manufactured dwelling spaces. b. For each space in a manufactured dwelling park where occupancy by children under 18 years of age is permitted, 100 square feet of improved recreation area shall be provided within the park. Any such recreation area shall contain at least 2,500 square feet and have a minimum width dimension of 30 feet. 3. <u>A professional licensed Landscape Architect shall complete and stamp the landscape plan for the manufactured dwelling park.</u> 3. 4. All landscaped areas shall be irrigated by an underground system unless a licensed landscape architect certifies that the landscaping will likely survive without irrigation. 4. 5. Newly planted trees shall be irrigated by an underground system unless a licensed landscape architect certifies that the landscaping will likely survive without irrigation. D. Interior streets and pedestrian facilities shall be designed in accordance with the following standards: 1. Each manufactured dwelling space shall have direct access to an interior street improved with a hard surface. 2. No manufactured dwelling space shall have direct access to a public street. 3. The intersection of any entrance to a manufactured dwelling park and a public street shall be separated from any other public street intersection in accordance with public street intersection spacing standards of Section A5.502. 4. Interior streets shall be improved to the following minimum widths: <table><tr><th>STREET CLASS</th><th>PARKING</th><th>PAVEMENT WIDTH</th></tr><tr><td>Class 1</td><td></td><td></td></tr><tr><td>Serving fewer than 50 spaces</td><td>None</td><td>20 feet</td></tr><tr><td></td><td>One side</td><td>30 feet</td></tr><tr><td></td><td>Both sides</td><td>32 feet</td></tr></table>	STREET CLASS	PARKING	PAVEMENT WIDTH	Class 1			Serving fewer than 50 spaces	None	20 feet		One side	30 feet		Both sides	32 feet	Addition provided for clarity Revising for consistency and clarity Additional standard needed Removing unnecessary language
STREET CLASS	PARKING	PAVEMENT WIDTH														
Class 1																
Serving fewer than 50 spaces	None	20 feet														
	One side	30 feet														
	Both sides	32 feet														

Class 2			
Serving 50 or more spaces	None	22 feet	
	One side	30 feet	
	Both sides	34 feet	
5. Private cul-de-sac streets and dead-end driveway accesses shall serve no more than 25 <u>dwelling</u> spaces, and shall not exceed a length of 600 feet. Minimum radius for a cul-de-sac turnaround shall be 43 feet, except that <u>as part of discretionary land use review</u>, the Manager may approve a reduction of pavement width to a 35'-<u>foot</u> radius with a rolled or low profile curb with a sidewalk adjacent to the pavement; where additional off-street parking is provided and the cul-de-sac posted with "No Parking" signs. 6. In any manufactured dwelling park containing more than 18-30 <u>dwelling</u> spaces, more than one public street access may <u>shall</u> be required, <u>unless waived as part of a discretionary land use review</u>. 7. Interior streets shall be designed and constructed in accordance with state standards established for manufactured dwelling park roads and streets. 8. A system of sidewalks or pedestrian pathways <u>internal walkways</u> shall be installed linking all manufactured dwelling spaces, recreation areas, parking lots, and common buildings. This system may consist of conventional sidewalks flanking interior streets or an independent network of pathways <u>internal walkways</u>, provided that for Class 2 streets a sidewalk shall be constructed along at least one side of the street. Where sidewalks are installed along the sides of streets, and for all on-site <u>Sidewalks and internal walkways, public or private walks</u> shall meet applicable City construction and dimensional standards. 9. Minimum sidewalk width shall be 4 feet unless otherwise specified in this Code. 10. Maximum grade for any interior street shall be 12% <u>percent</u>. 11. The property owner(s) shall be responsible for posting and maintenance of any "Private Street" signage, building identification, and individual space identification in accordance with a plan approved by the Manager. E. Provided parking facilities shall meet the following standards: 1. The parking surface must be a hard surface. The parking surface may be a permeable surface to meet stormwater requirements. Each such parking area shall have minimum dimensions of 10 feet by 40 feet or 20 feet by 20 feet. 2. Shared separate parking areas (such as a visitor or overflow parking lots) must comply with the applicable standards of Sections 9.0822 to 9.0827. 3. <u>Recreational vehicles, trailers, and boats shall not be permitted to park on interior streets or in guest parking areas. Such vehicles may be stored within the park in areas designated for storage of personal items.</u> F. General Design Standards 1. No more than 60% <u>percent</u> of any manufactured dwelling space may be occupied by a manufactured dwelling and any other attached or detached accessory buildings.			Revising for clarity Revising to be clear and objective Rewording for consistency

2. Each manufactured dwelling space shall be provided with at least one slab, deck, or patio constructed of concrete, wood, asphalt, flagstone, or other equivalent material with a minimum size of 120 square feet and a minimum width dimension of 8 feet. 3. A system of hydrants, water lines <u>waterlines</u>, and related fire suppression facilities shall be constructed within the manufactured dwelling park as required by the Manager in compliance with the Fire Code. 4. Wheels, axles, and hitch mechanisms shall be removed from all manufactured dwellings at time of placement. 5. All manufactured dwellings shall have continuous skirting consisting of weather-resistant, non-combustible materials which blend with the exterior siding of the manufactured dwelling. 6. Each manufactured dwelling space shall be provided with one accessory storage building with at least 100 square feet of enclosed floor area. All such storage buildings within the park shall be of a uniform design and constructed of the same materials. G. See Section 7.0220 <u>7.0221</u> - 7.0223 for additional requirements.	Consistency, terminology and process Revising for consistent terminology
<u>7.0420 DESIGN STANDARDS FOR SINGLE DETACHED DWELLINGS, DUPLEXES, TRIPLEXES, AND QUADPLEXES</u> The following design standards shall apply to single detached, duplex, triplex, and quadplex residential developments in the following districts: LDR-GB, LDR-7, LDR-5, TR, TLDR, MDR-12, MDR-24, OFR, LDR-PV, MDR-PV, HDR-PV, VLDR-SW, LDR-SW, THR-SW, CMF, CMU, <u>SC, SC-RJ, DCC, DMU, DTM</u>, DRL-1, and DRL-2. *** C. Pedestrian Connections 1. A continuous pedestrian circulation system shall be provided which connects primary entries, parking areas, shared amenities, and the public right of way (including alleys) or sidewalk. It shall be hard-surfaced and a minimum 4 ft. <u>feet</u> wide. a. Where a <u>private internal</u> walkway is combined with an individual driveway, the <u>internal</u> walkway width shall extend at least 3 feet beyond the edge of the garage door (see Figure 7.0420(C)). Figure 7.0420(C) Combined <u>Internal</u> Walkway Width Extending Beyond Garage Door *** D. <u>Private</u> Open Space <u>1.</u> A minimum of 15 percent of the gross area of the parent lot shall be included as private outdoor open space.	Clarifying applicability Rewording for consistent terminology

a. No greater than 50 percent of the required open space area shall be covered in hardscaping such as paths-walkways, patios, and decorative pavers. b. Areas counting toward the open space requirement shall include one or more of the following: i. An attached and directly accessible porch or balcony. The porch or balcony shall be covered, have a railing, and be 64 square feet or larger with minimum dimensions of 6 feet in each direction; ii. An attached and directly accessible landscaped yard space of 100 square feet or larger with minimum dimensions of 8 feet in each direction; iii. Preserved natural areas (per Article 5); <u>or</u> iv. Private gardens; or v. A combination of the spaces listed above. c. Open spaces shall include 1 tree per 3,000 square feet of gross lot area. i. Other required site trees may count towards <u>toward</u> this requirement but street trees may not count. ii. Trees shall not be a species identified as invasive by the City or County, and are recommended to be selected from the approved street tree or parking lot tree lists. iii. Deciduous trees shall be a minimum of 1.0 inch in caliper at time of planting, evergreen trees shall be a minimum of 6 feet in height at time of planting. iv. Existing, healthy trees meeting the size requirements of (iii) above shall count towards this requirement when maintained on site. v. New trees shall be supported by use of stakes, wire, or similar material for at least one year to prevent damage by strong winds.	Rewording for consistent terminology Removing repetitive language
<u>E. Common Open Space</u> <u>1. Neighborhood Amenities.</u> For development sites that are 2.5 acres or larger, additional open space shall be provided pursuant to <u>Section 7.0451 Neighborhood Amenities.</u>	Adding reference to new Neighborhood Amenities section
<u>F. Sustainable Design</u> 1. All flat roofs (slopes 2:12 or less) shall utilize a “white roof” with a Solar Reflectance Index (SRI) of 78 or greater, exclusive of space dedicated to mechanical systems, vegetated roof surfaces, solar panels, sky lights, or other sustainable roof design treatments. 2. Utilize two of the following sustainable design options on each building with conditioned space on the lot. Where there is more than one building with conditioned space on a lot, different options may be utilized for each	

building. If all buildings on the lot total less than 2,800 sq. ft. <u>of floor area</u>, only one option shall be required. <u>Accessory Dwellings are exempt from this standard, and Section 10.0110.K shall apply to Accessory Dwellings instead.</u>	Clarifying applicability of standard
a. Solar Orientation. Orient the long axis of the building(s) <u>building</u> within 15 degrees of true east and west and provide a minimum 17% <u>percent</u> transparency on the south building façade(s) <u>façade</u>. Provide exterior, architectural sunshades or eaves for all windows 3 sq. ft. or greater on the south building façade(s) <u>façade</u>. Sunshades shall be permanent features on the south building façade(s) <u>façade</u> and shall meet one of the following options: i. The lowest shadow-casting edge of the Architectural sunshades or eaves shall be between 6 and 12 inches higher than the top of the window and horizontally project 5 inches out from the wall plane for every 12 inches in total window height for the window it shades (See Figure 7.0420(E)(2)(a)(i) <u>7.0420.F.2.a.i</u>); or ii. Architectural sunshades or eaves shall effectively block summer sun penetration at noon on the summer solstice and allow for winter sun penetration for the full window height at noon on the winter solstice. (Per the National Oceanic and Atmospheric Administration Solar Position Calculator solar elevation at noon on the winter solstice is 21.05 degrees and on the summer solstice is 67.78 degrees.) (See Figure 7.0420(E)(2)(a)(ii) <u>7.0420.F.2.a.ii</u>.)	Rewording for consistency Correcting reference Correcting reference
Figure 7.0420(E)(2)(a)(i) <u>7.0420.F.2.a.i</u> Figure 7.0420(E)(2)(a)(ii) <u>7.0420.F.2.a.ii</u>	
*** Architectural sunshade is placed between 6 and 12 inches above the window, and the sunshade depth extends 5 inches out from the wall plane for every 12 inches in window height.	
Architectural sunshade effectively blocks the sun at noon on the summer solstice and allows full sun to enter the window at noon on the winter solstice. b. Building <u>thermal</u> envelopes shall utilize the following insulation values in conditioned spaces: i. Wall insulation – above grade: R-23 or greater ii. Wall insulation – below grade: R-19 or greater iii. Flat ceilings: R-40 or greater iv. Vaulted ceilings: R-31 or Greater <u>greater</u> c. Comply with the Oregon Residential Reach Code (this option shall count as use of two sustainable design options).	Revising for clarity

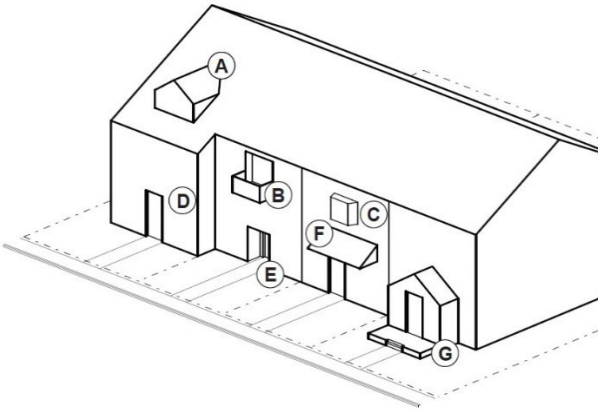
d. Incorporate renewable energy systems (site or building mounted) with a system size of at least 6kW. (Where multiple structures exist the generation system shall count as one sustainable design strategy for all occupiable structures but is not required to be tied to all buildings on site).} e. Provide a Level 2 or better electric vehicle charging unit that is accessible to all units on site. Alternatively, this provision may be met by providing one <u>240-volt EV-ready</u> outlet (or better) for each unit. This shall include electrical panel capacity and raceway with conduit to terminate in a 240-volt charging outlet that is accessible from at least one parking space for the unit. f. Provide pervious paving for all uncovered hardscape areas on site (such as driveways, walkways, and patios not covered by a roof), and provide one canopy tree per 4,000 sq. ft. of gross lot area. i. Canopy tree(s) shall be selected from the approved Parking Lot Trees list and must be capable of a mature height and width of at least 25 feet. ii. Deciduous canopy trees shall be a minimum of 2.5 inches caliper size and shall be balled and burlapped or container stock. Evergreen canopy trees shall be a minimum of 6 feet in height at time of planting. iii. Existing, healthy canopy trees meeting the size requirements of (i-ii) above shall count towards this requirement when maintained on site. iv. Canopy tree(s) may count towards the Section 7.0420.D.1.c open space tree requirement. g. Retain one or more existing dwelling unit(s) on site. h. <u>Solar-ready zone area. A solar-ready zone shall be located on building roof planes that are oriented between 110 degrees and 270 degrees of true north, and on low slope roofs (roof slopes 2:12 or less). The total solar-ready zone shall be not less than 40 percent of the roof area calculated as the horizontally projected gross roof area less the area covered by skylights, mandatory access or setback area as required by Fire Code. Solar-ready zones shall be free from obstructions, including pipes, vents, ducts, HVAC equipment, skylights, and roof-mounted equipment.</u> F. G. Rear Roof Height Limit 1. In the VLDR-SW, LDR-SW, LDR-PV, LDR-7, LDR-5, and TR districts, the maximum allowed roof height is limited at the rear of the lot. The maximum roof height at the rear setback line is 21 feet and increases at a rate of one foot in height for every one foot of distance further from the rear property line, up to the maximum height limit for the district.	Clarifying intent of standard; EV charging required to be ready with unit, not just conduit Adding an additional sustainable design option
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a. The maximum roof height shall be measured from the final finished grade to the top of the roof. b. This rear roof height limit standard does not apply if any portion of the lot is located within the Hillside Geological Risk Area (HGRO) or Resource Area (RA). c. Projections allowed above the maximum building height shall also be allowed above the maximum rear roof height. Solar energy collection equipment may project beyond maximum rear roof height no greater than 18 inches. See Section 9.0901.B.(+) 2. Affordable housing eligible for a building height bonus (Section 10.1711.H(4)) and subject to the rear roof height limit reductions may add the applicable building height allowance under Table 10.1711(B) to the maximum roof height in Section 7.0421(F)(1) Section 7.0421.G.1.	Formatting Correcting reference
G. H. Side Wall Articulation 1. Facades greater than one story in height, facing a side setback, and less than 5 feet from <u>a</u> minimum required side setback line shall utilize a minimum of one of the following articulation strategies to limit perceived bulk at the side setback: a. Side walls shall not exceed 35 ft. <u>feet</u> in length before a full-height offset a minimum 2 ft. <u>feet</u> in depth and 6 ft. <u>feet</u> in length is provided. b. For each floor above the first floor, the total length of all side walls facing the same lot line shall be no greater than 60 percent of the total length of all first-floor side walls facing that lot line. i. Upper floor side wall planes that are setback 4 feet or more from the first-floor wall plane closest to the lot line shall not count towards the 60 percent limit. For example, a building with a single wall plane facing the side setback with a first-floor width of 50 feet may have an upper floor width of 30 feet at the same wall plane as the first floor. Or, additional wall planes on an upper floor may be provided if they are set back 4 feet from the first-floor wall plane. c. No individual wall plane shall be greater than 280 square feet. Individual wall planes shall be offset a minimum of 12 inches from adjacent wall planes. d. Side walls shall utilize clear glass for at least 10 percent of the total area of the side wall. Clear glass shall have a Visible Transmittance value of 60 percent or greater.	Formatting
H. I. Transparency 1. Windows and/or doors (not including garage doors) utilizing clear glass and entry doors of any material shall occupy a minimum of 17 percent of the total street-facing façade area(s). (See Figure 7.0420(H)(1) Street Facing Transparency.)	

i. Façade area(s) separated from the street by a building shall not be counted towards total street-facing façade area. ii. Roof area shall not count towards total street-facing façade area, but wall area above wall headers (such as gable ends and dormers) shall count. iii. Entry doors used to meet this standard shall face the street or be at an angle of no greater than 45 degrees from the street. Figure 7.0420(H)(1): Street-Facing Transparency *** 2. Clear glass in windows and/or doors shall occupy a minimum of 5 percent of all other facades. Clear glass shall have a Visible Transmittance value of 60 percent or greater. J. <u>Development in Design Districts.</u> 1. <u>The following additional design standards shall apply to single detached dwellings and plexes in the Downtown, Rockwood, Civic, and Corridor Design Districts:</u> a. <u>A minimum of 50 percent of the site's frontage shall be occupied by buildings oriented to the abutting street. Building frontage shall be measured by the length of the building present between the minimum and maximum front setback. Space attributed to public streets, primary internal drives, bicycle and/or pedestrian paths, and clear vision areas within the setback area shall be subtracted from the total length of frontage calculations. Lots whose frontage on a street includes only auto access, such as a flag pole, are not required to meet the minimum building frontage.</u> b. <u>All street facing facades longer than 30 feet that include a units' primary entry shall include one of the following to reduce the facade into smaller volumes:</u> i. <u>Unit entries shall include a projecting or recessed form and/or change in materials from the surrounding facade;</u> ii. <u>Provide an offset between dwelling units of at least 12 inches; or</u> iii. <u>Provide a change in roof shape or pitch, corresponding to each unit.</u> c. <u>The following façade materials and fence materials are not permitted:</u>	Including additional standards that are applicable only for projects in Design Districts
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<u>i. Vinyl siding</u> <u>ii. T-111 Plywood</u> <u>iii. Exterior Insulation Finishing System (EIFS)</u> <u>iv. Plastic or Vinyl fencing</u> <u>v. Chain link fencing</u>	
TOWNHOUSE DESIGN STANDARDS 7.0431 RESIDENTIAL DISTRICT TOWNHOUSE DESIGN STANDARDS	
The following design standards shall apply to townhouse projects in the following districts: <u>LDR-5</u>, LDR-7, LDR-5, TR, TLDR, MDR-12, MDR-24, OFR, LDR-PV, MDR-PV, HDR-PV, <u>TC-PV, NC-PV</u>, VLDR-SW, LDR-SW, THR-SW, those portions of CMF along the NE Glisan and NE 162nd Avenue corridors, CMF, CMU, DRL-1, and DRL-2. In the LDR-PV, MDR-PV, and HDR-PV sub-districts, areas counting toward 7.0431(D) Open Space are limited to one or more of the following: 7.0431(D)(1)(b)(i), (ii), and (iii) 7.0431.D.1.b.i, ii, and iii.	Clarifying applicability Formatting
*** D. <u>Private</u> Open Space 1. A minimum of 15% <u>15 percent</u> of the gross lot area of the townhouse project shall be included as outdoor open space. a. No greater <u>more</u> than 50% <u>50 percent</u> of the required open space area shall be covered in hardscaping such as paths <u>walkways</u>, patios, porches, and decorative pavers. b. Areas counting toward the open space requirement shall include one or more of the following, (except as provided in 7.0431.I.1, for development in LDR-PV, MDR-PV, and HDR-PV): i. An attached and directly accessible porch or balcony. The porch or balcony shall be covered, have a railing, and be 64 sq. ft. <u>square feet</u> or larger with minimum dimensions of 6 ft. <u>feet</u> in each direction; <u>or</u> ii. An attached and directly accessible landscaped yard space of 100 sq. ft. <u>square feet</u> or larger with minimum dimensions of 8 feet in each direction; <u>or</u> iii. Preserved natural areas; iv. A shared children's play area with at least of 3 types of play equipment and minimum 12 ft. length and width; or	Revising for consistency Revising for applicability based on updates to the Pleasant Valley plan District

v. Shared open space, courtyard, or community garden with minimum 12 ft. length and width; or vi. A combination of the spaces listed above *** E. <u>Common Open Space</u> 1. <u>Neighborhood Amenities.</u> For development sites that are 2.5 acres or larger, additional open space shall be provided pursuant to Section 7.0451 <u>Neighborhood Amenities.</u> F. E. Sustainable Design 1. All flat roofs (slopes 2:12 or less) shall utilize a “white roof” with a Solar Reflectance Index (SRI) of 78 or greater, exclusive of space dedicated to mechanical systems, vegetated roof surfaces, solar panels, sky lights, or other sustainable roof design treatments. 2. Utilize two of the sustainable design options listed in Section 7.0420(E)(2) <u>7.0420.F.2</u> on each building with conditioned space in the townhouse project. Where there is more than one building with conditioned space in the development different options may be utilized for each building. If all buildings in the development total less than 3,600 sq. ft. only one option shall be required. G. F. Townhouse Unit Articulation 1. Each townhouse shall include at least one of the following on at least one street-facing facade (see Figure 7.0431(F) <u>7.0431.G</u> Townhouse Unit Articulation Strategies): *** Figure 7.0431(F) <u>7.0431(G)</u> Townhouse Unit Articulation Strategies	Added reference to new Neighborhood Amenities section for larger development sites Correcting reference Correcting reference
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 (A) Roof dormer, minimum of 4 feet wide (B) Balcony, minimum 2 feet deep and 4 feet wide. Accessible from interior room. (C) Bay window extending minimum of 2 feet from facade (D) Facade effect, minimum of 2 feet deep (E) Recessed entryway, minimum 3 feet deep (F) Covered entryway, minimum of 4 feet deep (G) Porch, meets standards of subsection (1)(b)(iv) of section (C)	Correcting graphic
H. Side Wall Articulation Facades facing <u>street</u> side setbacks (excluding common sides) and within 10 feet of the <u>street</u> side setback line shall utilize a minimum of one of the following articulation strategies: *** I. Transparency 1. Windows and/or doors (not including garage doors) utilizing clear glass and entry doors of any material shall occupy a minimum of 17% <u>percent</u> of the total street-facing facade area(s). (See Figure 4.0420(H)(1) <u>7.0420.I.1</u> Street Facing Transparency.) J. Development in Design Districts and Plan Districts. 1. <u>The following additional design standards apply to townhouse development in the LDR-PV, MDR-PV, and HDR-PV sub-districts:</u> a. <u>Areas counting toward Section 7.0431.D Private Open Space are limited to one or more of the following options:</u> i. <u>An attached and directly accessible porch or balcony. The porch or balcony shall be covered, have a railing, and be 64 sq. ft. or larger with minimum dimensions of 6 feet in each direction;</u>	Revising for clarity Correcting reference Including additional standards that are applicable only for projects in Design Districts and Plan Districts

ii. <u>An attached and directly accessible landscaped yard space of 100 sq. ft. or larger with minimum dimensions of 8 feet in each direction; and</u> iii. <u>Preserved natural areas.</u> 2. <u>The following additional design standards apply to townhouse development in CMF (except for those areas along the NE Glisan Ave. and NE 162nd Ave. corridors), CMU, TC-PV, and NC-PV, except as provided in Section 7.0002.</u> a. <u>Children’s play areas shall be provided for developments of 20 or more units following the dimensional, equipment, and perimeter standards of Section 7.0112.A.5.S6.a-f, except if the development is for elderly housing. Elderly housing developments are not required to provide children’s play areas.</u> b. <u>No row of contiguous dwellings (in one structure) shall exceed 5 attached dwellings in continuous building length. An exception to this is courtyard ("U" shaped) developments where no unbroken (i.e. continuous) section of the "U" shall exceed 5 attached dwellings. (Note: courtyard developments may also include multiple buildings that create a courtyard effect as long as individual building lengths do not exceed 5 attached dwellings.)</u> c. <u>The following façade materials and fence materials are not permitted:</u> i. <u>Vinyl siding</u> ii. <u>T-111 Plywood</u> iii. <u>Exterior Insulation Finishing System (EIFS)</u> iv. <u>Plastic or Vinyl fencing</u> v. <u>Chain link fencing</u> 7.0432 CORRIDOR DISTRICT TOWNHOUSE DESIGN STANDARDS	
A. Purpose. The purposes of this section include promoting the livability, neighborhood compatibility and public safety of townhouse projects. Site and building design standards are intended to ensure that individual developments contribute to a quality environment for its users and the surrounding neighborhood. B. Applicability. The following design standards shall apply to Townhouse projects in the RTC, SC, SC RJ, CMF (except for those along the NE Glisan Ave. and NE 162nd Ave. corridors see Section 7.0431), and CMU districts, except as provided in Section 7.0002. In addition, Section 7.0210(B) shall apply to townhouses in Station Center and Rockwood Town Center Districts. C. Street Frontage 1. Townhouse units are not allowed to be constructed on flag lots except in	Deleting this section. Standards are not clear and objective. Incorporating clear and objective standards for townhouse development in Design Districts to

cases where minimum density standards would otherwise not be met. 2. At least 50% of the site's frontage (not including access driveways) on any street shall be occupied by buildings oriented to the abutting street (excepting courtyard style townhouse projects, also see Sections 7.0432(D), (G), and (L) below). Where a site has less than 70 feet of street frontage this standard may be modified to accommodate a driveway meeting code standards. 3. Courtyard type developments are exempted from maximum setbacks for that portion of a building or buildings having a courtyard area between it and the street. 4. Projects that include a courtyard fronting a public street shall provide a street fronting building orientation and doorway access for those portions of the project that directly face and abut a street and are not between the street and courtyard. Courtyard development building facades separated from a street by an approved courtyard are exempt from street orientation requirements.	improve ease of use
D. Building Orientation 1. Any building abutting a public street right-of-way shall be oriented to the street. The street orientation standard is met when the following criteria are satisfied: a. The primary entry or entries for all ground floor units abutting the street shall open directly onto the street right-of-way, not to the interior of the site or to a parking lot. Secondary entrances may face parking lots or other interior site areas. b. Where a building is on a corner lot and fronts on two abutting streets, a dwelling unit at the corner of the building need be oriented to only one of the streets. However, if one of the abutting streets is a Transit Street, a corner dwelling unit shall be oriented to the Transit Street. c. The end unit abutting the street (as applicable) shall have its primary entrance oriented to the street. d. Non-residential buildings, such as recreation or community centers, which abut a public street right-of-way shall have at least 20% of the ground floor wall area facing the street in windows, doorways, or display areas, including an entry opening directly onto the abutting street. The primary entry for townhouses with frontage on both a public street and an alley shall be oriented to the street, not to the alley. 2. Townhouse units are required to be located adjacent to public streets and alleys and oriented to public streets. Private streets or alleys may be utilized only in districts that permit these following adopted public street and public works standards and appropriate design modifications. 3. The Manager may require that a building that will abut a future street right-of-way, as shown on an approved future street plan or neighborhood circulation plan, be oriented to that future right-of-way.	

4. In the case of townhouse complexes, private shared accesses to the rear or to common parking areas may be provided, subject to City circulation and parking standards. Such shared access and parking areas may be located in easements or tracts and shall not take the place of street orientation provisions. E. Building Separation 1. Buildings shall face one another with a front-to-front and a back-to-back relationship whether on either side of a street, alley, or open space. a. An exception to this is with oddly configured properties where a partial building grouping accessed (for example) by a short section of public or private street or alley, might be located to a side in a side-to-rear relationship. b. Back to front facing relationships between groups of buildings (such as front doors facing rear yards or service areas) are not allowed. c. Where property configuration is such that development cannot occur in standard row to row relationships, fronts of units shall not be permitted to face non-street fronting sides or rear of the site. d. Where the rear of a dwelling unit(s) faces the side of another (within the same development project), provide a minimum separation of 20 feet between the building walls of both structures (i.e. side to rear). e. Where two groups of townhouse buildings in a complex face each other, a minimum separation of 30 feet shall be required between front building facades, inclusive of setbacks. If such a grouping is provided internally within a townhouse complex, the separation area shall include, at minimum, a shared pedestrian walkway. F. Vehicular Circulation and Parking. Vehicular circulation and parking shall be provided in accordance with the following standards: 1. Garage facades shall not be closer to the street than portions of the unit containing living space. 2. Except for individual driveways which may include parking for townhouses, on-site surface parking areas, garages, and vehicular circulation areas shall not be located between a building and an abutting street right of way. 3. Public streets shall be dedicated within the site and connected to adjacent streets as required to create blocks and street intervals that are consistent with Section A5.402(D). The names of any such streets dedicated by deed, without a plat, shall be reviewed by and approved by the Manager prior to recording. Where public streets are required, the Manager may require that traffic calming features, such as speed humps, curb extensions, and enhanced pedestrian crosswalks be included in the design and construction of the streets. 4. Where new parcels or blocks are created within a development site as a result of required public street dedications, individual parcels or blocks	
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need not meet minimum residential density standards for the district, provided the development as a whole meets the standard. Applicable standards of this section regarding site landscaping shall also apply to the development as a whole, except that any parcel or block within the development shall have a minimum of 20% of its total area in landscaping, as defined in Section 3.0103. In all districts, the Manager may require that deed restrictions be recorded to ensure that where project amenities such as swimming pools, community centers, and shared open space are on separate parcels within the same development, all residents of the development will have on-going access to those amenities and facilities. 5. Based on the anticipated vehicular and pedestrian traffic generation and the policies of the Community Development Plan, adequate right-of-way and improvements to abutting streets shall be provided by the applicant and shall meet the street standards of the City. This may include, but is not limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, paving, curbs, sidewalks, bikeways, dual street name, quadrant, and/or neighborhood signage, and other facilities needed because of anticipated vehicular and pedestrian traffic generation. 6. In designing accesses for townhouses, efforts shall be made to mitigate adverse traffic impacts on adjacent, low-density residential neighborhoods. In assessing such impacts, the typical daily street volumes specified in Sections A5.501 shall be considered. G. Driveways and Unit Access. The following standards are intended to promote access at the rear of the lots to limit the number of driveways to the street and to allow for availability of on-street parking. 1. Townhouse lots shall be accessed from the rear by alleyway, rather than from a public street except as otherwise authorized within this section. Exceptions to this are: lots at least 30 feet wide may take direct access from a public street or a development of 5 or less lots may access the street directly. Private alleys or access drives may be substituted where allowed by the district, where extension of a public street is not feasible and if appropriate maintenance provisions are established. In addition, a private-side access to a common parking area may also be permitted if parking section standards are met. (Note: Townhouse projects on large parcels are not permitted to avoid alleyway and rear access requirements by utilizing multiple structures of 5 or less units/lots or providing serial or by sequential land divisions from one "parent" parcel.) 2. Up to 20% of proposed lots less than 30 feet wide in a townhouse project, and, not covered by subsection (a) above, can be accessed from the front. 3. The maximum width for individual single garage driveways located at the front of a dwelling unit is 10 feet wide (excluding the driveway approach width). Alternately, a driveway may be wider to access a garage that has a width no larger than 50% of the total dwelling width.	
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4. The maximum width for a shared driveway that serves two units or a double car (side-by-side) garage is 20 feet (excluding the driveway approach width) where the maximum driveway width is 16 feet. 5. A minimum distance of 20 feet shall be between driveways, whether shared or individual, so as to allow for on-street parking. 6. In the case of a single loaded public alleyway or private street or alley utilized for access, provide a 6 foot high sight obscuring fence or wall and a 5-foot-wide landscape planter strip along the side of the alleyway/private street that abuts adjoining properties. Plant materials shall include a combination of ground cover, shrubs and trees and follow the same planting size requirements as for Shared Open Space Areas. 7. When common area courtyards are being provided that face the street, private rear access and parking may be established provided secondary access or adequate turnaround area is available and maintenance provisions are adopted. 8. When property configuration is such that rear access cannot be provided in consideration of setback and separation standards, parking to the side in a common parking area may be provided, or, shared driveway accesses to the street may be allowed up to the limit of minimum site density. 9. If common rather than individual (per unit) parking areas are proposed, the General Design Standards for Surface Parking Lots (Sections 9.0820-9.0826) shall apply to the common parking areas. Such common parking areas may be within easements or on commonly owned tracts held and maintained by a homeowners association. Provide a 6-foot-high sight obscuring fence or wall and a 5 foot wide landscaped planter strip along any side(s) of the common parking area that abuts adjoining properties. Plant materials shall include a combination of ground cover, shrubs, and trees and follow the same planting size requirements as for Shared Open Space Areas. H. Pedestrian Circulation. The site design shall promote safe, attractive, and usable pedestrian facilities and direct pedestrian connection between the street and buildings by providing an on-site, continuous pedestrian circulation system that meets the following criteria: 1. The on-site pedestrian circulation system shall be continuous and connect the following: streets abutting the site; ground level units entries and common building entries; common buildings such as laundry and recreation facilities; parking areas; shared open space and children's play areas; pedestrian amenities such as plazas, resting areas, and viewpoints; and any adjacent transit facilities, public uses, or public park/open space as applicable. a. Walkways shall connect each unit's front entry to the public street. At least one of the following shall be provided: i. Separate Walkway. A separate, minimum three-foot-wide hard surfaced walkway directly from the public sidewalk to the front	
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door; or ii. Combined Walkway. A minimum three foot wide hard surfaced walkway from the public sidewalk to the front door with at least a portion of the walkway combined at the edge of the driveway. The walkway width shall extend at least 3 feet beyond the edge of the garage door. (See Figure 7.0420(C)). b. When pedestrian walkways are located between two buildings, a minimum 10-foot wide corridor shall be provided between the buildings. Such walkways are permitted within setback areas. 2. The on-site pedestrian circulation system shall consist of hard surfaced, minimum 5-foot wide walks. A 7-foot walk shall be provided when the walk abuts shared motor vehicle parking spaces unless wheel stops are used to ensure a minimum 5-foot wide, clear walk. a. Walks shall be separated from auto parking and maneuvering areas, except for individual unit driveways, through physical barrier features such as planter strips, raised curbs, or bollards. b. Where walks cross through driveway or parking areas, except for individual unit driveways, they shall be paved with a material different and visually contrasting from the pavement material in the auto area. c. Walkways adjacent to or within a parking area are subject to standards of Section 9.0824. 3. Walkways shall be barrier free and unblocked at all times. a. The on-site shared pedestrian circulation system shall be designed to meet the accessibility standards of the Building Code. b. Front entry stoops shall not be elevated more than 6 feet above the grade of the sidewalk c. Walkways in common areas (including shared parking areas) shall be illuminated to an average of 1.5 foot-candles and a minimum of 0.5 foot-candles during the hours of darkness. Lighting shall be designed so as to not shine directly into residential units by the use of cut-off or directional features. d. All pedestrian walkways shall be in view of at least one unit's living area windows. 4. Landscaping Standards. Landscaping is intended to enhance the visible appearance and livability of townhouse projects and prevent building footprints from dominating available lot areas. 1. At least 20% of the gross site area of a townhouse project shall be landscaped. a. All landscaped front, side, and rear yard areas, landscaped common open space, preserved natural areas, vegetated stormwater facilities, planter areas, landscaped screening and separation area, as well as landscaped strips located between the curb and sidewalk, can be included to meet the 20% landscaping requirement. In addition, shared	
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walkways within landscaped areas may count for up to 10% of the total landscaping requirement (i.e. 10% of the 20% of gross area total). b. Of the 20 % landscape requirement in above, a portion of the landscaping total shall be located in rear yard areas of lots that are not rear accessed. 2. At least 80% of the front yard setback area shall be landscaped when the driveway is at the rear of the unit or when a shared parking area is provided, or at least 25% of the front yard setback area shall be landscaped when the driveway is at the front of the unit. a. Up to 20% of the required front yard setback landscaping area may be walkways or stoops associated with unit access, and at least 80% of those areas shall consist of a continuous ground cover of lawn and/or low growing evergreen shrubs, or other evergreen ground cover. Trees and larger shrubs may also be added to the landscaped area. 3. All yard setbacks shall be landscaped and shall have at least 5 deciduous shade trees per 100 lineal feet. Existing evergreen trees may substitute for the required deciduous shade trees on a one for one basis, provided the tree is capable of at least 25 feet in height and is at least 10 feet in height. Where the yard abuts a required buffer the trees may be credited towards any tree required for the buffer. 4. In addition to street trees as required by Section 9.1044, landscape/site trees shall be required at the rate of one tree per 2,000 square feet of gross site area. Existing landscape/site trees that are preserved may count at a 1 to 1 ratio for purposes of meeting site tree requirements. a. New landscape/site trees shall be capable of growing to a height of at least 25 feet. However, when accompanied by an arborist's report outlining where such larger sized trees are not appropriate, ornamental, dwarf, and other smaller species may be permitted in those locations. b. New deciduous landscape/site trees shall be a minimum of 1.5 inch caliper at the time of planting. c. Evergreen trees shall be a minimum 6-foot height at time of planting. d. New site trees shall be distributed throughout the project rather than clumping them in one location. e. Newly planted trees shall be supported (by use of stakes and wire, or similar material) to prevent wind damage for at least one year. 5. Required planting sizes at time of planting are as follows: a. Groundcovers, other than lawn, shall be a minimum of 4-inch pots spaced 2 feet on center. b. Trees shall have a minimum caliper of 1.5 inches at time of planting and shall be staked for at least one year. c. Evergreen shrubs shall be at least 24 inches high at finished grade and all shrubs shall be a minimum one gallon size at planting. d. Ferns shall be a minimum of 16 in. high from finished grade and 1 gallon	
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size. e. Mulches and bark chips are only allowed as a filler, until required groundcover and shrub materials mature and spread. Mulches and bark chips are not permitted as a substitute for living plant materials. 6. The grading and contouring of the site takes place and on-site surface drainage and on-site storage of surface water facilities are constructed, when necessary, so there is no adverse effect on neighboring properties, public rights-of-way or the public storm drainage system (refer to Section 9.0500—Grading and Drainage Requirements, and Section A5.205—Drainage Management Practices). 7. All landscaped areas shall be irrigated with an in-ground irrigation system, except for dwelling structures containing less than four unit or when a licensed landscape architect submits written verification that the proposed planting materials do not require irrigation. 8. All plantings shall be maintained and dead or diseased plants replaced within 3 months of removal. J. Private Open Space. Each unit needs its own private space so as to maintain a feeling of livability and to not encourage crowding. The following options are offered: 1. Each townhouse unit shall have an attached private open space area located at the rear of the unit of at least 120 square feet in size. The area shall be enclosed, screened or otherwise designed to provide privacy with elements such as 6 feet high sight-obscuring fencing, building offsets, and/or vegetative screening. The combined total area of a deck or balcony and patio/rear yard area may be used to obtain the required private area square footage. 2. Where it is not possible to locate the private open space entirely at the rear of the unit, a private open space may be located on the front façade in the form of an upper story balcony and the square footage counted towards the 120 square feet requirement. 3. No dimension of private open space area shall be less than a minimum of 6 feet. 4. If a private open space (in a front, rear, or side yard) is adjacent to common or public open space, parking, or a property line at the perimeter of the development, provide a visual separation consisting of at minimum a 3 foot high fence, wall, or landscaping capable of growing to a 3 foot height between the private open space and the adjacent element. K. Shared Open Space Standards for Complexes. Large townhouse complexes are similar in scale and operation to multifamily and condominium complexes and shall, therefore, provide similar amenities on the property of the project including common open space, play areas, and a mechanism for maintenance of such areas. The following standards are provided for those purposes:	
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1. For townhouse projects of 20 or more units (including elderly housing townhouse complexes of 20 or more units), provide one or more common (shared) open spaces with a minimum combined total area of 1,000 square feet. For developments over 20 units, add an additional 250 square feet of open space for every additional 10 units. For phased developments open space requirements shall be met per phase. 2. No common open space area is to be less than 400 square feet in area nor have a horizontal dimension less than 12 feet. 3. Common open space areas shall primarily be landscaped unless the open space area comprises a natural area (such as a wetland feature or habitat area or a stormwater detention area). Up to 40% of the common open space area may be hard surfaced, improved and dedicated for a specific use (barbecue areas, tennis court, recreation building, community garden, playground, etc.). Where feasible, the surface of open space areas shall be pervious, allowing infiltration of storm water. 4. If a hard surfaced area is provided, the perimeter shall be landscaped with a combination of evergreen groundcover, shrubs and trees, with the trees spaced 20 feet on center. 5. Required open space area landscaping shall include lawn, groundcover, shrubs, and trees. Mulch materials are only permitted as a filler until living plant materials mature and spread. 6. For townhouse projects adjacent to public parks or public open spaces (such as schoolyards, public trails, natural areas, etc.): a. Parking, loading and service areas may not be located between the residences and the public areas. Parking may be located under a building provided access to parking is not from the park or open space side of the development. b. A minimum of 10% of the building façade facing the park or open space shall be comprised of windows. c. Sight obscuring fences greater than 6 feet in height are not permitted between townhouse projects and the park or open space. 7. Children's play areas shall be provided for developments of 20 or more units following the dimensional, equipment, and perimeter standards of Section 7.0103(A)(5)(S6)(a)-(e), except if the development is for elderly housing. Elderly housing complexes are not required to provide children's play areas but are required to provide required open space area if 20 units or more in complex size. In addition, the following are required for children's play areas: a. Shall be located outside of required yard setbacks and buffer areas. b. Shall be located so as to be visible from living area windows of at least 3 dwelling units. Alternatives to children's play areas may be provided in an equivalent square footage as long as at least one play area is still provided within the	
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townhouse complex. Suitable alternatives include shared picnic facilities, gazeboes, gardens, exercise facilities, basketball area, and other related shared open space type uses. 8. Shared open space and other common or shared use areas may be established as tracts or as easements over portions of platted lots. Homeowners associations, site management offices, or other acceptable means shall be established for purposes of maintaining all common areas. An ongoing financial mechanism and oversight functions to provide for maintenance shall be established prior to occupancy of any unit. 9. Landscaped areas within public right-of-way shall not be counted as project open space. L. Architectural/Design Standards for Townhouse Structures. The following structural and architectural design elements for townhouse structures are intended to help create a sense of individuality besides providing a measure of quality, and shall be provided for all proposals. 1. No building exterior wall dimension or row of contiguous dwellings (in one structure) shall exceed 100 feet in continuous building length. An exception to this are courtyards ("U" shaped) developments where no unbroken (i.e. continuous) section of the "U" shall exceed 100 feet. (Note: courtyard developments may also include multiple buildings that create a courtyard effect as long as individual building lengths do not exceed 100 feet.) 2. Offset every two dwelling units from the next dwelling unit by at least 4 feet in exterior wall offset for buildings 2 stories or taller and over 50 feet in length, or, at least 2 feet in offset for buildings 1 story in height or less than 50 feet in length. 3. For each entry, provide a covered porch or portico with a floor area of at least 40 square feet. 4. Roofs shall be pitched and have a minimum 3 to 12 slope. 5. Roof eaves shall be provided (minimum 12 inch projection). 6. Façade (wall) treatments (such as exterior finish patterns, story lines/floor banding, window trim, corner trim/corner boards, and related items) shall be provided on all sides of the building. 7. Provide windows on building ends that front streets. 8. Provide a minimum of 4 of the following architectural elements in the building design: a. Dormers b. Gables c. Recessed entries d. Cupolas or towers e. Pillars or columns f. Additional offsets in building face or roof (minimum 16 inches) g. Bay windows h. Decorative and/or alternating patterns on the exterior finish (e.g.	
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scales/shingles, trim boards, ornamentation or similar features i. Decorative cornice or pediment j. For one story buildings, the use of at least 2 or more different exterior finishes and patterns including such types as masonry, stone, stucco, wood, terra cotta, and tile k. Where masonry is used for exterior finish, apply decorative bonds and a range of colors l. Cantilevers m. Energy Conservation features including non-window elements and other design features that channel natural light from exterior walls or roof (such as by the use of skylights, solar tubes, atriums, and related features) n. Windows on all non-street fronting building ends. 9. Provide at least 2 different exterior finish patterns for all multi-story buildings. 10. The design of corner buildings that have facades facing both streets shall include a unique feature at the corner such as a tower, corner bay or gable, or a combination of architectural elements that visually enhance the building corner. As an alternative, a functional (i.e. usable) and decorative pedestrian or landscaping feature of not less than 300 square feet in ground area may be provided. 11. Non-lineal ("U" or other shaped) building footprints that create common area courtyards may be permitted if rear access is provided. 12. Garage facades shall not be located closer to a street than façade portions of the structure facing said street containing living space (i.e. no "snout" units are permitted). M. Screening 1. A minimum 6-foot-high sight obscuring fence or wall shall screen common loading, garbage/recycling, and other service areas that are shared by two or more townhouse units within a development. 2. Screen transformers and heating, ventilation and air conditioning (HVAC) equipment. 3. Screen freestanding HVAC units with a sight obscuring fence, wall or evergreen landscaping if located adjacent to a property line shared with another residential unit/building or adjacent to open space. 4. Provide utility meter/box screening from the street or from public view. N. Storage. Space shall be provided for garbage, recycling, and storage in accordance with the following standards: 1. Exterior garbage collection and recycling areas shall be entirely screened by the employment of a vegetative screening and/or minimum 6 foot high sight-obscuring fence or wall. This requirement applies to townhouses only if common garbage collection and recycling facilities are provided for the	
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site. 2. Private storage areas are required for each unit. Each storage space shall consist of an enclosed closet type space at least 6 feet in height with at least 24 square feet of floor area. The facility shall either be connected to each unit, within a garage that belongs with a unit, or easily accessible (such as in a central facility), be completely enclosed and capable of being locked. If located within a garage, the storage space shall be separate from and in addition to the area required for vehicle parking so as to not impede vehicle parking. (Except for retirement housing, elderly housing assisted living developments need not comply with this requirement.) Q. Safe Neighborhood Design Performance Standards. These provisions are intended to help create safer neighborhoods and a high quality pedestrian environment by incorporating designs that emphasizes linkages and visibility between the dwelling and the street. 1. An addressing system shall be provided and shall consist of the following: a. Individual building addresses shall be clearly visible (as determined by the Fire Marshal) from the abutting public street right of way or from the abutting driveway or private street, shall be at least 6 inches in height, shall be of a contrasting color to the background and shall be illuminated so as to be visible during the hours of darkness. Building addresses (including any building identification letters) shall be clearly visible on all sides of the buildings. b. Each individual unit within a complex shall display a unit number that shall be at least 4 inches in height and illuminated during the hours of darkness. Each breezeway shall also be posted with appropriate unit numbers and, when applicable, with appropriate building addresses or letters) for the breezeway. 2. Street Pedestrian Connection Options. At least one of the following shall be provided: a. Separate Walkway. A separate, minimum three foot wide hard surfaced walkway directly from the public sidewalk to the front door; or b. Combined Walkway. A minimum three foot wide hard surfaced walkway from the public sidewalk to the front door with at least a portion of the walkway combined at the edge of the driveway. The walkway width must extend at least 3 feet beyond the edge of the garage door. (See Figure 7.0420(C)). 3. Street Surveillance Options. At least one of the following shall be provided: a. Ground Level Outdoor Surveillance Area. A minimum 40 square foot covered hard surfaced entry area is placed immediately adjacent to the front door; or b. Upper Level Outdoor Surveillance Area. A minimum 30 square foot	
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second story covered or open porch, balcony or deck is placed on the front of the dwelling; or c. Dwelling Front Location. The front of the dwelling (not including the garage) or of a covered entry has maximum setback of 16 feet; or d. Dwelling and Garage Front Location. The front of the garage is flush with the front of the dwelling or is recessed back from the front of the dwelling. 4. For townhouse complexes, shared parking areas and common walkways shall be illuminated to an average of 1.5 foot candles and a minimum of 0.5 foot candles during the hours of darkness. Lighting shall be designed so as to not shine directly into residential units by the use of cut-off features. Lighting devices shall be protected by weather and vandalism resistant covers. 5. Any individual stair landing may serve a maximum of six units per landing. The area of railings on stair landings shall be a minimum of 50% open. The area of railing is the height of the railing times the length of the railing. This requirement does not apply to landings serving only one townhouse unit. 6. Where parking spaces are numbered and assigned to specific dwelling units, numbers on parking spaces should not correspond to the numbers of the units to which the spaces are assigned. 7. Visible Dwelling Front. The front door shall be oriented towards the street which the dwelling faces. At least 75% of that street frontage shall be visible from: a. The front door; or b. A street facing ground floor window in a frequently used room such as a living room, dining room, kitchen or bedroom (but, for example, not a window to a garage, bathroom or storage area); or c. A street-facing second story, minimum four-foot-by-four-foot window, except a bathroom window, placed no higher than 3 feet 6 inches from the floor to the bottom of the window sill. This section allows portions of the front of a dwelling to protrude forward of other portions, as long as the visibility standard is satisfied. A dwelling on a lot created pursuant to Section 10.1520 may use a private drive or future street to comply with this provision. P. Transition and Compatibility Between Townhouse Projects and LDR-5/LDR-7/TLDR/TR Development. Restrictions for residential buildings, any portion of which is within 50 feet of an abutting LDR-5, LDR-7, TLDR or TR District: 1. The residential building shall contain no more than 12 dwelling units. 2. The Height Transition standards of Section 9.0610(A) shall apply to all residential buildings. 3. Minimum spacing distance between buildings shall be 15 feet. However, where a building exceeds 100 feet in length the minimum spacing distance	
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between that building and any other residential building shall be 20 feet. Q. Setback, Separation and Height Standards for Townhouses 1. The minimum setback standards for townhouses in the RTC, SC, SC-RJ, CMF, and CMU Districts are per Table 4.0430, Footnote 1. 2. The height requirements for townhouses in the RTC, SC, SC-RJ, CMF, and CMU Districts are per Table 4.0430, Footnote 19.	
7.0440 COTTAGE CLUSTER DESIGN STANDARDS	
The following design standards shall apply to cottage cluster developments in the following districts: LDR 7, LDR 5, TR, TLDR, MDR 12, MDR 24, OFR, LDR PV, MDR PV, HDR PV, VLDR SW, LDR SW, THR SW, those portions of CMF along the NE Glisan and NE 162nd Avenue corridors, CMU, DRL 1, and DRL 2 districts. An existing single detached dwelling converted into a Cottage as part of a Cottage Cluster (as provided in OAR 660-046-0230) is exempt from this section, except Section 7.0440.K (4) <u>Exiting Existing Structures</u> shall apply. The remaining portion of the cottage cluster development shall be subject to this section. ***	Clarifying applicability Correcting typo
B. Cottage Orientation. Cottages shall be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and shall meet the following standards (see Figure 7.0440(B) Cottage Orientation and Design): 1. Each cottage within a cluster shall either abut the common courtyard or shall be directly connected to it by a pedestrian path. <u>have a direct connection to the common courtyard. For the purposes of this standard, a direct connection means each cottage shall have an external door within 50 feet of the common courtyard that is connected to the common courtyard via an unobstructed, accessible internal walkway.</u> 2. A minimum of 50% <u>percent</u> of cottages within a cluster shall be oriented to the common courtyard and shall: i. Have a main entrance facing the common courtyard; and ii. Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and iii. Be connected to the common courtyard by a pedestrian path. 3. Cottages within 20 feet of a street property line may have their entrances facing the street. (See 7.0440(A)(1) <u>7.0440.A.1</u> above.) 4. Cottages not facing the common courtyard or the street shall have their main entrances facing a pedestrian path that is directly connected to the	Removing redundant language Revising to be clear and objective Removing redundant language Removing redundant language Removing redundant language

common courtyard. 4.5. Cottages shall be separated by a minimum of 8 ft. feet. ***	Formatting
C. Common Courtyard Design. Each cottage cluster shall share a common courtyard in order to provide a sense of openness and community of for residents. Common courtyards shall meet the following standards (see Figure 7.0440(B) Cottage Orientation and Design): 1. Each Common Courtyard <u>common courtyard</u> shall serve no <u>fewer than 4 cottages and no more than 10 9</u> cottages. 2. The common courtyard shall be a single, contiguous piece. 3. Cottages shall abut <u>a minimum of two sides of the common courtyard and occupy a minimum of 40 percent of the length of each of those two sides.</u> on at least two sides of the courtyard. 4. The common courtyard shall contain a minimum of 150 square feet per cottage within the associated cluster (as defined in 7.0440(B) above). 5. The common courtyard shall be a minimum of 15 <u>25</u> feet wide at its narrowest dimension. 6. The common courtyard shall be developed with a mix of landscaping, pedestrian paths <u>internal walkways</u>, and/or paved courtyard area, and may also include recreational amenities and gardens. Impervious elements of the common courtyard shall not exceed 75% <u>percent</u> of the total common courtyard area. <u>7. Common courtyards shall not include areas with slopes over 10 percent, stormwater facilities, or vehicle use areas, and no more than 50 percent shall be within a Resource Area or High Value Resource Area.</u> <u>8. Fences within or on the perimeter of common courtyards shall be a minimum of 75 percent transparent and shall be no more than 4 feet in height, except when located at an internal property line, in which case this standard shall not apply.</u> 7.9. Courtyards shall include 1 tree per 3,000 sq. ft. of gross lot area. a. Cottage Cluster developments with more than one courtyard shall include a minimum of 1 tree per courtyard. b. Other required site trees such as buffer trees may count towards this requirement but street trees may not count. <u>b. e.</u> Trees shall not be a species identified as invasive by the City or County, and are recommended to be selected from the approved street tree or parking lot tree lists. <u>c. d.</u> Deciduous trees shall be a minimum of 1.0 inch in caliper at time of planting, evergreen trees shall be a minimum of 6 feet in height at time of planting.	Revising for clarity Revising to clarify the intent of the standard Revising to clarify the intent of the standard Revising standard Rewording for consistency Adding standard to support quality development Adding standard to support quality development Removing unnecessary standard

d. e. Existing, healthy trees maintained on site shall count towards this requirement. e. f. New trees shall be supported by use of stakes, wire, or similar material for at least one year to prevent damage by strong winds. 8. 10. Pedestrian paths that are contiguous to a courtyard may count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.	

E. Pedestrian Access 1. An accessible pedestrian path <u>internal walkway</u> shall be provided that connects the main entrance of each cottage to the following: a. The common courtyard and other shared amenities; b. Shared parking areas; c. Common buildings; and d. Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks. 2. The pedestrian path <u>Internal walkways</u> shall be hard-surfaced and a minimum of four feet wide. a. Where a pedestrian path <u>an internal walkway</u> is combined with an individual driveway, the path <u>internal walkway</u> width shall extend at least 3 feet beyond the edge of the garage door (also see Figure 7.0420(C)).	Rewording for consistency Rewording for consistency
F. Vehicle Access and Parking (see Figure 7.0440(F)). 1. For lots abutting an alley, access shall be taken from the alley. 2. Driveway Approaches. Driveway approaches (as shown in Figure 7.0420(B)(2)) are encouraged to be shared for multiple units, but may be developed for individual units. a. Shared driveways shall include shared driveway approaches. b. The total width of all driveway approaches on an individual frontage may occupy no greater than 34% <u>percent</u> of that lot frontage, or 28 <u>feet</u> ft, whichever is less. c. Driveway approaches shall meet all the requirements contained in Section A5.000. 3. Parking location and access. a. Off-street parking spaces and vehicle maneuvering areas shall not be located: i. Within of 20 feet from any street property line, except alley property lines <u>or when accessed from a clustered parking lot drive aisle. When accessed from a drive aisle, parking spaces shall not be located within 10 feet of any street property line;</u> or	Revising standard to support quality development

ii. Between a street property line and 4 feet behind the front facade of cottages located closest to the street property line. This standard does not apply to alleys. b. Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines. 4. Off-Street Parking. a. Off-Street parking spaces for residential uses shall be at least 8.5 feet wide by 18 feet deep, or 8 ft. feet wide by 24 ft. feet long for parallel parking spaces. b. Tandem (end-to-end) parking is allowed only for individual units. 5. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards: a. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than 5 contiguous spaces. b. Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than 8 contiguous spaces. c. Parking clusters shall be separated from other spaces by at least 4 feet of landscaping. d. Clustered parking areas may be covered. 6. Screening. a. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets. 7. Garages and carports. a. Garages and carports that face the street shall be set back at least 4 feet behind the street-facing wall closest to the street. b. Garages and carports (whether shared or individual) shall not abut common courtyards. c. Individual attached garages up to 200 square feet shall be exempted from the calculation of the maximum 900 sq. ft. building footprint for cottages. d. <u>c.</u> Individual detached garages shall not exceed 400 square feet in floor area. e. <u>d.</u> Garage doors for attached and detached individual garages shall not exceed 20 feet in width.	Formatting Removing standard to support quality development
*** H. <u>Height</u> <u>1. Cottages shall have a maximum height of 25 feet.</u> <u>I. H. Side Wall Articulation</u> <u>1. Facades facing <u>street</u> side setbacks and within 10 ft. feet of the <u>street</u> side setback line shall utilize a minimum of one of the following articulation</u>	Adding standard to support quality development

strategies: *** <u>7.0450 HOUSING VARIETY</u>	Clarifying intent of standard								
<u>Where applicable, the housing variety standards require a minimum amount of different building forms on a development site and that adjacent residential structures have either different building forms or different prominent design features. The purpose of these standards are to promote a wide range of housing choices, and to ensure that residential neighborhoods include a mix of housing types, sizes, and forms.</u> <u>A. Building Form Variety</u> <u>1. Applicability. The building form variety standards apply when the following criteria are met:</u> a. <u>The development site includes at least 1.5 gross acres of land within the LDR-5, LDR-7, TR, TLDR, VLDR-SW, LDR-SW, LDR-PV and MDR-PV districts or a combination thereof, except for areas within the Resource Area, High Value Resource Area, Highly Sloped Subarea, and Floodplain; and</u> b. <u>The proposed development includes a Type II or Type III tentative partition or subdivision plan.</u> <u>2. For each proposed lot, the applicant shall designate one or more building form categories per standard 7.0450.A.3. The development site must meet the applicable minimum requirements in Table 7.0450.</u>	New standards added to support high-quality residential subdivisions								
<u>Table 7.0450 Building Form Category Requirements</u> <table border="1"> <thead> <tr> <th><u>Development Area (Gross Acres)¹</u></th><th><u>Building Form (Section 7.0450.A.3)</u></th></tr> </thead> <tbody> <tr> <td><u>Less than 1.5 acres</u></td><td><u>No more than 80 percent of lots shall be designated for any one category</u></td></tr> <tr> <td><u>1.5 acres to 5 acres</u></td><td><u>No more than 60 percent of lots shall be designated for any one category</u></td></tr> <tr> <td><u>More than 5 acres</u></td><td><u>No more than 60 percent of lots shall be designated for any one category.</u> <u>Development site must include at least 3 categories.</u></td></tr> </tbody> </table>	<u>Development Area (Gross Acres)¹</u>	<u>Building Form (Section 7.0450.A.3)</u>	<u>Less than 1.5 acres</u>	<u>No more than 80 percent of lots shall be designated for any one category</u>	<u>1.5 acres to 5 acres</u>	<u>No more than 60 percent of lots shall be designated for any one category</u>	<u>More than 5 acres</u>	<u>No more than 60 percent of lots shall be designated for any one category.</u> <u>Development site must include at least 3 categories.</u>	Added Housing Variety section for consistency with new Pleasant Valley Plan District
<u>Development Area (Gross Acres)¹</u>	<u>Building Form (Section 7.0450.A.3)</u>								
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Table 7.0450 Notes:

1. The development area shall include gross acreage except for areas within the Resource Area, High Value Resource Area, Highly Sloped Subarea, and Floodplain.
3. The following categories shall be used to apply the building form variety requirements:
 - a. Two or greater story detached. Qualifying structures include single detached dwellings; detached forms of duplexes, triplexes, or quadplexes; or cottage clusters; provided each structure has at least two stories.
 - b. Single-story detached. Qualifying structures include single detached dwellings; detached forms of duplexes, triplexes, or quadplexes; or cottage clusters; provided each structure has only one story.
 - c. Small detached. Qualifying structures include single detached dwellings; detached forms of duplexes, triplexes, or quadplexes; or cottage clusters; provided each structure has a floor area less than 1,400 square feet, excluding garages.
 - d. Rowhouse-style attached. Qualifying structures include townhouses; townhouse-style multifamily units (where permitted); or attached duplexes, triplexes, or quadplexes. Structures must be constructed in a row of attached units where each unit shares at least one common side wall with an adjacent unit, but does not share a common floor/ceiling with any units. Non-rowhouse-style attached (2-4 units). Qualifying structures include duplexes, triplexes, or quadplexes, provided the units are attached in any configuration other than rowhouse style units as provided in (standard 7.0450.A.3.d), (e.g., stacked units). Non-rowhouse-style attached (5+ units) where permitted. Qualifying structures include attached multifamily buildings other than rowhouse-style units as provided in (standard 7.0450.A.3.d), e.g., stacked units.
4. Demonstrating Compliance. Applicants shall submit evidence demonstrating compliance with the standards in Section 7.0450.A as provided below.
 - a. In the tentative land division plan, the applicant shall designate for each lot a building form category or categories from the list in standard 7.0450.A.3. A tentative lot may be designated to fulfill more than one building form category provided:
 - i. The applicable minimum requirements in Table 7.0450 are met (e.g., 80 percent of lots may be designated as category a, b, or c, and 20 percent of lots designated as category d); and
 - ii. Buildings that can meet two categories (e.g., both a and c, or both b and c) shall not be used to fulfill the requirement for two categories.

b. <u>As a condition of approval, it shall be required that any subsequent building permit application is consistent with the building form category or categories designated on the corresponding lot in the tentative land division plan.</u> c. <u>If more than one building form category is permitted to be built on a single lot, the applicant may choose which category to designate the lot at the time of building permit submittal.</u> d. <u>Phased development: If an application to develop a site proposes to do so over multiple phases, after each phase is completed, the overall development site must meet the building form variety standards in Section 7.0450.A.</u> B. Building Design Feature Variety 1. <u>Applicability. The building design feature variety standards apply to building permit applications for new residential structures on lots in the LDR-5, LDR-7, TR, TLDR, VLDR-SW, LDR-SW, LDR-PV and MDR-PV districts or a combination thereof.</u> a. <u>This section is applicable to developments in LDR-PV and MDR-PV. For developments not in Pleasant Valley, this section applies to tentative subdivision plan applications submitted on or after June 4, 2026. However, the standards in this section shall apply to all lots in a land division that have exceeded the exemption period identified in Section 6.0212.</u> 2. <u>Definitions. For the purposes of these standards, the following definitions shall apply:</u> a. <u>“Residential structure” means one of the following: a single detached dwelling on a lot; a duplex, triplex, or quadplex on one lot; a cottage cluster on one lot; or a structure containing attached townhouse units. Multifamily structures are excluded from the definition of “residential structure”.</u> b. <u>“Lot” refers to a parent lot, not a middle housing lot, in the case of a middle housing land division. Middle Housing Lot, in the case of a Middle Housing Land Division.</u> c. <u>“Nearby residential structures” means residential structures that face the same street as the subject structure and that are located on lots within 200 feet of the subject lot.</u> 3. <u>Each residential structure shall differ from nearby residential structures in at least one of the following ways:</u> a. <u>A different building form pursuant to Section 7.0450.A.3; or</u> b. <u>At least one different building design feature listed in Section</u>	
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7.0450.B.4.

- 4.** The following design feature categories shall be used to apply the design feature variety requirements:
- a.** Building lot coverage. Lot coverage does not exceed 50 percent.
 - b.** Front yard depth. Front yard is at least 5 feet deeper than the required minimum front yard.
 - c.** Side yard width. At least one side yard is at least 5 feet wider than the minimum required side yard as measured at the front building line.
 - d.** Roof style. Roof style options include gable with end facing front, gable with end facing side, hip, gambrel, shed, or flat or combination thereof.
 - e.** Garage configuration. Options include the following (carports shall not be considered garages for the purpose of this standard):
 - i.** Presence of garage (i.e., garage versus no garage);
 - ii.** Size of garage (i.e., 1-car versus 2+ car garage); or
 - iii.** Detached versus attached garage.
 - f.** Garage door orientation. Options include the following (carports shall not be considered garages for the purpose of this standard):
 - i.** Garage door facing the front of the lot;
 - ii.** Garage door facing the side of the lot; or
 - iii.** Garage door facing the rear of the lot.
- 5.** Within each block, applicants must use at least three (3) of the design feature categories in **Section 7.0450.B.4** to differentiate residential structures. However, each different building form category proposed on a block pursuant to **Section 7.0450.B.3.a** may be used in lieu of one design feature.
- a.** For the purposes of this standard, “block” refers to all the lots with frontages on the same street between two consecutive street intersections.
- 6.** Demonstrating Compliance. Applicants shall submit evidence demonstrating compliance with the standards in this section as provided below.
- a.** At building permit submittal, the applicant shall indicate the applicable building form category (**Section 7.0450.A.3**).
 - b.** At building permit submittal, where nearby residential structures are the same building form category, the applicant shall indicate the applicable design feature category (**Section 7.0450.B.4**) to demonstrate:
 - i.** Nearby residential structures have either a different building form or a different design feature (**Section 7.0450.B.3**); and
 - ii.** Three different building design features or forms are provided within each block, (**Section 7.0450.B.5**).

7.0451 NEIGHBORHOOD AMENITIES

Where applicable, residential subdivisions shall facilitate access to neighborhood amenities, such as children’s play areas, City trails, and bicycle parking. These standards support equal access to active and passive recreation, while ensuring new residential development benefits from usable recreational assets. The standards are designed to offer flexible options responsive to site conditions, development constraints, and proximity to established public assets including City parks, trails, and schools.

A. Applicability. Residential subdivisions (not including multifamily/shared housing facility uses or cottage clusters) on development sites of 2.5 gross acres in size and greater.

1. This section applies to tentative subdivision plan applications submitted on or after June 4, 2026. However, the standards in this section shall apply to all lots in a land division exceeding the exemption period identified in Section 6.0212.

B. Site Amenities Requirement. The development shall include one of the following:

1. **Increased Private Open Space.** Each residential parent lot shall provide a 25-foot rear setback; or
2. **Provision of Site Amenities.** A combination of the site amenities listed in Table 7.0451 shall be provided equaling 2 amenity points per gross acre of the development site up to a maximum of 30.
For the purposes of calculating the minimum required amenity points, site area shall be rounded to the nearest half acre. For example, a 3.25 and greater acre site shall be rounded up to 3.5 acres, with 7 amenity points required; a 3.24 and less acre site shall be rounded down to 3 acres, with 6 amenity points required.

Table 7.0451 Point Values of Site Amenities

<u>Amenity</u>	<u>Point value</u>
<u>Open space</u>	
<u>Unencumbered common open space</u>	<u>2 pt per % of gross site area</u>
<u>Common open space within an overlay area</u>	<u>1 pts per % of gross site area</u>

Addition of new Neighborhood Amenities section of the Development Code. Supplants requirements for 15 percent open space requirement for all subdivisions and incentivizes more creative and accessible amenities for large subdivisions.

<u>Private open space</u>	<u>Points allocated as specified in Section 7.0451.D.3.b for each foot of increased rear setback per lot within the subdivision (minimum 5 feet extra per lot)</u>		
<u>Public Park per approved Parks Master Plan</u>	<u>1 pt per % of gross site area</u>		
<u>Shared community building</u>	<u>15 pts</u>		
<u>Swimming pool</u>	<u>10 pts</u>		
<u>Hot Tub</u>	<u>3 pts</u>		
<u>Common green</u>	<u>2 pts</u>		
<u>Plaza</u>	<u>2 pts</u>		
<u>Community garden</u>	<u>3 pts</u>		
<u>Fenced dog area</u>	<u>3 pts</u>		
<u>Children's play area</u>	<u>4 pts</u>		
<u>Covered gathering area or gazebo</u>	<u>4 pts</u>		
<u>Sports court</u>	<u>3 pts</u>		
<u>Benches within a common open space, common green, plaza, or community garden</u>	<u>1 pt per bench up to a maximum of 3</u>		
<u>Picnic tables within a common open space, common green, plaza, or community garden</u>	<u>1 pt per table up to a maximum of 3</u>		
<u>Bicycle racks serving a common open space, common green, plaza, or community garden</u>	<u>1 pt per rack up to a maximum of 2</u>		
<u>Permanent recreation amenities (like horseshoes courts, bocce, permanent corn hole, shuffle board)</u>	<u>1 pts</u>		
<u>Dedicated City or publicly accessible school park within 0.25 mi of development site</u>	<u>4 pts</u>		
<u>Developed City trail within 0.25 mi of development site</u>	<u>2 pts</u>		
<u>On-site public multi-use path, multi-use trail, or connector path as designated in the Parks Master Plan or Transportation System Plan</u>	<u>2 pts per 0.125 miles (660 feet) of path</u>		

On-site common recreation path	<u>1 pts per 0.125 miles (660 feet) of path</u>
Preserved major tree (within an unencumbered common open space)	<u>1 pt per tree up to a maximum of 3</u>
Preserved tree grove (outside of an overlay)	<u>4 pts</u>
Planted tree grove	<u>1 pt</u>
<u>C. Open Space Requirements</u> <u>1. Site Amenities</u> <u>a. Common site amenities shall be placed in one or more tracts of land. Where approved by the City and permitted by Table 7.0451 public amenities such as multiuse trails may be located on City-owned land. Prior to final plat approval, ownership of amenity tracts shall be identified to distinguish them from lots intended for sale. Amenity tracts may be identified as one of the following:</u> <u>i. Common open space held by a homeowners' association by a restrictive covenant or easement; or</u> <u>ii. At the owner's option and if accepted by the City, a public park or path identified in the Parks Master Plan, where the tract has been dedicated to the City. Lands accepted by the City for dedication to the public are not subject to the limits in subsection C.2 and C.3 below.</u> <u>2. There shall be a financial mechanism that ensures maintenance of all open space and amenities, except private open space.</u> <u>3. Except where each lot or parcel in the development abuts one or more common open space areas, site amenities shall have a minimum of 10 feet of frontage along an existing or proposed public right-of-way or be contiguous with another amenity that meets this standard.</u> <u>4. Stormwater facilities shall not be included as open space for the purpose of the provision of site amenities.</u> <u>5. Shared parking and vehicle circulation areas shall not be included as open space for the purpose of the provision of site amenities.</u> <u>6. Improvements. Prior to the issuance of Final Certificate of Occupancy for the first dwelling unit associated with the open space in the development, required common open space areas shall be entirely improved with required amenities.</u> <u>7. Bark mulch is not permitted as a ground cover except under trees and shrubs, as a surface for recreation paths, in children's play areas, and in fenced dog areas.</u>	

D. Standards for Site Amenities. Prior to the issuance of certificates of occupancy for the development, the site amenities needed to achieve the required amenity point total shall be entirely improved.

1. Unencumbered Common Open Space

- a. Unencumbered Common Open Space is common open space not located within an overlay area and accessible to all residents of the development it is associated with.
- b. Each common open space tract shall be a minimum of 1,200 square feet and shall include at least one area that is a minimum of 30 feet by 30 feet.
- c. Common open space may include a mix of landscaping and hardscaping and shall have a maximum of 50 percent impervious area.
 - i. Common open space may contain other amenities.

2. Common Open Space Within an Overlay Area

- a. Common Open Space within an overlay area shall remain undisturbed by development, except for soft-surfaced paths provided as an amenity in accordance with the Public Works standards and when the open space and paths are identified of the Parks Master Plan.

3. Private Open Space

- a. Private open space shall be conditioned as part of the land division decision in the form of an increased rear setback on designated lots.
- b. The number of amenity points received for provision of private open space shall be calculated as follows:

$$P = T(A/B) \times (S/10)$$

P – points received

T – total points required for the subdivision

A – number of lots to which the additional setback is applied

B – total number of lots in the subdivision

S – additional setback distance

- c. Other amenities located within private open space shall not be counted toward total site amenity requirements.

4. Public Park

- a. When a designated City park identified in the Parks Master Plan is located within or partially within the development site and is dedicated as part of the development process the following points shall be given:
 - i. Points for the percentage of the development site devoted to the Public Park;
 - ii. Points for any amenities provided by the developer and accepted by the City within the park space; and
 - iii. Points for proximity to a dedicated City park.

5. <u>Shared Community Building</u> a. <u>Shared community buildings shall include a minimum of 1,000 square feet of floor area.</u> b. <u>Shared community buildings shall include a kitchen.</u> 6. <u>Swimming Pool</u> a. <u>Swimming pools shall have minimum dimensions of 15 feet by 30 feet.</u> b. <u>Swimming pools shall be in-ground and shall include an apron or pool deck around the perimeter of the pool a minimum of 8 feet wide.</u> c. <u>Swimming pools shall be heated.</u> d. <u>Swimming pools shall have a minimum 6 foot high perimeter fence that is a maximum of 25 percent opaque.</u> 7. <u>Hot Tub</u> a. <u>Hot tubs shall be designed to accommodate a minimum of 4 individuals.</u> b. <u>Hot tubs shall include an apron or deck around the perimeter a minimum of 8 feet wide.</u> c. <u>Hot tubs shall be either located within a shared community building or have a minimum 6 foot high perimeter fence that is a maximum of 25 percent opaque.</u> 8. <u>Common Green</u> a. <u>Common greens shall be a minimum of 1,200 square feet in size with a minimum width of 30 feet.</u> b. <u>Common greens shall have a perimeter fence 3 to 4.5 feet in height that is a maximum of 25 percent opaque.</u> c. <u>Common greens may include a mix of landscaping and hardscaping and shall have a maximum of 50 percent impervious area.</u> d. <u>Common greens shall have a maximum of 25 percent unusable landscaped area. For the purposes of this standard, unusable landscaped area means portions of landscaped area where people are not intended to walk, sit, or otherwise occupy.</u> 9. <u>Plaza</u> a. <u>Plazas shall be a minimum of 1,000 square feet in size with a minimum width of 25 feet.</u> b. <u>Plazas shall be a minimum of 75 percent hard surfaced and shall include a maximum of 50 percent unusable area. For the purposes of this standard, unusable area means portions of the plaza where people are not intended to walk, sit, or otherwise occupy.</u> 10. <u>Community Garden</u> a. <u>Community gardens shall be a minimum of 600 square feet with a minimum dimension of 12 feet.</u> b. <u>Community gardens shall include a minimum of eight plots with minimum dimensions of 4 feet by 6 feet.</u> c. <u>Access to water shall be provided within the community garden plot.</u> 11. <u>Fenced Dog Area</u>	
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a. <u>Fenced dog areas shall be a minimum of 600 square feet with a minimum dimension of 15 feet.</u> b. <u>Dog areas shall have a perimeter fence 4 to 6 feet in height that is a maximum of 25 percent opaque.</u> c. <u>A kiosk for unused dog waste bags shall be provided within the fenced dog area.</u> 12. <u>Children's Play Area</u> a. <u>Each children's play area shall include a minimum of three of the following types of play equipment. Play equipment must be manufactured to ASTM International (formerly known as American Society for Testing and Materials) F1487-11, or most current standards or other comparable standards applicable to public playground equipment.</u> i. <u>A swing structure with a minimum of three swings</u> ii. <u>A slide</u> iii. <u>A jungle gym or climbing structure</u> iv. <u>A permanent sand box</u> v. <u>Natural play elements including boulders, logs, and turf mounds</u> vi. <u>Other children's play equipment approved for use in a public playground.</u> b. <u>Each children's play area must be enclosed along any perimeter that is within 10 feet of a street, alley, property line, or parking area using one or more of the following:</u> i. <u>A 2.5 to 3-foot-high wall, planter, or fence</u> ii. <u>Benches or seats a minimum of 18 inches high</u> 13. <u>Covered Gathering Area or Gazebo</u> a. <u>Covered gathering areas and gazebos shall provide a minimum covered area of 225 square feet and a minimum dimension of 15 feet.</u> b. <u>Covered gathering areas and gazebos shall have a hard surface floor, including wood.</u> 14. <u>Sports Court</u> a. <u>Sports courts may be designed for sports including, but not limited to, tennis, pickle ball, basketball, and futsal.</u> b. <u>Sports courts shall be surfaced with hard-surfaced material intended for the designated sport(s).</u> 15. <u>Benches and picnic tables within a common open space, common green, plaza, or community garden</u> a. <u>Benches and picnic tables shall be a minimum of 6 feet long.</u> b. <u>Stand-alone benches shall include back supports and arm rests.</u> c. <u>Benches shall be comprised of a powder coated steel material and shall be specified for exterior use.</u> d. <u>Picnic tables shall be wheelchair accessible. Tables and associated benches shall include powder coated steel frames and shall include tops made of one of the following: Recycled plastic, treated wood, or thermoplastic coated expanded steel.</u>	
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16. <u>Bicycle racks serving a common open space, common green, plaza, or community garden.</u> a. <u>Each bicycle rack shall accommodate a minimum of 2 bicycles and shall be at the same grade as the sidewalk or at a location that can be reached by an accessible route.</u> i. <u>Bicycle parking and bicycle racks shall be located to avoid conflict with pedestrian movement and accessible walkways required by the Building Code. With approval of the Manager, bicycle parking may be located in the public right-of-way, where this does not conflict with pedestrian accessibility and ADA access.</u> b. <u>Bicycle racks shall be designed to allow bicycles to be locked to the rack via a standard U-lock.</u> c. <u>Bicycle racks shall be permanently installed.</u> d. <u>Bicycle racks shall comply with the standards of Section 9.0832.B and C for short-term bicycle parking.</u> 17. <u>Permanent Recreation Amenity</u> a. <u>Permanent recreation amenities include, but are not limited to, horseshoe pits, shuffleboard, bocce courts, cornhole boards, disc golf holes, and exercise equipment</u> b. <u>Recreation amenities must be designed and constructed to be permanent and stationary.</u> c. <u>Non-stationary elements associated with the amenity, such as horseshoes, balls, bean bags, or discs, need not be provided.</u> 18. <u>Dedicated City park or publicly accessible school park within 0.25 miles of the development site</u> a. <u>Proximity to the development site shall be measured in a direct line.</u> b. <u>Applicant shall provide verification that the school park has a public use agreement in place to ensure the park is available to residents for use outside of school hours.</u> c. <u>School parks shall include a combination of open space, recreation equipment, children’s play areas, sports courts, and sports fields.</u> 19. <u>Designated City trail within 0.25 miles of the development site</u> a. <u>Proximity to the development site shall be measured in a direct line to a trail access point.</u> b. <u>A designated trail located within the development site and developed as part of the development process may receive amenity points under this provision and for development of a recreation path.</u> 20. <u>Multi-Use Path, Multi-Use Trail, or Connector Path</u> a. <u>Multi-use paths, multi-use trails, and connector paths shall be located within an open space, common green, dedicated right-of-way, or adjacent to a stormwater pond.</u> b. <u>Multi-use paths, multi-use trails, and connector paths shall be developed in conformance with the City’s Transportation System Plan.</u>	
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21. Recreation Path

- a. Recreation paths shall be located within an open space, common green, or adjacent to a stormwater pond.
- b. Recreation paths must be surfaced in a material that contrasts from the surrounding ground cover to provide clear direction and a delineated edge to the trail.
- c. Recreation paths shall have a minimum width of 5 feet.

22. Preserved Major Tree

- a. For the purposes of this standard, preserved major trees shall be located within an unencumbered common open space.
- b. Preserved major trees shall be a minimum of 12 inches DBH.
- c. Preserved major trees shall not be identified as an invasive species.

23. Preserved Tree Grove

- a. Preserved tree groves shall be composed of a minimum of six non-invasive regulated trees with contiguous canopy or located in such proximity that they will have contiguous canopy at maturity.
- b. Trees within a grove need not be the same species.
- c. Tree groves shall be non-linear groupings of trees that are at least two trees wide along multiple axes.

24. Planted Tree Grove

- a. Planted tree groves shall be composed of a minimum of 6 non-invasive trees planted in such proximity that they will have contiguous canopy at maturity.
- b. Trees within a grove need not be the same species.
- c. Trees shall be capable of achieving a minimum spread of at least 20 feet at maturity.
- d. Trees shall be planted a minimum of 15 feet apart.
- e. Planted tree groves shall be non-linear groupings of trees that are at least two trees wide along multiple axes.

E. Phased Development. For phased developments, open space requirements shall be met by one of the following two options.

- 1. All required amenities shall be provided in the first phase of the development.
- 2. Required amenities shall be provided sufficient to meet the point requirement for each phase, based on the size of the phase.
 - a. When amenity points are provided in excess of what is needed to satisfy the point requirement for a given phase, the surplus points may be applied to meet the amenity points requirement for future phases of the development.
 - b. When an amenity or open space tract is developed and the requirements of **Section 7.0451.C** above are met, the points may be allocated to any phase of the development even if the developed amenity is located in a future development phase. The amenity

<u>shall be immediately accessible to residents of the phase to which the points are applied.</u> F. Submittal Requirements. <u>With the application for the tentative subdivision plan, the applicant shall submit a narrative and plan(s) demonstrating which amenity option(s) are incorporated into the development to meet the site amenity requirement, including the estimated point totals where applicable.</u>	
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Section 29. Volume 3, Development Code, Section 7.0500 Rockwood Design Guidelines and Standards is amended as follows:

Proposed Text Amendment	Commentary
SECTION 7.0500 ROCKWOOD DESIGN GUIDELINES AND STANDARDS	Section 7.0500 Rockwood Design Guidelines and Standards is repealed and replaced by Exhibit D.

Section 30. Volume 3, Development Code, Section 8.0100 Special Use Review is amended as follows:

Proposed Text Amendment	Commentary
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General 8.0101 Purpose 8.0102 Applicability 8.0103 General Standards 8.0110 Special Use Review, Type II Procedure 8.0111 Purpose and Review 8.0112 Applicability of the Type II Procedure 8.0114 Elderly Housing 8.0115 Civic Uses 8.0116 Community Services 8.0117 Parks, Open Spaces, <u>Paths</u> and Trails 8.0118 Religious Institutions 8.0119 Schools 8.0120 Heliports 8.0121 Major Basic Utilities 8.0122 Wireless Communications Facilities 8.0123 Solar Energy Systems 8.0124 Wind Energy Systems 8.0125 Biomass Energy Systems 8.0126 Geothermal Energy Systems 8.0140 Special Use Review, Type III Procedure 8.0141 Purpose 8.0142 Applicability of the Type III Procedure 8.0143 Criteria 8.0144 Major Event Entertainment 8.0145 Waste Management 8.0146 Medical Uses 8.0147 Parks, Open Spaces, <u>Paths</u> and Trails 8.0148 Religious Institutions 8.0149 Schools 8.0150 Basic Utilities 8.0151 Wireless Communication Facilities in the GBSV District 8.0160 Modifications of a Special Use *** 8.0103 General Standards An applicant for a Special Use Review shall provide a narrative that describes how the proposed use fulfills the applicable requirements and	Revising for consistent terminology Revising for consistent terminology
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6. Have frontage on a Transit Street or a Transit Route;* or 7. Be within 1,000 feet walking distance of a transit facility <u>via public or private paths, sidewalks, or walkways</u>; and have direct access to <u>abut</u> a street with a functional classification of minor arterial or greater. For the purposes of this section, a transit facility includes a light rail transit station, a park and ride lot for transit riders, a transit center, or a transit stop and their transit improvements, including a bus stop.	Revising to be clear and objective Rewording for consistency

8.0117 Parks, Open Spaces, <u>Paths</u> and Trails	
In addition to the standards in Section 8.0103, the following apply to Parks, Open Spaces, <u>Paths</u> and Trails, limited to public neighborhood parks; public urban plazas; and public <u>paths and trails</u> and paths and associated trail-access points and trailheads where they are allowed through the Type II Special Use Review procedure:	Rewording for consistency
A. Exemptions.	
1. Open spaces are exempt from a Special Use Review. 2. Those public trails and paths and trails that pursuant to Section 11.0102.E.1 do not require a Development Permit are exempt from the standards of this section.	Clarifying applicability
3. <u>Parks identified in the current version of the Parks Master Plan adopted by the City Council.</u>	Generalizing to allow new master plans to be considered without updating development code.
B. All Parks, Open Spaces and Trails and Path <u>and Trail</u> uses are exempt from floor area ratio and maximum setback requirements.	
C. For <u>Paths, and</u> Trails, Access Points and Trailheads:	
1. The applicant shall provide a narrative and plans that demonstrate the consistency of the proposal with applicable district requirements and applicable provisions of the current Paths and Recreation Trails and Natural Areas Master Plan <u>any applicable adopted master plan</u> and the Public Works Standards.	
2. If the application includes a surface parking lot it shall be consistent with Section 9.0823 and any applicable district parking requirements, except that the applicant may prepare an alternative landscaping plan and specifications which meets the intent of the requirement in Section 9.0823.C.1, C.2 and C.3.	
3. The Buffering and Screening Requirements of Section 9.0100 shall apply except in the following situations: a. Where the proposed paths or trail development is more than 30 feet from an abutting property line; or b. Where the abutting property is an open space parcel <u>land is within the Open Space or designated natural resource tract</u>; or	Clarifying meaning of open space and adding natural resources overlay.

D. Wireless communications facilities <u>Communications Facilities</u> are exempt from floor area ratio and maximum setback requirements. E. 1. All wireless communication facility proposals for personal wireless services shall be subject to the requirements and limitations of 47 U.S.C. 332(c)(7), Preservation of Local Zoning Authority, and the rules adopted by the Federal Communications Commission (<u>FCC</u>) to implement said section. 2. All wireless communication facility <u>Wireless Communication Facility</u> proposals shall be subject to the requirements and limitations of 47 U.S.C. 1455(a), Facility Modifications, and the rules adopted by the Federal Communications Commission <u>FCC</u> to implement said section. 3. In the event of any apparent conflict or inconsistency between the applicable federal laws or rules and Section 8.0103, Section 8.0122, Section 10.0601 or Section 10.0602, the applicability, and where required, the application of the provisions of federal laws and rules shall be determined as part of the Special Use Review process. F. Wireless Communications Facilities in the GBSV District are governed by the standards in Section 8.0151. G. Mini-Micro WCFs subject to the regulations of the Gresham Community Development Code are exempted from the Special Use Review process and are reviewed through the building permit process if they can meet the following standards: 1. The Mini-Micro WCF shall be located on a rooftop, or if on the side of a building, at least 15 feet above the ground. 2. The Mini-Micro WCF shall be no more than three cubic feet in size. 3. The Mini-Micro WCF must be of a color that blends into the structure upon which it is attached. 4. No signage is allowed, except for signs with standard public safety warnings, contact information or similar signage, or unless signage is required by the Federal Communications Commission (FCC) <u>FCC</u> or other regulatory body with authority to regulate wireless communication facilities. *** 8.0142 Applicability of the Type III Procedure The following uses are subject to the Type III Special Use Review procedure: A. Commercial Parking	Revising for consistency Revising for consistency Revising for consistency Consistency, terminology
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designs and other technologies that could fulfill the same function as the proposed Wireless Communication Facility. *** D. All wireless communication facility <u>Wireless Communication Facility</u> proposals shall be subject to the requirements and limitations of 47 U.S.C.332(c)(7), Preservation of Local Zoning Authority, and the rules adopted by the Federal Communications Commission to implement said section. E. All wireless communication facility <u>Wireless Communication Facility</u> proposals shall be subject to the requirements and limitations of 47 U.S.C.1455(a), Facility Modifications, and the rules adopted by the Federal Communications Commission to implement said section. F. In the event of any apparent conflict or inconsistency between the applicable federal laws or rules and Section 8.0151, the applicability, and where required, the application of the provisions of federal laws and rules shall be determined as part of the Special Use Review process.	
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Section 31. Volume 3, Development Code, Section 8.0200 Existing and Nonconforming Uses and Development is amended as follows:

Proposed Text Amendment	Commentary
*** 8.0202 Design Review Standards All <u>development subject to</u> design review requests shall comply with all applicable standards in the Community Development Code. <u>If the proposed development Development which only affects a portion of a site, the applicable development standards apply only to that specific area. However, additional requirements apply when non-conforming development exists on parts of the site not being redeveloped (Note: industrial development in industrial land use districts subject to Design Review A are exempt from this requirement). In such cases, the following improvements shall be made across the entire development site: shall conform with the applicable standards for that portion of the site where development is proposed. With the exception of industrial development in industrial land use districts subject to a Design Review A, where non-conforming development exists on part of a site (not being re-developed)</u>	Revising for clarity

compliance with the following standards for the entire developed site is required: A. Street facing façade upgrades when improvements when all or a portion of the façade is being modified and the development is located in a Design District with adopted design principles, design guidelines, and design standards. 1. <u>Use of primary materials for no less than 65 percent of the façade area, per the materials table in the Design District.</u> 2. <u>Building entry improvements, using one or more of the options in Section 7.0112.B.3.S3.</u> 3. <u>Mechanical, electrical, and communication equipment and components screening, per Section 7.0112.B.4.S2.</u> B. The screening requirements in Section 9.0100 - Buffering and Screening, if applicable. C. The street tree planting requirements in Sections 9.1044. <u>The pedestrian circulation connection requirements in Section 7.0310.K for commercial, institutional and mixed-use uses; in Section 7.0320.G for industrial uses; and in Section 7.0112.A.3.S1-S3, and S4 for multifamily development.</u> D. The parking lot landscaping requirements in <u>Section 9.0823.C. Section 9.0823(C)(1), (2), (3), and (4).</u> E. The pedestrian circulation connection requirements in Section 7.0310(K) and in Section 7.0320(G) for industrial uses. <u>The street tree planting requirements in Sections 9.1044.</u> F. <u>Installation of an Electrical Vehicle (EV) charging unit, either public or restricted, per requirements in Section 9.0827.B.</u> F. G. <u>The bicycle parking requirements in Section 9.0830 9.0831- Parking.</u> G. H. <u>The Carpool /Vanpool requirements in Section 9.0857 9.0854 for developments with 50 or more employees on any single shift.</u> Cost Limitation. Applicants <u>The applicant shall not be required to spend more than 10% 10 percent of the project costs cost on these improvements if they are on that to the portion of the site not being developed-redeveloped.</u> <u>If full compliance with the above listed requirements cannot be achieved within the 10 percent limit, improvements must be completed in the order listed above (from A to H).</u> <u>However, the Manager may approve a different order of priority if doing so would better serve the public or adjacent neighborhood. The order of priority may not be changed for applications including the development of housing.</u> <u>10% project cost limitation, the applicant shall comply with the above requirements in the order of priority as listed. However, the</u>	Revising for clarity; introducing preferred options for non-conforming upgrades to street facing facades in Design Districts Revising for clarity Correcting reference Revising for clarity Adding option of EV charging units Correcting references changed as part of CFEC update Providing clearer explanation for process Revising for clarity
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Manager may vary the listed priority if it is determined that the adjacent neighborhood or the public would be better served by applying a different order of the above standards on a particular site. Continuation of Nonconforming Situations	
8.0210 Nonconforming Situation Situations ***	Correcting typo
Loss of Nonconforming Status 8.0230 Damages to Nonconforming Situations A. Except as provided in Section 8.0240, when: <u>(a)</u> a nonconforming development; or <u>(b)</u> a structure on the site of a nonconforming use; or <u>(c)</u> where one or more structures on the site of a nonconforming use (other than a nonconforming single detached dwellings or middle housing) is damaged by fire or other cause beyond the control of the owner, if the estimated cost of repairing the development or structure is more than 80% <u>percent</u>of its current value, the development or structure may be repaired or reused only in full conformance with all provisions of the Community Development Code for the district in which the site is located. ***	Formatting, Revising for clarity Formatting
8.0231 Discontinuation or Vacation of Nonconforming Situations When a nonconforming use or development is discontinued or vacated for one year or longer, the site and any structures on the site shall be occupied only by a use or uses which are permitted in the district in which the site is located. For purposes of this subsection, a use shall be considered discontinued or vacated upon the occurrence of the first of any of the following events, as determined by the Manager under the Type II procedure: A. The date on which the structure(s) and/or site are vacated; B. The date of termination of any lease or contract under which the nonconforming use has occupied the site; C. The date when outwardly visible activity associated with the nonconforming use ceases; D. The date for which close out billing for water or sewer service <u>wastewater</u> for the nonconforming use is requested;	Consistency, terminology

E. The date on which payment for water or sewer service <u>wastewater</u> for the nonconforming use becomes 60 days past due. F. The expiration date of a valid City business license that was not renewed. ***	
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Section 32. Volume 3, Development Code, Section 8.0300 Institutional Master Plans is amended as follows:

Proposed Text Amendment	
*** 8.0301 Purpose The purpose of the Institutional Master Plan process is to promote and facilitate the coordinated development of certain institutional uses; parks; and public multi-use <u>paths and</u> trails through adoption of institutional master plans. This will add long-term predictability concerning development of the institutional master plan areas for the applicants, surrounding neighborhoods and the entire community while allowing for periodic institutional master plan reviews. The Institutional Master Plan process also is intended to streamline and consolidate development review processes, often allowing for lower-level reviews for subsequent developments that are consistent with the institutional master plan. 8.0302 Applicability A. The following uses are eligible to apply for an institutional master plan review: hospitals; colleges; high schools; religious institutions; public community and regional parks; and public paths <u>and trails</u> with associated access points and trailheads. The uses must be the primary use on the site or sites. The Institutional Master Plan process is voluntary. B. Applications for an institutional master plan may be submitted by applicants described in Section 11.0201.A.1 and may include lots not controlled by the institutional landowner if the lots are eligible to be included consistent with this section and the institution receives written permission from the property owners stating that they consent to be included in the institutional master plan. C. Except for public community parks, regional parks and public multi-use paths, minimum site size shall be:	Rewording for consistency Rewording for consistency Rewording for consistency

*** 8.0303 Review of Institutional Master Plans *** D. Institutional master plans reviewed through this subsection shall be subject to the applicable requirements of <u>Appendix 5.000</u> - Public Facilities Standards. *** 8.0306 Review of Subsequent Developments A. Subsequent developments shall be reviewed for their consistency with the approved mater plan and shall undergo all relevant reviews as listed in <u>Section 11.0204</u> of the Development Code, except reviews already completed as part of the institutional master plan approval. These reviews shall be for standards not already approved as part of the institutional master plan approval and shall use the latest Development Code standards, including applicable requirements of <u>Appendix 5.000</u> – Public Facilities Standards. The review shall consider the latest standards related to natural resources, resource delineations and overlay districts, including but not limited to standards for Natural Resource Overlay and the Floodplain Overlay District. *** 8.0312 Institutional Master Plan Limited Review Institutional Master Plan Limited Reviews as described in Section 8.0303.B shall provide a review of certain urban design standards to determine if significant changes to the Development Code have occurred since the institutional master plan was approved. The Manager may require changes to the institutional master plan and/or subsequent developments that rely on the institutional master plan to ensure conformance or increased conformance with the Development Code. A. The urban design review shall include applicable Development Code changes as determined by the Manager regarding: 1. The amount of building frontage required on public streets; and 2. The location of parking as it relates to whether it is in front of buildings along streets or to the side or rear of buildings; and 3. Building orientation, such as whether entries or entry features must face streets; and 4. Front or side setbacks facing streets; and	Rewording for consistency; Bolding Bolding Rewording for consistency
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5. Similar urban design elements that affect how the site or sites are experienced from the street. B. In determining whether to require changes to the institutional master plan and/or subsequent developments, the Manager shall consider whether: 1. The benefit to the City's built environment outweighs the potential negative effects to the institutional master plan and/or subsequent developments and/or the operation of the institution, park, <u>path</u> or trail; and 2. The changes substantially reduce negative effects on abutting or adjacent properties and/or substantially improve the urban design of the institutional master plan and/or subsequent developments along public rights of way.	Consistency, terminology
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Section 32. Volume 3, Development Code, Section 9.0100 Buffering and Screening is amended as follows:

Proposed Text Amendment	Commentary
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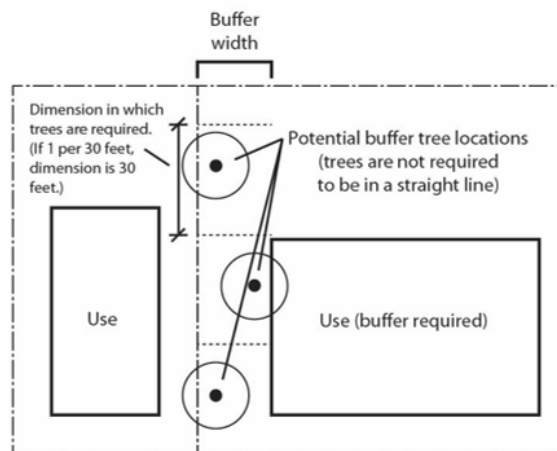
General 9.0101 Responsibilities <u>Purpose</u> Buffering and Screening Requirements 9.0110 Buffering and Screening Requirements 9.0111 Buffer Matrix General	Rewording for clarity and consistency
9.0101 Responsibilities <u>Purpose</u> To reduce the impacts on adjacent conforming uses that are of a different type, buffering and screening will be required. The property owner is responsible for the establishment and maintenance of buffering vegetation and screening in accordance with the requirements of this section unless the abutting use has already provided buffering in compliance with the standards in this Article. Buffering and Screening Requirements	Rewording for clarity and consistency
9.0110 Buffering and Screening Requirements A. A buffer consists of a horizontal distance adjacent to the property line. The following standards apply to materials in the buffer: 1. The following elements are allowed in the buffer: vertical elements such as plants, berms, fences or walls; screening; landscaping materials (including gardens); vegetated stormwater facilities; and garden elements such as arbors, trellises, fountains, ponds, yard accessories and seating. Seating must be at least 5 feet from the abutting property line. Underground, in-ground and overhead utilities are allowed in the buffer. Above ground installation of mechanical equipment such as for heating, ventilation, renewable energy systems and air conditioning is not allowed in the buffer width. 2. Unless listed in Section 9.0110(A)(1), projections listed in Section 9.0901(A) shall not be allowed in the buffer. 3. Children's play areas are not allowed in the buffer area. <u>A. Buffering and screening are required in accordance with the Buffer Matrix in Table 9.0111(A) and the standards in Table 9.0111(B).</u> <u>B. The following elements are allowed in a buffer:</u> <u>1. Vertical elements such as plants, berms, fences, walls, screening, and landscaping materials;</u>	Formatting; Reorganizing for clarity and ease of use

<u>2. Vegetated stormwater facilities;</u> <u>3. Garden elements such as arbors, trellises, fountains, ponds, yard accessories and seating. Seating must be at least 5 feet from the abutting property line;</u> <u>4. Underground, in-ground, and overhead utilities; and</u> <u>5. Walkways connecting to the on-site pedestrian circulation system.</u> <u>C. The following elements are not allowed in a buffer:</u> <u>1. Above-ground mechanical equipment such as for heating, ventilation, renewable energy systems and air conditioning;</u> <u>2. Projections listed in Section 9.0901.A, unless listed in Section 9.0110.B; and</u> <u>3. Children’s play areas.</u> <u>DB. Buffer tree requirements can trees may</u> count toward yard and site tree requirements. They shall not count toward other requirements such as <u>drive, driveway, primary internal drive, parking lot, and street tree requirements.</u> <u>EC. For purposes of this section, a vacant lot is a lot that is undeveloped or developed with a non-conforming use. The Where the abutting use of a property is a vacant lot shall be the primarily intended use of the district. Where the adjacent property allows mixed uses, the buffer and screening shall be based on the most intensive conforming use. Least to more intensive uses are as shown in the sequencing sequence in Table 9.0111(A).</u> <u>1. When the proposed development occurs adjacent to a vacant lot one-half of the buffer and screening shall be provided at the time of the proposed development. The one-half provided by the proposed development shall at least include one-half of the required buffer width and one-half of required buffer shrubs and trees and groundcover. A required fence or wall shall be provided by the more intensive use at the time of its development. The balance of the buffer shall be provided at the time the vacant lot is developed.</u> <u>2. If the proposed development abuts a property in the LDR-5, LDR-7, TLDR or TR District, the entire buffer shall be provided by the proposed development.</u> <u>3. If the proposed development is an LDR-5, LDR-7, TLDR or TR District dwelling and abuts vacant land that is primarily intended for <u>allows</u> a more intensive use, the entire buffer shall be provided by the more intensive use at the time of its development.</u>	Additional element allowed in buffer Revising for clarity Revising for clarity Revising to be clear and objective
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4. When a proposed development occurs adjacent to an existing use that has not provided a buffer and screening in accordance to<u>with</u> this section, the proposed use shall provide the buffer and screening to the conforming use of the adjacent property.	Revising for clarity
<u>FD.</u> Buffers are required across streets only when: 1. Industrial uses are adjacent to single detached dwelling, duplex, triplex, quadplex, townhouse, or cottage cluster uses across streets that have a designated right of way in the Public Works Standards of less than 100 feet. Screening required as part of <u>Landscape Standards E or F</u> landscape-requirements (as defined in <u>Table 9.0111(B)</u>) shall be incorporated. On portions of the site facing the street, the required landscaping shall be oriented toward the right of way. 2. Commercial or Type B (see <u>Section 9.0111.A.2</u>) uses greater than 10,000 square feet (either in one building or an entire site, including both indoor and outdoor uses) adjacent to single detached dwelling, duplex, triplex, quadplex, townhouse, or cottage cluster uses that are across streets with a designated right of way in the Public Works Standards of 60 feet or less. In this case, screening elements would not be required.	Revising for clarity Bolding Bolding
E. Required materials within the buffer, as provided in this Article shall consist of the following: 1. Trees (see Article 3 for definitions): a. Shade trees capable of at least 25 feet in height and spread at maturity. These trees shall be not less than 10 feet high and 2.5 inches caliper in size at the time of planting and shall be balled and burlapped or container stock. In buffer widths that are less than 15 feet, shade trees shall be capable of reaching a height of at least 25 feet and at least 15 feet of spread at maturity. b. Evergreen trees that are capable of at least 25 feet in height. These must be 8 feet in height at the time of planting and balled and burlapped or container stock. c. At least one tree shall be required to be planted within the area specified in the "Trees" column in Table 9.0111(B). For example, if the standard requires 1 tree per 30 linear feet, at least 1 tree shall be planted in each 30 linear feet. They are not required to be planted in a straight line. See Figure 9.0110(E).	Reorganizing for clarity and ease of use
<u>G.</u> <u>The following materials shall be required within a buffer:</u> <u>1. Trees.</u> <u>a. Shade trees (or canopy trees) planted within a buffer shall be:</u>	

- i. Capable of growing to a height of 25 feet or more at maturity;
- ii. Capable of growing to a spread of 25 feet or more at maturity when located in a buffer of 15 feet or wider;
- iii. Capable of growing to a spread of 15 feet or more when located in a buffer of 15 feet or wider;
- iv. A height of 10 feet or more and a caliper of 2.5 inches or more at the time of planting; and
- v. Balled and burlapped or container stock.
- b. Evergreen trees planted within a buffer shall be:**
 - i. Capable of growing to a height of 25 feet or more at maturity;
 - ii. A height of 8 feet or more at the time of planting; and
 - iii. Balled and burlapped or container stock.
- c. Buffer trees shall be planted at the densities specified in Table 9.0111(B). For example, if the standard requires 1 tree per 30 linear feet, at least 1 tree shall be planted in each 30 linear feet. Buffer trees are not required to be planted in a straight line. See Figure 9.0110(F).**

Figure 9.0110(F) Tree Placement in Buffer



- 2. Evergreen and deciduous shrubs:** With the exception of dwarf shrubs such as boxwood, shrubs shall be a minimum of 24 inches high from finished grade and a minimum of 1 gallon size at planting. Shrub selection shall consider which plants will thrive under selected trees and in shade or sun conditions. The shrubs should be planted to obscure the lower portion of any required

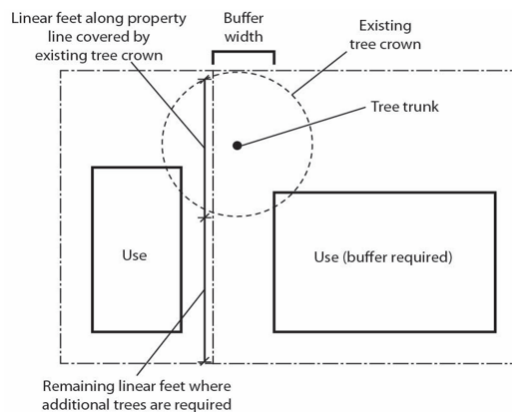
fence or wall. Hedges required for screening must be a minimum of 6 feet tall at the time of planting. 3. Ground cover: shall be well rooted in either flats or a minimum of 1 gallon pots. Ground cover selection shall consider which plants will thrive under selected trees and in shade or sun conditions. Ground cover shall cover the balance of the buffer area. 4. Fences: shall be sight-obscuring so as to provide complete visual separation from the adjacent property. Fences shall be located on or adjacent to the property line unless otherwise indicated in this Article. They also may be proposed for other locations through the alternative buffer plan process. 5. Walls: shall be a sight-obscuring fence constructed of brick, stone or concrete. Walls shall be located on or adjacent to the property line unless otherwise indicated in this Article. They also may be proposed for other locations through the alternative buffer plan process. 6. Berms: shall provide a natural appearance through undulating changes in berm height. Berms shall not have a slope greater than 33 percent (1 foot in vertical height for every 3 feet in horizontal distance), except that one side of a berm can be supported by a retaining wall. They shall be landscaped with the required evergreen shrubs and trees from the buffer matrix or additional shrubs and trees. Alternative berm designs can be considered as part of an alternative buffer plan. <u>2. Evergreen and deciduous shrubs. Evergreen and deciduous shrubs planted within a buffer shall be:</u> <u>a. A height of 24 inches or more from finished grade at planting, with the exception of dwarf shrubs, such as boxwood;</u> <u>b. 1 gallon size or larger at planting;</u> <u>c. Selected with consideration to which plants will thrive under selected trees and in shade or sun conditions; and</u> <u>d. Planted to obscure the lower portion of any required fence or wall.</u> <u>e. Hedges required for screening must be a minimum of 6 feet tall at the time of planting.</u> <u>3. Ground cover. Ground cover within a buffer shall be:</u> <u>a. Well rooted in either flats or a minimum of 1 gallon pots.</u>	Reorganizing for clarity and ease of use
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<u>b. Selected with consideration for which plants will thrive under selected trees and in shade or sun conditions.</u> <u>c. Planted to cover the balance of the buffer area not covered by other buffer materials.</u> <u>4. Fences and walls. Required fences and walls shall be:</u> <u>a. Sight-obscuring to a height as required by Table 9.0111(B).</u> <u>b. Located on or adjacent to the property line.</u> <u>5. Berms. Required berms shall:</u> <u>a. Include undulating changes in berm height.</u> <u>b. Have a slope of 33 percent (1 foot in vertical height for every 3 feet in horizontal distance) or less, except one side of a berm may be supported by a retaining wall.</u> <u>HF. Maintenance. Compliance with the following criteria is required:</u> *** <u>IG. When the following situations exist, the buffering and screening may be reduced or eliminated, or alternative means of providing the desired screening may be instituted.</u> 1. Existing buffering and screening. If the subject parcel or abutting use has provided buffering and screening in compliance with this section, the buffering and screening elements already provided (such as trees, fences or walls in good condition, and plant material) may count toward the required buffering and screening requirements in <u>Table 9.0111(B)</u>, so long as they are protected during construction per the standards in <u>Section 9.1031</u>. For existing trees: 2. Existing trees. The following standards apply to existing trees located within a buffer area used to satisfy the requirements in <u>Table 9.0111(B)</u>. a. Existing healthy trees of at least 2.5 inches in diameter breast height that meet the standards of <u>Section 9.0110(E)(1)</u> for eventual height and crown at maturity may count toward the trees required in <u>Table 9.0110(B)</u>. They shall be protected during construction following the standards in <u>Section 9.1031</u>. Existing trees to be counted toward this requirement must be confirmed by a Certified Arborist to be healthy trees. Existing trees shall be 2.5 inches or more in diameter breast height and meet the standards of <u>Section 9.0110.G.1</u> for eventual height and crown at maturity. Existing trees to be counted toward	Reorganization of standard language for clarity
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this requirement must be confirmed by a Certified Arborist to be healthy trees.

- b. ~~If an existing tree or trees counts toward required buffer trees, the tree or trees satisfies~~ Any existing tree that qualifies as a required buffer tree may satisfy buffer tree requirements for the dimension specified in **Table 9.0111(B)** or the entire length of its crown cover along the property line, whichever is larger. To determine buffer tree requirements along the entire property line, applicants may subtract the linear feet along the property line covered by the existing tree(s) and then determine how many trees are required for the remaining linear feet, as shown in **Figure 9.0110(GH)**.
- c. ~~If an existing tree that counts toward used to satisfy buffer trees requirements~~ is subsequently removed, it shall be replaced according to the standards in **Table 9.0111(B)**.

Figure 9.0110(HG) Existing Trees in Buffer



23. ~~Alternative plan~~ Buffer Plan: In lieu of these buffer width and/or, landscape and screening standards, ~~and at his/her option~~, the owner or applicant, at their option may prepare a detailed plan and specifications for landscaping and screening, including plantings, fences, walls, walks, berms and other features designed to afford the degree of desired buffering and screening. Such plans and specifications shall be submitted to the Manager for review. The alternative plan shall comply with the following standards:

- a. ~~For all uses except single detached dwellings and middle housing, the~~ The alternative buffer plan ~~must~~ shall be prepared and stamped by a licensed Landscape Architect. When proposed within a buffer, ~~Landscape~~ plans for stormwater

Revising for clarity

Bolding

Bolding; correcting reference

Revising for clarity

Updated code reference

Revising for clarity

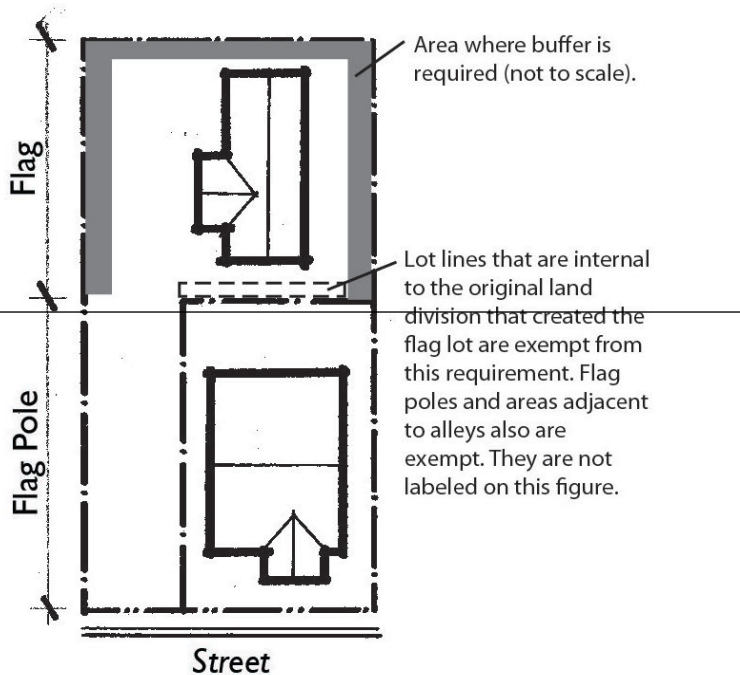
Revising for clarity

facilities may be designed by either a licensed Landscape Architect or a licensed Civil Engineer; and b. If the alternative plan contains a buffer width narrower than required in Table 9.0111(B), the applicant must demonstrate that the buffer width requirements cannot be met because the applicant desires to protect important natural features (such as a significant or major tree, wetlands, habitat, <u>trees on abutting properties</u>) or because of constrained lot, site or physical conditions; and c. The alternative buffer shall meet the intent of the <u>required</u> buffer width, landscaping, and screening standards <u>by reducing impacts on adjacent uses</u>. This includes the proper type, spacing, height, placement and location of required material, including plants, fences, and walls. i. Related to noise, the applicant shall demonstrate that the materials used, <u>in combination with placement and height of the alternative fence or wall, will result in have similar equivalent noise reduction (or equivalent performance) as the required screening requirement per Table 9.0111(B).</u> ii. <u>Applicants shall provide a letter from an acoustical consultant or engineer with findings demonstrating that the alternative fence or wall will meet the equivalency standard per subsection (c)(i), above.</u> absorption or reflection properties, such as by providing Noise Reduction Coefficient ratings or Sound Transmission Class data for barrier materials; and d. If the buffer width is proposed to be reduced, the number, selection and placement of required materials (such as plants, fences or walls) shall be enhanced to compensate for the reduction in separation to assist in achieving the buffer width, landscape and screening standard's intent. 34. The conversion of hotel or motel to an emergency shelter or to affordable housing under Section 10.0420 does not require buffering and screening. H. Development of new residential structures on flag lots shall provide a landscaped area around the perimeter of the flag portion of the flag lot. The flagpole and lot lines that are internal to the original land division that created the flag lot, or adjacent to an alley, are exempt from this requirement (see Figure 9.0110(H)). 1. The landscaped area shall be at least 5 feet wide and include a 6-foot evergreen continuous, hedge or a 6 foot fence/wall along the	Bolding Revising for clarity Removing unnecessary language Revising for clarity; added explanation for determination of equivalency in fence/wall Revising and reorganizing for clarity Revising for clarity
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property lines. The landscaped area can overlap with driveway planting strips required in **Section 4.0136**.

2. For lots where the flag portion is greater than 20,000 square feet, the applicant may request to be approved at the Manager's discretion a reduction in the screening (hedge or fence) requirement to limit the fencing to areas where it will address privacy between residential developments near lot lines.

Figure 9.0110(H) Buffers Required on Flag Lots



9.0111 Buffer Matrix

A. Buffer Matrix (Table 9.0111 A and B) Notes:

1. Type A uses are those noise sensitive uses typically subject to a Special Use Review and include: Elderly Housing, Daycare Facilities, public library, Medical uses, public urban plazas, public neighborhood parks, public community parks, public paths and trails, and paths, Religious Institutions, and Schools. Notwithstanding Table 9.0111(A), no buffer is required for Elderly Housing when the abutting use is also Elderly Housing.
2. Type B uses are those uses typically subject to a Special Use Review and are not included as a Type A use. This includes: Commercial Parking, Major Event Entertainment, all Civic Uses except for libraries, Community Services, golf courses, Basic Utilities, and Heliport Facilities.

Combined with above standard

Standard removed to align with other types of development

Rewording for consistency

Clarifying applicability

3. Manufactured dwelling park buffer and screening standards are found in **Section 7.0410** of the Community Development Code.
4. Alternative buffer and screening standards for public paths and trails and ~~paths~~ are found in **Section 8.0117**.

~~B. Buffer Width, Landscape and Screening Requirements (Table 9.0111(B))~~

~~Notes:-~~

- ~~1. On lots where the height transition standard of **Section 9.0600** applies and an application will result in structures within 35 feet of the property line that exceed 22 feet in height, the following standards apply:-~~
 - ~~a. If the Buffer Width, Landscape and Screening Requirements provide more than one option, only Option 1 shall be used.~~
 - ~~b. Alternative buffer plans that reduce buffer width shall not be permitted.~~

Table 9.0111(A) – Buffer Matrix

			<u>ABUTTING USE</u>							
			Single Detached Multifamily	Type A Uses	Commercial	Type B Uses	Outdoor Commercial Auto-	Dependent Industrial	Springwater Industrial	
PROPOSED USE										
Single Detached Dwellings and Middle Housing	-	A	A	A	A	A	A	A	A	

Rewording for consistency

Reorganizing for clarity

Multi family	C-B	B-	A		C	C	D	D	E	-	
Type A Uses			C	A	B	C	C	D	D	E	-
Com merci al	C	C	C		-	-	-	-	-	-	
Type B Uses	C	C	C	-	-		-	-	-	-	
Outd oor Com merci al	D	D	D		-	-	-	-	-	-	
Auto- Depe nden t Com merci al	D	D	D	-	-		-	-	-	-	
Indus trial	E	E	E		-	-	-	-	-	-	
Sprin gwat er Indus trial	F	F	-		-	-	-	-	-	-	

Revising buffering requirements between uses

B. Buffer Width, Landscape and Screening Requirements (Table 9.0111(B))

Notes:

1. On lots where the height transition standard of Section 9.0600 applies and an application will result in structures within 35 feet of

the property line that exceed 22 feet in height, the following standards apply:

- a. If the Buffer Width, Landscape and Screening Requirements provide more than one option, only Option 1 shall be used.
- b. Alternative buffer plans that reduce buffer width shall not be permitted.

**Table 9.0111(B)–Buffer Width, Landscape and Screening Requirements
(See Figure 9.0111 for buffer illustrations)**

Landscaping Standard	Intent	Options	Minimum Buffer Width	Trees	Shrubs	Screening (continuous and site obscuring)
A general landscaping, smallest buffer width	The A standard is applicable where distance is the primary means of buffering. Ground cover is required. Trees and shrubs are encouraged on a voluntary basis.	N/A	10 feet	none	None	None
B high screen, moderate buffer width	The B standard is a landscape treatment that provides physical separation and uses screening to ensure visual separation between uses or development.	Option 1	15 feet	1 per 30 linear feet	40 shrubs per 100 linear foot of landscaped area	<u>Evergreen</u> High shrubs to form a continuous screen a minimum of 6 feet high; (Shrubs must

Revising to be clear and objective

	t. Physical and visual separation is required.					be evergreen); or minimum 6-foot fence or wall		
		Option 2	10 feet	1 per 15 linear feet	40 shrubs per 100 linear feet of landscaped area	A minimum 8-foot fence or masonry wall		
C high screen, large buffer width	The C standard is a landscape treatment that provides more physical separation than in the B landscape standard and uses enhanced screening to visual separation. Reduced noise transmission is desired at the ground-floor level.	Option 1	20 feet	1 per 25 linear feet	50 shrubs per 100 linear feet of landscaped area	Multifamily: a minimum 6-foot fence Other uses: A minimum 6-foot masonry wall		
		Option 2	15 feet	1 per 15 linear feet	50 shrubs per 100 linear feet of landscaped area	Multifamily: a minimum 6-foot masonry wall Other uses: a minimum 8-foot masonry wall		

D high wall, large buffer width	The D standard is a landscape treatment that provides more physical separation than in the B landscape standard. Physical separation is important because the uses involved have more outdoor and noise-producing elements. The D standard also has enhanced screening. Reduced noise transmission is desired at the ground-floor level and is even more important than in the C standard because of the potential for noise-producing activities.	N/A	20 feet	1 per 25 linear feet	50 shrubs per 100 linear feet of landscaped area	A minimum 8-foot masonry wall		
	E high wall and larger buffer width	N/A	30 feet	1 per 15 linear feet	60 shrubs per 100 linear feet of landscaped area	A minimum 8-foot masonry wall		

	provided by the C and D standards because of the potential effects of industrial uses. The E standard requires extensive visual screening and reduction of noise transmission at the ground level is required.							
F high berm and maximum buffer width	The F standard is intended to be used in special instances where the largest physical separation is needed and the most extensive screening of both visual impacts and reduction of noise transmission is needed to protect abutting sensitive uses.	N/A	40 feet	1 per 15 linear feet (trees may be placed on berm)	90 shrubs per 100 linear feet of landscaped area . (shrubs may be placed on berm)	A minimum 6-foot berm For berms less than 8 feet, <u>evergreen</u> shrubs , <u>evergreen</u> trees or a combination of the two landscaping elements <u>must shall</u> be planted at or near the top to ensure		Revising to be clear and objective

						the overall 8-foot screen height.		

Section 34. Volume 3, Development Code, Section 9.0300 Easements is amended as follows:

Proposed Text Amendment	Commentary
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General 9.0301 General Utility Easements 9.0303 Conservation Easement <u>Natural Resources and Watershed Easements</u> 9.0304 Open Space Easements 9.0305 Utility Easements Owned by the Public 9.0307 Private Easements 9.0308 Public Access Easement	Updated terminology for clarity
General 9.0301 General Utility Easements In the LDR-5, LDR-7, TLDR, TR, LDR-PV, VLDR-SW, and THR-SW District, All residential land divisions shall dedicate an 8-foot-wide general utility easement shall be provided along all lot lines abutting a public right-of-way street and along the rear lot line. A general utility easement is required when abutting an alley along all property lines abutting an alley when the alley will be the only public right-of way abutting the lot or parcel. Design, dimensioning, and use, and modifications to these requirements for of general utility easements shall be in accordance with the Public Works Standards. All easement documents and plat language relating to general utility easements shall be substantially in the form provided by the City and furnished to the City for review and approval prior to recording. All applicable recording fees shall be the responsibility of the developer and the City shall record the easements. A general utility easement may be used for City utilities and by utilities with franchise or utility licenses with the City. 9.0303 Conservation <u>Natural Resource and Watershed Easements</u> The Manager may require a perpetual unobstructed easement so that the natural vegetative cover is not disturbed where such disturbance could cause damage to the public right-of-way or adjacent property <u>Natural Resource and Watershed Easement to preserve riparian, creek, water quality, and floodway functions, or as required by standards and criteria in Article 5. Such easements shall be established to prevent a property owner or other parties from carrying out activities and uses inconsistent with the purpose of the applicable natural resource-related overlays and related land use requirements.</u> 9.0304 Open Space Easements The approval authority Manager may require a perpetual Open Space Easement over areas of the Floodplain or Hillside Physical Constraint Overlay Districts, areas of	Updating, the general utility easements are required based on actual need Clarifications Easement name and function updated to reflect current practice and function. Updating use of Open Space easements to

unique natural condition, or Greenway System retained in private ownership where the creation of privately owned open space is necessary to satisfy the standards or criteria associated with proposed development. This includes but is not limited to the Open Space Overlay and Planned Development criteria. Open space areas may allow for the protection of natural resources, nature-oriented outdoor recreation, and path and trail-oriented activities. 9.0305 Utility Easements Owned by the Public When topography or other conditions make impractical the location of drainage stormwater facilities, sanitary sewers wastewater or waterlines within the street right-of-way, an unobstructed easement shall <u>may</u> be provided across the property with satisfactory access to the street. These easements shall comply with Section A5.005. 9.0307 Private Easements When a Land Division or Lot Line Adjustment creates a property line configuration whereby an existing or future access or utility will encroach on a lot other than the one it serves, an easement shall be granted over the access or utility as a condition of approval of the development permit. If the subject lots are under the same ownership, an agreement shall be executed, as a condition of approval of the development permit, requiring creation of an easement upon the sale of any of the lots. 9.0308 Public Access Easements The approval authority <u>Manager</u> may require a public access easement for sidewalks and public paths and trails which are <u>may be</u> required for access and connectivity. Improvements within the easement shall be consistent with the Public Works Standards. All applicable recording fees shall be the responsibility of the developer and the City shall record the easements.	match current functions Public Works terminology Updated terminology Updated for consistency and clarity
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Section 35. Volume 3, Development Code, Section 9.0400 Fencing is amended as follows:

Proposed Text Amendment	Commentary
General 9.0401 General Provisions A. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair. Any fence which is, or has become dangerous to the public safety, health, or welfare shall be considered a violation of this Ordinance. <u>Fences and walls shall be maintained in accordance with GRC Article 10.30.</u> B. Link fencing shall be constructed in such a manner that no barbed ends shall be at	Updated for clear and objective language

the top. C. Electric fencing is prohibited except as noted in GRC 7.15.040(7)(d). D. Barbed or razor wire fencing shall only be permitted when it is demonstrated to the satisfaction of the Manager, that: 1. The barbed wire fencing is necessary for enclosing livestock in any land use district; <u>or</u> 2. The barbed or razor wire fencing is proposed to provide added security for a non-residential use. When such wire fencing is proposed, it shall only be used above either a standard fence or wall which has a minimum height of <u>75</u> feet. E. Fencing shall not conflict with the requirements of the Clear Vision Area (refer to Section 9.0200). Specific Fencing Requirements	Bolded
9.0410 Fencing of Residential Lots A. For fencing of <u>all uses</u> in LDR-5, LDR-7, TLDR, TR, MDR-12, MDR-24; and for <u>of</u> fencing of single detached dwellings and middle housing in Pleasant Valley and Springwater Plan Districts, the following standards apply: 1. The maximum height of a fence forward (nearer the front lot line) of the minimum front yard setback shall be 4 feet. <u>a. One entry gateway, trellis, or arbor is permitted in the required front yard of each lot. The structure shall not exceed 10 feet in height, with a maximum depth and maximum width of 6 feet.</u> ***	Updated to clarify intent of fence standards Added standard to allow entry features

Section 36. Volume 3, Development Code, Section 9.0500 Grading and Drainage and Stormwater Management Requirements is amended as follows:

Proposed Text Amendment	Commentary
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General 9.0501 Purpose 9.0502 Grading and Drainage Plans and Specifications 9.0503 Stormwater Report 9.0504 Geotechnical Report 9.0505 Guarantees for Grading and Drainage Design Requirements 9.0510 Design Guidelines for Grading and Drainage Improvements 9.0511 Cuts 9.0512 Fills 9.05113 Required Stormwater Facilities 9.05124 Erosion Prevention and Sediment Control Measures During Construction 9.0515 Establishing Protective Vegetative Cover Upon Completion of Final Grading 9.0516 Certification of Compliance upon Completion of the Project Stormwater Management Requirements 9.0520 Applicability 9.0521 Data Requirements 9.05212 Sites Where it is Infeasible to Install On-Site Stormwater Management Facilities 9.0523 Maintenance and Inspection of Private Stormwater Quality Facilities General	Changes to table of contents Reflects changes to Section contents
9.0501 Purpose This section of the Community Development Code specifies requirements for grading and drainage, erosion control and stormwater management. The regulations of this section require the use of Green Development <u>Practices</u> and Green Streets to manage stormwater runoff on-site from all development in the city. Green Development Practices treat and manage stormwater runoff as close as possible to its source and mimic natural processes such as retention, infiltration, and evapotranspiration to treat and reduce the overall volume of stormwater runoff that drains into water bodies. Through the use of Green Development Practices and Green Streets, local and downstream flooding impacts will be minimized, and water quality and aquatic habitat will be protected to the maximum extent practicable. Green Development Practices are a toolbox of techniques that mimic and incorporate the predevelopment hydrology of a site into the future development through two processes. The first is to create a site design that minimizes disturbance to existing soils, tree canopy, and other sensitive natural resource features and minimizes impervious surfaces to reduce the production of surface runoff. The second is to manage runoff through techniques that use natural areas	Updated for consistency Updated for clarity/brevity.

and landscaping to treat, retain, attenuate, and infiltrate stormwater on the development site instead of using only traditional piped collection and conveyance systems and regional management facilities. Traditional systems often fail to adequately treat and reduce the volume of stormwater runoff before it is discharged into waterbodies. Traditional systems also fail to infiltrate stormwater and recharge groundwater. This impacts nearby streams by reducing summertime flows and magnifying wintertime flows, often exacerbating flooding, eroding stream channels and aquatic habitat, and contributing to excess siltation. Additionally, untreated pollutants are washed into streams compromising water quality. 9.0502 Grading and Drainage Plans and Specifications A. Unless otherwise specified in this document, Appendix J of the current edition of the Building Code shall apply for<u>to</u> all grading and drainage construction on private property. <u>For any proposed development that will include public facilities, a</u>A-site plan showing grading, drainage, erosion control, and the other information detailed in the Stormwater Management Manual shall be approved prior to start of construction, or final plat approval, for all development proposals. B. A stormwater report is required for any proposed development that will include public improvements or that is using the Engineered Method of stormwater facility sizing described in the Stormwater Management Manual. C. When the pre-application conference indicates the applicant's proposal involves erosion and/or runoff problems, or if the subject property has shallow groundwater, is on fill, is hilly or partially within the Hillside Physical Constraint Overlay District, the Manager may require a geotechnical report from a registered geologist. 9.0503 Stormwater Report <u>When a stormwater report is required to be submitted with the development permit application, the final stormwater report shall be approved prior to construction plan approval.</u> If aThe Stormwater Report is required under Section 9.052, supporting data shall be submitted that meets <u>shall follow</u> the requirements specified in the Stormwater Management Manual. The development application, stormwater report, specifications and supporting data shall be submitted and approved prior to issuance of a development permit. 9.0504 Geotechnical Report If a geotechnical report is required under Section 9.0502, supporting data shall be submitted that meets <u>For proposed developments located on a parcel with groundwater within 5 feet of known or mapped groundwater elevation, if the development is on existing fill or any portion of the site is within the Hillside and</u>	Updated for clarity Moved to 9.0503 with edits Moved to 9.0504 with edits Moved from 9.0502 Clarification Repetitive language
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<u>Geologic Risk Overlay (HGRO), the Manager may require a geotechnical report from a registered geologist or professional engineer. The geotechnical report shall meet the requirements specified in the Public Works Standards.</u> 9.0505 Guarantees for Grading and Drainage The Manager shall require a Guarantee of Completion equal to 110% of the estimated cost of: A. Meeting the grading and drainage requirements to ensure that the work is completed in accordance with approved plans and specifications and to correct or eliminate any hazardous conditions. B. Meeting the erosion prevention and sediment control measures to ensure that such measures are installed and maintained, including replacement and repair as needed, as required by the EPSC Manual and to correct or eliminate any conditions created because of the erosion or sediment from the site. C. The construction cost of stormwater facilities required by Section 9.0520 et. seq. D. The Manager may require a warranty guarantee in an amount deemed necessary to ensure that any failure of grading and drainage, erosion control or stormwater facilities are repaired. The warranty guarantee shall be in effect from the date of acceptance of privately financed public improvements for a period of two years. Design Requirements	Moved from 9.0502 with edits Not needed/ redundant. If grading and drainage as part of public facilities improvements, the guarantee is required as part of the public facilities process. Building code governs all other grading and drainage work.
9.0510 Design Guidelines for Grading and Drainage Improvements Plans and specifications for grading and drainage improvements will include provisions for the following improvements and/or grading operations as deemed appropriate by the Manager for the subject site. 9.0511 Cuts Cuts shall not exceed in steepness a 2:1 (horizontal to vertical) ratio unless approved by the Manager. The Manager may approve cut slopes up to a 1-1/2:1 maximum ratio if the increase in slope will result in reducing the disturbance of the natural terrain. All cuts exceeding a 2:1 ratio shall be certified by a professional engineer to have a soil type having an appropriate nature, distribution and strength to maintain the proposed slope. 9.0512 Fills Fills shall not exceed in steepness a 2:1 (horizontal to vertical) ratio. All fills, upon completion of the project shall be certified by a professional engineer to be adequately compacted for the intended use. If the intended use is open space,	Removed; governed by building code

appropriate easements will be recorded with the title records of Multnomah County, with a duplicate copy being kept on file with the City of Gresham. A. The ground surface shall be prepared to receive fill by removing vegetation, non-complying fill, top soil and other unsuitable materials; scarify to provide a bond with new fill and where slopes are steeper than 15% and the high is greater than 5 feet, by benching into a competent material as determined by the geotechnical report and approved by the Manager. B. Structural Fill Material – Detrimental amounts of organic material shall not be permitted in structural fills. Burial of tree stumps will not be allowed on any site other than an approved solid waste disposal site. No rock or similar material greater than 12 inches in diameter shall be placed in a structural fill. The Manager may permit placement of larger rock if the geotechnical report devises a method to continuously inspect placement and certify stability of rock disposal areas having no overlapping with physical improvements and is a minimum of 5 feet below grade measured vertically. C. Structural Fill Compaction – Structural fill will be compacted to a minimum of 90% of maximum density per ASTM D-1557 or as determined by the Building Official. The soils engineer shall certify all structural fills as meeting minimum bearing capacity for the intended use. D. Non-Structural Fills – Stripping materials and landscape berms, will be compacted by reasonable mechanical means, if greater than 3 feet in depth.	Removed; governed by building code
9.05113 Required Stormwater Facilities A. All stormwater generated by on lot <u>on-site</u> impervious surfaces, including driveways, walkways, roof, and foundations drains shall be discharged to either an on-site stormwater facility, curb face outlets (if minor quantity), to a public or approved private stormwater system <u>drain</u>, or to an <u>approved</u> natural acceptable drainageway if adjacent to the lot. B. All private stormwater <u>lines</u>, roof and foundation drains shall utilize infiltration systems to the maximum extent possible. C. Private stormwater <u>drain</u> lines <u>may</u> will be required to convey any concentration of run-off across adjoining properties so as to reach an acceptable drainage facility. Private drainage easements shall be <u>recorded over the private storm lines where necessary</u> established on the deeds or on the recorded plat face of the parcels involved with any required private drainage easements. D. Subsurface drainage <u>Stormwater</u> facilities <u>that are lined</u> may be required in areas of fill if it is so determined by the geologist or <u>soils geotechnical</u> engineer <u>determine slope stability issues exist</u> that there will exist a groundwater situation that could cause stabilization problems.	Updated code section numbering. Clarification and terminology consistency

<u>E.</u> Any subsurface natural springs shall be piped to an approved <u>point of discharge</u>. drainage facility. <u>EF.</u> Any development that is down grade from an undeveloped parcel of ground shall intercept and divert the storm water run-off to an approved storm drainage facility <u>point of discharge</u>. The diversion ditch may not exceed a 5% slope, unless improved with an acceptable erosion control method as determined by the Manager. In addition to the diversion ditch an interceptor pipe may be required. If the cutoff ditch and interceptor pipe is located on public open space, an easement for maintenance purposes will be established for those properties benefited by the facility. <u>FG.</u> All drainage provisions shall be subject to the approval of the Manager and shall be of such design as to carry stormwater <u>and surface waters</u> to the nearest practical street, stormwater system, <u>drain</u> or natural water course, approved by the Manager as a safe place to deposit and receive such waters. Adequate provisions shall be made to prevent any stormwater or surface waters from damaging the face of an excavation, the sloping face of a fill, any natural slope, or any natural or manmade <u>human-made</u> drainageway. <u>GH.</u> Maintenance, repair, replacement and liability from damages due to failure of private drainage systems shall be the responsibility of the customer <u>property owner</u>. Maintenance responsibility shall include all elements of the system up to the point of connection with a drainage structure <u>to</u> the public stormwater system. Such connection shall be subject to City approval. Private stormwater facilities are subject to periodic inspection by the City to ensure proper maintenance and performance. 9.05124 Erosion Prevention and Sediment Control Measures During Construction All development, regardless of permit status, shall keep sediment laden water and any other forms of stormwater pollution from entering the public stormwater system. The requirements for erosion prevention and sediment control shall be implemented in accordance with the Erosion Prevention and Sediment Control (EPSC) requirements included in the City of Gresham's Stormwater Management Manual. The applicant for a development permit shall submit an EPSC plan as part of their application specifying appropriate best management practices (BMPs). For sites larger than 1 acre, the applicant must demonstrate that they have a DEQ-approved 1200-C permit. The applicant for a development permit is ultimately responsible for retaining all soil on the project site and must recognize the potential for changing or unexpected site and weather conditions. If at any time the DEQ or City approved EPSC plan is	Engineering standard The need for an easement would be based on the situation Terminology consistency Language modernization Clarifications
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The requirements for stormwater management are described in the Stormwater Management Manual and apply to all development that will add or replace 1,000 square feet or more of impervious area. Non-residential development may have additional source control requirements depending upon the materials and activities planned for the site. <u>These requirements</u> These required improvements described in the Stormwater Management Manual apply to vehicle and equipment washing, vehicle maintenance, fueling, outdoor storage tanks, outdoor storage of bulk materials, loading docks, parking structures, and solid waste storage areas. 9.0521 Data Requirements All development permit applications meeting the applicability conditions specified in Section 9.0520, and further described in the Stormwater Management Manual, shall provide sufficient information for the Manager to evaluate the applicant's intent to include on-site stormwater management in order to fully infiltrate, or at a minimum, reduce the volume and load of sediments and other stormwater pollutants to the storm sewer or natural drainage channel (e.g., stream). The applicant for a development permit shall submit a site plan and, if applicable, a stormwater report as part of their application utilizing appropriate best management practices (BMPs) and other details outlined in the Stormwater Management Manual. 9.0522 Sites Where it is Infeasible to Install On-Site Stormwater Management Facilities On-site stormwater management is required for all development applications, unless it can be demonstrated that on-site control is not feasible based on limiting physical site constraints. If on-site management is not feasible, the Manager may allow for an off-site stormwater facility to be constructed. If an off-site stormwater facility is infeasible, then the Manager may establish payment of in-lieu-of fees that would can be used by the City to fund projects to improve stormwater treatment within the city <u>at large</u>. In-lieu-of fees shall be based on estimated capital cost for typical on-site systems, as well as assuming the typical lifecycle cost of the public stormwater facility likely to be constructed. 9.0523 Maintenance and Inspection of Private Stormwater Quality Facilities Maintenance of private stormwater quality systems shall be the responsibility of the owner. Maintenance responsibility shall include all elements of the system up to the point of connection with a drainage structure of the public stormwater system. Such connection shall be subject to the City approval. Maintenance requirements are specified in the Stormwater Management Manual or in a recorded maintenance plan, if submitted at the time of project acceptance. Private stormwater quality	Clarification, language Unnecessary requirement. Updated section numbering Clarifications Standard can be found in GRC 3.24.050. not needed here.
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facilities are subject to periodic inspection by the City to ensure proper maintenance and performance. ***	
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Section 37. Volume 3, Development Code, Section 9.0600 Height Transition is amended as follows:

Proposed Text Amendment	Commentary
General 9.0601 Purpose To reduce the visual and solar impact of the height of new buildings on residential buildings located on <u>abutting</u> adjoining lots. ***	Updating for clarity

Section 38. Volume 3, Development Code, Section 9.0700 Neighborhood Circulation and Future Street Plans is amended as follows:

Proposed Text Amendment	Commentary

Section 9.0700 Neighborhood Circulation and Future Street Plans *** 9.0701 Purpose Neighborhood Circulation and Future Street Plans (referred to as Circulation Plans) provide a guide for transportation circulation to the developing site and in the immediate area. Many areas of the city do not have a plan for how local streets will be extended in the future to provide access to undeveloped properties and provide for traffic circulation. In planning the future extension of local streets, a conceptual alignment is designated, showing how streets will connect in the future and how access could be provided to other properties in the immediate area. A. A neighborhood circulation plan is a plan that depicts the existing and proposed vehicular/bicycle/pedestrian transportation systems, including streets, bike lanes, sidewalks, bicycle/pedestrian paths, and destination points. B. A future street plan <u>Future Street Plan</u> demonstrates how access can be provided to parcels within 600 feet of the boundaries of the site and is a conceptual plan in that its adoption does not establish a precise alignment. 9.0702 Applicability A. The requirements of this section shall apply as follows: 1. To all Type II and Type III tentative partition and subdivision plans. 2. To all design reviews, level D and E. 3. To design reviews, level C at the discretion of the Manager. 4. To uses subject to Special Use Review, except for basic utilities. 5. To Townhouse projects in the MDR-24, THR-SW, and HDR-PV districts. B. An applicant is required to submit a future street plan <u>Future Street Plan</u> as part of an application for development except when, <u>at the applicant's option as part of a discretionary application review</u>, the applicant demonstrates to the satisfaction of the Manager one of the following: 1. An existing street or a new proposed street need not continue beyond the land to be divided in order to complete or extend an appropriate street system or to provide access to adjacent parcels within 600 feet of the proposed development. 2. The proposed street layout is consistent with a street pattern adopted as part of the Community Development Code, or with an existing approved Future Street Plan. 3. The proposed street layout is consistent with an adopted Pleasant Valley master plan. Review and Approvals 9.0710 Approval Criteria	Updating section heading to reflect that neighborhood circulation plans are no longer being required by this section Removing outdated language Clarifying language Clarifying language and process
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In reviewing a proposed circulation p-<u>Future Street Plan</u>, the approving authority shall find compliance with the relevant portions of the Community Development Code and the following: A. A future street plan <u>Future Street Plan</u> shall: 1. Adequately serve traffic with an origin in, and destination to, the area of the plan; 2. Provide for the logical extension, continuation, and interconnection of streets, to serve circulation and access needs within a district, sub-area, or neighborhood; 3. Provide multi-directional access and circulation to the street system and shall avoid maze-like and discontinuous street patterns; and, 4. Balance traffic distribution within an area, rather than concentrating traffic on a few streets. <u>1. Provide for street connections that meet the block length standards of Section A5.400 and current intersection spacing per the Public Works Standards.</u> <u>2. Provide for an interconnected street system in conformance with the street layout standards of Section A5.400.</u> B. All Each end of a street<u>streets, alleys, and or public paths and trails</u> must connect on both ends to to other streets, within the development and to existing and planned streets outside the development. <u>If there is not an existing or planned street within 600 feet of the proposed development, the Future Street Plan shall provide for a conceptual street layout that would meet the connectivity standards of Section A5.400. Public Ppaths and trails may connect on one end to pedestrian and bicycle destinations. Exceptions for cul-de-sacs and dead-end streets are provided in Section A5.402(E-F).</u> C. AThe neighborhood circulation system shall be designed to allow planned streets outside the development to extend to the existing street system in conformance with Section A5.400. D. All future street extensions shall be planned to provide adjoining lands subject to this code provision to have access that will allow its development in accordance with this code. E. Pedestrian Accessways <u>Public Connector Paths</u> shall be provided as required under Section A5.50908. 9.0712 Compliance with or Revision to Future Street Plans New developments shall be consistent with adopted Future Street Plans and/or any applicable Master Plan<u>master plan</u>, including but not limited to the Pleasant Valley	Removing outdated language Updating for clarity Updating approval criteria to be clear and objective Updating standard with clear and objective requirement language
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Master Plan and future street plans for plan districts. <u>To meet this requirement, all proposed alignments must be within 100 feet of the location indicated in the applicable Future Street Plan and/or Master Plan.</u> Where proposed new development is not consistent with an existing plan, the applicant shall seek revision through a separate application or in conjunction with a land division or site plan review application. In the case where the development is within an adopted Master Plan, a revision shall only occur through an amendment to the Master Plan. A new future street plan <u>Future Street Plan</u> or revision to an approved future street plan <u>Future Street Plan</u> may be approved by the Manager under a Type II procedure when it is applied for concurrently with a land division or site plan review application. For the purposes of this section, concurrently means development permit applications are processed either in conjunction with another development permit application of the same review type at the same time or when two (2) development permits of different review types are processed at the same time. A revision to an approved future street plan <u>Future Street Plan</u> may be reviewed by the Hearings Officer under a Type III procedure when it is applied for independent of any land development application. When development is proposed for a site, and a future street, as shown on adopted plan, would abut or run through the site, but dedication of right-of-way for the future street is not required due to proportionality or other constraints above, the Manager may require modification of the proposed site development plan as needed to reserve portions of the site for future street acquisition, as a condition of approval of a development permit. Such modification may include limiting any future street right-of-way portions of the site to non-building purposes, such as landscaping, or surface parking. An approved future street plan <u>Future Street Plan</u> may be revised by the council in conjunction with a revision to the Community Development Code, under the Type IV procedure. All revisions to future street plan <u>Future Street Plans</u> must comply with Section 9.0710. Future Street Plans for Plan Districts	Updating terminology for consistency Clarifying language; updated standard to address street alignments
9.0720 Downtown Future Street Plan A. The Downtown Plan District includes a future street plan <u>Future Street Plan</u>, as shown on the Gresham Downtown Plan, contained in Volume 1 Findings, of the Community Development Plan. This future street plan <u>Future Street Plan</u> shall be distinct from future street plan <u>Future Street Plans</u> created in connection with land divisions, or at the initiative of the Planning Commission. The future street plan <u>Future Street Plan</u> as shown on the Gresham Downtown Plan shall be considered a conceptual plan, in that it does not establish precise alignments or construction details for any street.	Formatting

*** 9.0721 Civic Neighborhood Future Street Plan A. The Civic Neighborhood Plan District includes a future street plan <u>Future Street Plan</u>, as shown on the Gresham Civic Neighborhood Plan, contained in Volume 1 - Findings, of the Community Development Plan in Map 4.1243. This a future street plan <u>Future Street Plan</u> shall be distinct from a future street plan <u>Future Street Plans</u> created in connection with land divisions, or at the initiative of the Planning Commission. Street rights-of-way shall be dedicated, and streets shall be constructed, in locations and alignments as shown on the Civic Neighborhood Plan map, except where adjustments are authorized in this section or under Section 4.1200. The a future street plan <u>Future Street Plan</u> as shown on the Gresham Civic Neighborhood Plan shall be considered a conceptual plan, in that it does not establish precise alignments or construction details for any street. *** Central Rockwood Future Street Plan	Removal of unnecessary language
9.0730 Purpose The Central Rockwood Plan includes a future street plan <u>Future Street Plan</u>, as shown in Volume 1 - Findings of the Community Development Plan (Appendix 39). This future street plan <u>Future Street Plan</u> shall be distinct from Future Street Plans created in connection with land divisions, or at the initiative of the Planning Commission. The future street plan <u>Future Street Plan</u> as shown in the Central Rockwood Plan shall be considered a conceptual plan, in that it does not establish precise alignments or construction details for any street. *** City Initiated Future Street Plans	Formatting
9.0740 City Initiated Future Street Plans The Manager may initiate, and the Hearings Officer may adopt a future street plan <u>Future Street Plan</u> for an area where there is no proposal for a land division under the Type III procedure. A future street plan <u>Future Street Plan</u> may be proposed, or an approved future street plan <u>Future Street Plan</u> may be revised by the Council in conjunction with a revision to the Community Development Code, under the Type IV procedure. City initiated future street plan <u>Future Street Plans</u> shall comply with Section 9.0710. ***	Formatting

Section 39. Volume 3, Development Code, Section 9.0800 Parking is amended as follows:

Proposed Text Amendment	Commentary
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General *** Other Public Parking Standards 9.0861 Parking Structures 9.08632 MAX Park-and-Ride 9.08643 On-Street Parking 9.0865 Minor Access Street Parking Spaces General 9.0801 Purpose The purpose of the parking standards is to provide for <u>adequate and</u> safe, efficient, and well-integrated vehicular and bicycle parking and circulation <u>for</u> a variety of uses. These standards support site design and compatibility with surrounding development in an increasingly pedestrian and transit-oriented community. Standards for <u>Surface</u> Parking Lots *** 9.0823 Landscaping of Parking Lots *** B. General Provisions *** 3. The property owner is responsible for the establishment and maintenance of landscaping in accordance with the requirements of this section. Parking lot landscaping shall consist of large canopied (at maturity) deciduous trees, mid-sized shrubs, and ground cover. a. A minimum of 70 percent of all landscaped parking areas, including required planting <u>landscaped</u> strips, stormwater planters and planting <u>landscaped</u> islands, shall be covered with trees, shrubs, and continuous ground cover consisting of lawn, low growing evergreen shrubs, or evergreen ground cover *** C. Parking Lot Landscape Design 1. Parking Lot Entryway. Entryways into auto parking lots shall be bordered by a minimum 5 feet wide landscaped planter strip with large-scale, high canopy trees 20 to 30 feet on center and low shrubs or a 2 feet high berm with groundcover. ***	Updating index to reflect changes in code Updating intent/ purpose statement Updating parking lot landscaping terminology for consistency across Development Code
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3. Landscaping/Screening Along a Public Right-of-Way. All public and private surface motor vehicle parking lots shall provide perimeter lot landscaping where parking, maneuvering or loading areas abut a public right-of-way (except alleys and <u>private accessways</u>), according to the following requirement. *** 4. Perimeter Screening. In addition to required street trees, one of the following three types of auto parking perimeter screening shall be provided: a. A planting <u>Landscaped Strip</u>. A planting landscaped strip in the required setback between the right-of-way and the parking area. The planting landscaped strip may be pierced by pedestrian accessible walkways and vehicle accessways driveways. <u>Planting Landscaped</u> strips shall be planted with large-scale, high-canopy, horizontally-branching street tree species and an evergreen hedge. Hedge is to be low level, between 30 and 42 inches in height, or *** c. Planting <u>Perimeter screening strip</u> landscape requirements in addition, may be achieved by a combination of berms, lowering of grade, and plants plantings, per subsection (a) above. Slopes of landscaped berms shall not exceed 1:4 for lawn areas, or 1:2 for berms planted with groundcover and shrubs. *** 5. Interior Parking Lot Landscaping. In addition to parking lot perimeter landscaping, surface parking lots shall include landscaping to cover not less than ten (10%) <u>10 percent</u> of the parking/maneuvering area, including: *** d. A planting bay <u>landscaped island</u> shall be located at the end of each parking row and at intervals within the parking rows. Planting bays <u>Landscaped islands</u> shall have a minimum width of 9 feet wide to allow doors to open without damage and a minimum area of 180 square feet. Each bay island shall be curbed and provide one shade tree having a clear trunk height of at least nine feet when mature. 9.0824 Pedestrian Circulation/Walkways A. Walkway in Large Lots. A protected, raised, accessible route, <u>walkway</u> and circulation path a minimum of 5 feet wide shall be installed through any parking lot of 50 or more spaces, designed to connect to the front building sidewalks.	Updating terminology, clarifying what is meant by "accessway" in this location Updating for clarity and terminology Updating for terminology consistency Updated terminology
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B. Connections to Bike Parking. An pedestrian accessible <u>walkway</u> must be provided between the bicycle parking and the building entrance. The <u>walkway</u> must be constructed of hard surfaced materials with a minimum width of 3 feet. C. Walkway Height. All <u>walkways</u> constructed within parking lots shall be raised to standard sidewalk height except when a <u>walkway</u> crosses a vehicular way. All surface treatment of walks shall be firm, stable and slip resistant. D. Intersections with Vehicular Ways. Where an accessible <u>walkway</u> crosses or adjoins a vehicular way (and where there are no curbs, railings or other elements separating the pedestrian and vehicular areas detectable by a person who has a severe vision impairment), the walkway area shall be defined by a marked crossing that has a continuous, detectable marking not less than 36 inches wide. Where walkways cross driving aisles, they shall be clearly marked with contrasting slip resistant paving materials. ***	Updated terminology Updated terminology
9.0831 Standards for Bicycle Parking *** A. Long-Term Bicycle Parking. Required long-term bicycle parking must meet the following standards: 1. Long-term bicycle parking must be provided in racks, lockers or another manager approved type of parking that meet the standards of 9.0832, except that if long-term bicycle parking is provided in a dwelling unit, <u>living unit</u>, or dormitory unit, neither racks nor lockers is required. 2. Location: Long-term bicycle parking must be located on the site. Bicycle parking may be located inside a building. <u>Except for multi-story residential buildings, bicycle parking must be on a floor which has an outdoor entrance open for use and floor location which does not require stairs to access the space.</u>exceptions may be made for parking on upper stories within multi-story residential buildings with elevator access may have long-term bicycle parking located on floors above the ground floor. *** 4. Security. To ensure security, long-term bicycle parking for all uses except schools must be in at least one of the following locations: a. A locked room; b. An area that is enclosed by a fence with a locked gate. The gate must be either eight feet high, or be floor to ceiling; c. Within view of an attendant or security guard; d. Within 100 feet of an attendant or security guard; e. In an area that is monitored by a security camera; or	Updated Terminology Clarifying language About bike parking in multi-story buildings Clarified terminology for different types of

f. Contained within a dwelling unit <u>or living unit</u>. *** 9.0865 Minor Access Street Parking Spaces *** 9.0870 Off street Parking and Driveways for Single Detached Dwellings, Duplexes, Triplexes, and Quadplexes G. For single detached dwellings, when the driveway is located in the front yard, the driveway width is limited to the width of the garage door plus two feet on either side. For carports located in the front yard, the width of the driveway shall be limited to the width of the carport. Where there is no garage or carport, the maximum width of the driveway shall be 16 feet when the driveway is located in the front yard. Where the side yard setback is immediately adjacent to the driveway/carport, this area may be incorporated into the driveway, once improved	residential living, group living scenarios Removing headings 9.0865 and 9.0870 and Section 9.0870.G; erroneously not struck-through in CFEC council bill.
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Section 40. Volume 3, Development Code, Section 10.0100 Accessory Dwellings is amended as follows:

Proposed Text Amendment	Commentary
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*** 10.0101 Purpose and Applicability The purpose of this section is to allow for establishment of an accessory dwelling unit <u>Accessory Dwelling</u> in conjunction with a single detached dwelling or townhouse. An accessory dwelling <u>Accessory Dwelling</u> may be permitted as a means of providing more housing opportunities. A. A proposed <u>Accessory Dwellings</u> need not comply with Appendix 5.000 of the Community Development Code, except as required to serve the site of the proposed accessory dwelling <u>Accessory Dwelling</u>. B. A proposed <u>Accessory Dwellings</u> is <u>are</u> not subject to the standards of Section 10.0200 and their square footage is not included as part of the size limitations of accessory residential accessory structures. C. <u>Accessory Dwellings</u> units do not count toward <u>minimum or maximum</u> density requirements in LDR-5, LDR-7, TR, TLDR, LDR-PV, VLDR-SW and LDR-SW. <u>Dwellings</u> units count toward minimum density but not maximum density requirements in all other districts. Standards	Updating for consistency Clarification
10.0110 Standards The Manager shall approve an application for not more than one accessory dwelling <u>Accessory Dwelling</u> per primary single detached dwelling or townhouse if the applicant shows compliance with the following criteria and standards. A. <u>Accessory Dwellings</u> shall be located on the same lot as an existing the primary single detached dwelling <u>and shall be occupied no sooner than the primary dwelling</u> or townhouse. B. <u>Accessory Dwellings</u> may be freestanding, located either within or added to a single detached dwelling or townhouse; over or attached to a garage; or over or attached to a garage or single detached dwelling or townhouse which is under construction or attached to the primary dwelling. The Accessory Dwelling shall be occupied no sooner than the primary dwelling. C. <u>Accessory Dwellings</u> shall be consistent with the applicable setback, height and lot coverage standards of the land use district; in the case of non-conforming single detached dwelling or townhouse, the LDR-7 setbacks and height requirements shall apply to the proposed Accessory Dwelling. D. The Accessory Dwelling shall be closer in distance to the primary on-site single detached dwelling than to any single detached dwellings on abutting lots. E. There shall be a minimum 6' separation between Accessory Dwellings and all other structures on the site.	Removing "existing"; clarifying that the ADU can be built with the primary residence Language relocated to definition Deleted language that is addressed elsewhere Regulated by Building Code

FD. ~~Freestanding~~ Accessory Dwellings shall be consistent with the applicable height standards of the land use district, and freestanding Accessory Dwellings shall not exceed the height of the existing primary dwelling. ~~and may not be located in front of the primary dwelling~~

E. Setbacks

1. Accessory Dwellings shall comply with the setback standards in **Table 10.0110**.

Table 10.0110: Setback Standards for Accessory Dwellings

	<u>Street</u>	<u>Interior Side</u>	<u>Rear</u>	
			<u>Rear No Alley</u>	<u>Rear With Alley</u>
<u>A. Attached Accessory Dwellings</u>				
<u>All zones</u>	<u>Applicable setback standard of the land use district for a single detached dwelling</u>			
<u>B. Freestanding Accessory Dwellings</u>				
<u>All zones</u>	<u>No closer than the primary dwelling</u>	<u>5 ft.</u>	<u>10 feet</u>	<u>5 ft.</u>

2. Notwithstanding Section 10.0110.E.1, existing legal residential accessory structures built prior to June 4, 2026, that are nonconforming with respect to setbacks may be converted to Accessory Dwellings, provided such Accessory Dwellings conform with the other standards of Section 10.0110.

In the case of corner lots, the Accessory Dwelling shall be no closer to the side street than the primary dwelling.

Building Standards

~~**G.** An Accessory Dwelling attached to a single detached dwelling shall not result in any new door entrance on an exterior wall facing a front yard property line.~~

~~**HF.** Maximum Floor Area: Accessory Dwellings shall have a maximum floor area of 900 square feet or 75 percent of the floor area of the primary dwelling, whichever is less.~~

~~**1.** Attached:~~

Updated for clarity; building location is a separate standard provided in Table 10.0110

Clarification

Table provided for clarity, ease of use

Updated language to address pre-existing non-conforming accessory structures

Removed standard; consistent with middle housing entry requirement

Updated square

a. An Accessory Dwelling shall have a maximum floor area of 900 square feet if attached to or included within a primary dwelling or built over a garage. b. When attached to the side or back of a freestanding garage, the combined total square footage of the garage and Accessory Dwelling shall not exceed 750 square feet or 50% of the size of the total square footage of the occupiable space of the primary dwelling, whichever is less. 2. Freestanding: a. Free-standing Accessory Dwelling units shall have a maximum floor area of 750 square feet and shall not exceed 50% of the size of the total square footage of the occupiable space of the primary homedwelling, whichever is less. b. Freestanding Accessory Dwellings in the DCC, DMU, DTM, DRL 1, DRL 2 and CNRM districts are limited to no more than 750 square feet. I. The exterior of the proposed Accessory Dwelling unit shall meet the following standards. G. <u>The primary entry of a freestanding Accessory Dwelling shall not be oriented toward an interior lot line when located within 10 feet of that lot line.</u> H. <u>Vehicle Access and Parking</u> 1. <u>For lots abutting an alley, vehicle access shall be taken from the alley.</u> 2. <u>Driveway Approaches.</u> a. <u>Driveway approaches (as shown in Figure 10.0110(H)(2)) may be shared by multiple units.</u> <u>Figure 10.0110(H)(2) Driveway Approach</u> b. <u>Shared driveways shall include shared driveway approaches.</u> c. <u>The total width of all driveway approaches on an individual frontage may occupy no greater than 34 percent of that lot frontage, or 28 feet, whichever is less.</u> d. <u>Driveway approaches shall meet all the requirements contained in Section A5.000.</u> 3. <u>Attached and detached garages, carports, and off-street parking areas shall not be located between a building and a public street (other than an alley), unless:</u> a. <u>Such areas are separated from the street property line by a building; or</u> b. <u>The total combined width of all such areas (excluding any portions separated from the street by a building) do not exceed 20 feet or 50 percent of the street frontage, whichever is greater.</u> 4. <u>Garages and carports that face the street shall be set back at least 4 feet behind the street-facing wall closest to the street.</u> 5. <u>Off-Street Parking.</u> a. <u>Off-street parking spaces for residential uses shall be at least 8.5 feet wide by 18 feet deep, or 8 feet wide by 24 feet long for parallel parking spaces.</u> b. <u>Tandem (end-to-end) parking is allowed only for individual units.</u>	footage standard, applicable to all ADUs' Deleted repetitive standards Deleted non-clear and objective standards, replaced with clear and objective standards
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6. <u>See Section 9.0870 for additional parking standards for single detached dwellings.</u> <u>I. Pedestrian Connections</u> 1. <u>A continuous pedestrian circulation system shall be provided which connects primary entries, parking areas, shared amenities, and the public right of way (including alleys) or sidewalk. It shall be hard-surfaced and a minimum 4 feet wide.</u> 2. <u>Where an internal walkway is combined with an individual driveway, the internal walkway width shall extend at least 3 feet beyond the edge of the garage door (see Figure 10.0110(I)(1)).</u> <u>Figure 10.0110(I)(1) Combined walkway width extending beyond garage door</u> <u>J. An Accessory Dwelling shall not reduce the outdoor open space requirements of the lot on which it is located below the minimum standards identified in Section 7.0420.D.</u> <u>K. Sustainable Design</u> 1. <u>All flat roofs (slopes 2:12 or less) shall utilize a “white roof” with a Solar Reflectance Index (SRI) of 78 or greater, exclusive of space dedicated to mechanical systems, vegetated roof surfaces, solar panels, sky lights, or other sustainable roof design treatments.</u> 2. <u>Freestanding Accessory Dwellings and Accessory Dwellings attached to the primary dwelling by a roof, breezeway, or deck shall incorporate one or more of the following sustainable design options.</u> a. <u>Solar Orientation. Orient the long axis of the building within 15 degrees of true east and west and provide a minimum 17 percent transparency on the south building façade. Provide exterior, architectural sunshades or eaves for all windows 3 sq. ft. or greater on the south building façade. Sunshades shall be permanent features on the south building façade and shall meet one of the following options:</u> i. <u>The lowest shadow-casting edge of the Architectural sunshades or eaves shall be between 6 and 12 inches higher than the top of the window and horizontally project 5 inches out from the wall plane for every 12 inches in total window height for the window it shades (see Figure 10.0110.K.2.i); or</u> ii. <u>Architectural sunshades or eaves shall effectively block summer sun penetration at noon on the summer solstice and allow for winter sun penetration for the full window height at noon on the winter solstice. (Per the National Oceanic and Atmospheric Administration Solar Position Calculator solar elevation at noon on the winter solstice is 21.05 degrees and on the summer solstice is 67.78 degrees.) (see Figure 10.0110.K.2.ii)</u> ***	Added standards from middle housing single detached development
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<u>height for every one foot of distance further from the rear property line, up to the maximum height limit for the district.</u> <u>a. The maximum roof height shall be measured from the final finished grade to the top of the roof.</u> <u>b. This rear roof height limit standard does not apply if any portion of the lot is located within the HGRO or Resource Area (RA).</u> <u>c. Projections allowed above the maximum building height shall also be allowed above the maximum rear roof height. Solar energy collection equipment may project beyond maximum rear roof height no greater than 18 inches.</u> <u>2. An Accessory Dwelling that qualifies as affordable housing per Section 10.1700 and is located on a property subject to the rear roof height limit reductions in Section 7.0420.F may add the applicable building height allowance in Table 10.1711(B) to the maximum roof height in Section 10.0110.D.</u> <u>M. Clear glass in windows and/or doors shall occupy a minimum of 5 percent of the combined area of all façades of the Accessory Dwelling.</u> <u>1. Exterior finish materials shall:</u> <u>a. Be the same as or visually match in type, size and placement, the exterior finish material of the on-site primary dwelling, or</u> <u>b. Be comprised of wood, composite boards, cement fiber, or factory finished metals in a shingle or horizontal clapboard pattern.</u> <u>2. Roof pitch shall:</u> <u>a. Be the same as the predominant roof pitch of the on-site primary home, or</u> <u>b. Be at least 6/12.</u> <u>3. Window and door trim shall:</u> <u>a. Be of the same type, size, and location as that used on the on-site primary home, or</u> <u>b. Be at least 3-1/2 inches wide</u> <u>4. Windows shall:</u> <u>a. Match those on the street facing façade of the on-site primary home in orientation, or</u> <u>b. Be square, vertical or horizontal in orientation.</u> <u>5. Eaves shall:</u> <u>a. Have the same projection distance as the on-site primary home, or</u> <u>b. Project at least one foot from the building walls.</u> <u>J. All Accessory Dwellings shall conform with the Oregon Residential Specialty Code.</u> Use Standards	detached middle housing design standards
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	Height more than 10 ft. from finished floor to average roof surface	5 feet	5 feet	Setbacks between structures shall meet Building Code standards.	Updated for clarity
Between 200 and 500 to 499 sq. ft.	.	5 feet	5 feet	Setbacks between structures shall meet Building Code standards.	
Between 500 and to 1,000 sq. ft.	.	Shall conform to underlying district standard		Setbacks between structures shall meet Building Code standards.	
More than 1,000 sq. ft.	Only on lots greater than one acre	Shall conform to underlying district standard		Setbacks between structures shall meet Building Code standards.	
10.0203 General Standards					
A. Accessory structures shall conform to buffering and screening, building height, rear height limit reductions, and height transition standards where applicable. See <u>Section 7.0440.J</u> for Cottage Clusters accessory structure size limitations.					

F. An accessory structure may be located on an adjacent lot that does not contain a primary structure provided:					
1. Both lots are under the exact same ownership; and					

Bolded, reformatted
Deleted unnecessary language

Section 42. Volume 3, Development Code, Section 10.0400 Conversions of Units is amended as follows:

Proposed Text Amendment	Commentary
SECTION 10.0400 CONVERSIONS OF UNITS <u>AND COMMERCIAL SPACE</u> *** 10.0422 COORDINATION WITH OTHER REGULATIONS *** C. A Conversion under Section 10.0420 is exempt from the following standards: 1. Section 4.1151 Downtown Design Standards; 2. Section 4.1250 Civic Design Standards; 3. Section 4.1428 Pleasant Valley Architectural Review; <u>43.</u> Article 7 Design Review; 54. Section 8.0202 Design Review Standards; 65. Section 9.0110 Buffering and Screening Requirements; 76. Section 9.0800 Parking Standards; and 87. Appendix 5 Public Facilities. *** <u>10.0430 COMMERCIAL CONVERSION TO RESIDENTIAL USE</u> <u>10.0431 APPLICABILITY</u> <u>The following standards apply to the conversion of a building or a portion of a building from a commercial use to a residential use, as allowed under ORS 197A.445(3), (4), and (6), except hotel or motel conversions subject to Section 10.0420. Properties located within the HI, GI, and IND-SW districts, and in the Floodplain Overlay District, Highly Sloped Subareas, and the Natural Resource Overlay are exempt from this section.</u> <u>10.0432 STANDARDS</u> <u>A. The conversion of a building or a portion of a building from a commercial use to a residential use is allowed under this section provided the property meets the applicability criteria in Section 10.10431 and the development meets the standards in Section 10.0433.</u> <u>B. Conversion under Section 10.0430 shall be subject to Article 7, Design Review.</u>	Updating section heading to include Commercial Space, in conformance with state legislation and regulations Section removed as part of Pleasant Valley update Addition of standard for conversion of commercial use to residential use, in compliance with state regulations 197A.445

C. <u>Parking.</u> The minimum number of required vehicle parking spaces is the lesser of: 1. <u>The spaces required for the existing commercial use; or</u> 2. <u>The spaces required for the proposed residential use.</u> D. <u>Infrastructure.</u> The applicant shall demonstrate that the proposed development can be adequately served by water, sewer, stormwater drainage, and streets, in conformance with Appendix 5 Public Facilities. <u>10.0434 PROCEDURES</u> A. A conversion under Section 10.0430 requires a Building Permit in accordance with Section 11.0101 and Design Review in accordance with Section 7.0003.	
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Section 43. Volume 3, Development Code, Section 10.0500 Home Occupations is amended as follows:

Proposed Text Amendment	Commentary
*** 10.0503 Home Occupation Considerations All home occupations shall be reviewed pursuant to the purpose and standards of this section in consideration of the application information. A home occupation proposal need not comply with Appendix 5.000, <u>Public Facilities Standards</u>, of the Community Development Code. *** 10.0504 Home Occupation Review Exception Standards Home occupations which meet the following exception standards may be processed following a Type I review, must obtain a valid City business license, and must comply with the performance standards in Subsections <u>10.0505.A.-E and G-I:</u> A. The home occupation does not involve customers or clients coming to the resident<u>residence</u> of the applicant. *** *** C. No deliveries shall be made to the residence other than by traditional small-scale means normally found in a residential area, such as the United States Postal Service, United Parcel Service (<u>UPS</u>), Federal Express<u>FedEx</u>, messenger services, etc. ***	Updated reference information Formatting Correction to typo Reflecting name changes.

10.0505 Performance Standards for a Home Occupation All the following standards are established for Type II reviewed home occupations: *** H. No deliveries shall be made to the residence other than by traditional small-scale means normally found in a residential area, such as the United States Postal Service, United Parcel Service (<u>UPS</u>), Federal Express <u>FedEx</u>, messenger services, etc. Such deliveries shall not restrict traffic circulation on the public street and sidewalks. ***	Reflecting name changes.
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Section 44. Volume 3, Development Code, Section 10.0700 Mineral and Aggregate Resource Extraction is amended as follows:

Proposed Text Amendment	Commentary
*** 10.0710 Standards for Mineral and Aggregate Resource Extraction *** B. Principal access to the site shall be from principal arterials, major arterials, and minor arterial streets wherever possible. Direct access to the site from neighborhood <u>minor</u> collectors, local streets, and cul-de-sacs shall not be permitted. ***	Updated to reflect current street classifications.

Section 45. Volume 3, Development Code, Section 10.1300 Temporary Health and Hardship Dwellings is amended as follows:

Proposed Text Amendment	Commentary
*** 10.1311 Application In addition to the applicable submittal requirements of Section 11.0900 of the Gresham Development Code, an applicant for a temporary health hardship dwelling development permit shall submit: A. Ten copies of a <u>A</u> proposed site plan, drawn to scale, showing all existing and proposed structure locations and sizes. Show distances to other structures and property lines. Show the location of all existing and proposed public facility connections, and existing easements.	Updating submittal standards; acknowledge change to electronic submittals

Section 47. Volume 3, Development Code, Section 10.1600 Food Carts is amended as follows:

Proposed Text Amendment	Commentary
*** 10.1602 APPLICABILITY F. This section shall apply when food carts are proposed in districts designated OFR, GI, RTC, SC, SC-RJ, CMU, CC, MC, DCC, DMU, DTM, DEM, DRL-2, DCL, CNTH, CNTM, TC-PV, MUE-PV, NC-PV, EC-PV <u>ME-PV</u>, VC-SW, RTI-SW, IND-SW, NC-SW, and <u>NC</u>.	Updated land use districts, modified zones based on Pleasant Valley Plan District updates; added NC zone which was erroneously omitted in previous code update.

Section 48. Volume 3, Development Code, Section 10.1700 Affordable Housing Development is amended as follows:

Proposed Text Amendment	Commentary
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<u>10.1700 Affordable Housing with Height and Density Bonuses</u> General 10.1701 Purpose 10.1702 Applicability 10.1703 Coordination with Other Regulations Standards 10.1711 Review Criteria and Standards Process 10.1721 Procedures <u>10.1730 Affordable Housing on Commercial Land</u> <u>General</u> <u>10.1731 Purpose</u> <u>10.1732 Applicability</u> <u>Standards</u> <u>10.1733 Review Criteria and Standards</u> <u>Process</u> <u>10.1734 Procedures</u> <u>10.1740 Affordable Housing Developed by Religious Corporation</u> <u>General</u> <u>10.1741 Purpose</u> <u>10.1742 Applicability</u> <u>Standards</u> <u>10.1743 Review Criteria and Standards</u> <u>Process</u> <u>10.1744 Procedures</u>	Updated section headings to be specific to topics covered
<u>10.1700 Affordable Housing with Height and Density Bonuses</u> GENERAL 10.1701 PURPOSE The purpose of this section is to expand options for the development of income restricted housing. It describes qualifying affordability terms and specifies the applicable standards and procedures. This section also authorizes density and height bonuses in land use districts that permit residential use(s) (ORS 197-308A.445). 10.1702 APPLICABILITY This section shall apply to all affordable housing development throughout the City unless exempted in Section 10.1703, and except for developments subject to Section 10.1730 Affordable Housing on Commercial Land or Section 10.1740 Affordable Housing Developed by Religious Corporation. For a proposed affordable	Updated ORS reference Identifies applicability and potential

Duplexes, Triplex, and Quadplex	In the Downtown Plan District and the Rockwood Design District	7.0100 Corridor Design Guidelines and Standards	Applicability standards updated in Design Districts; no longer applicable to plexes
Duplexes, Triplex, and Quadplex	In all locations, except the Downtown Plan District and Rockwood Design District	7.0420 Design Standards for Single Detached Dwellings, Duplexes, Triplexes, and Quadplexes	
Cottage Cluster	In all locations	7.0440 Cottage Cluster Design Standards	
Townhouse	In a Design District	7.0432 Corridor District Design Standards <u>The design standards applicable to townhouses in that design district (in Corridor Design District, see 7.0431)</u>	Update to applicability of regulations for townhouses in Design Districts
Townhouse	Not in a Design District	7.0431 Residential District Townhouse Design Standards	
Multifamily <u>or Residential Portion of Mixed-Use</u>	In a Design District	The design standards applicable to multifamily in that design district	Clarification
Multifamily <u>or Residential Portion of Mixed-Use</u>	Not in a Design District	7.0100 Corridor Design District Design Guidelines and Standards	Clarification
4. Where the code does not define standards for a residential use in a land use district, the Manager shall determine which standards are appropriate. <u>C.</u> D. Affordable housing shall be permitted on public parks and open spaces. <u>D.</u> Residential uses not permitted in the LDR-5, LDR-7, TR, TLDR, MDR-12, MDR-24, LDR-PV, VLDR-SW and LDR- SW districts shall be permitted as affordable housing when the housing is owned by: <u>1.</u> a public body (ORS 174.109); <u>2.</u> a nonprofit corporation that is owned by a religious corporation; <u>3.</u> <u>A nonprofit corporation that is organized as a public benefit corporation whose primary purpose is the development of affordable housing;</u> <u>4.</u> <u>A housing authority (ORS 456.005); or</u> <u>5.</u> E. <u>A manufactured dwelling park nonprofit cooperative (ORS 62.803).</u> <u>E.</u> F. Affordable housing in the IND-SW land use districts shall be permitted on			Ownership criteria expanded in HB 3151

property owned by a public body and adjacent to property where residential uses or school uses are permitted. F. G. Affordable housing in the GI district shall be permitted: 1. On property owned by a public body and adjacent to property where residential uses or school uses are permitted, or 2. When an applicant demonstrates that the title for the parcel(s) where the facility is to be developed was held by the governing body for the applicant as of April 2, 2009. G. H. Affordable housing in the LDR-5, LDR-7, TLDR, TR, MDR-12, MDR-24, OFR, RTC, SC, SC-RJ, CMU, CMF, CC, MC, DCC, DMU, DTM, DEM, DRL-1, DRL-2, DCL, CNTH, CNTM, CNRM, LDR-PV, MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV <u>ME-PV</u>, VLDR- SW, LDR-SW, THR- SW, VC-SW districts is permitted a density and height bonus based on the maximum density of the property and the residential use, as applicable, (Table 10.1711(B)). *** 10.1721 PROCEDURES	Updating zoning designations for Pleasant Valley
*** D. Prior to building permit issuance, the applicant shall submit an affordable housing covenant recorded by the County recorder, which demonstrates 1. Each unit on the property shall be made available to own or rent to families with incomes of <u>80% percent</u> or less of the area median income; or the average of all units on the property shall be made available to families with incomes of <u>60% percent</u> or less of the area median income; <u>or the proposed development is a manufactured dwelling park that serves only households with incomes of 120 percent or less of the area median income.</u> Area median income shall be determined by the Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development (ORS 458.610). *** <u>10.1730 AFFORDABLE HOUSING ON COMMERCIAL LAND</u> <u>GENERAL</u> <u>10.1731 PURPOSE</u> <u>The purpose of this section is to expand options to reuse commercial lands for the development of income restricted housing. It describes qualifying affordability terms and specifies the applicable standards and procedures (ORS 197A.460).</u> <u>10.1732 APPLICABILITY</u> A. <u>Land Use Districts. This section shall apply to the following land use districts: NC, RTC, SC, CC, MC, TC-PV, NC-PV, VC-SW, and NC-SW.</u>	Formatting Updated to include manufactured dwelling parks at 120% AMI Updated with purpose language

<u>B.</u> <u>Exemptions. This section does not apply to:</u> <u>1.</u> <u>Property in the Floodplain Overlay District, Highly Sloped Subareas, and the Natural Resource Overlay; or</u> <u>2.</u> <u>Lands that are vacant or that were added to the urban growth boundary within the last 15 years.</u> <u>C.</u> <u>Overlapping Criteria. For a proposed affordable housing development that meets the criteria in this section as well as the criteria in Section 10.1700 Affordable Housing with Height and Density Bonuses or Section 10.1740 Affordable Housing Developed by Religious Corporation, the applicant may choose which set of standards to follow.</u> <u>STANDARDS</u> <u>10.1733 REVIEW CRITERIA AND STANDARDS</u>	Added for compliance with ORS 197A.460(1)
<u>A.</u> <u>An affordable housing development is allowed under this section provided the property meets the applicability criteria in Section 10.1732 and the development meets the standards in Section 10.1733.</u> <u>B.</u> <u>Affordability and Structure Type.</u> <u>1.</u> <u>Units shall be made affordable pursuant to either Subsection a. or b.</u> <u>a.</u> <u>In residential-only structures, each unit on the property shall be made available to own or rent to families with incomes of 60 percent or less of the area median income; or</u> <u>b.</u> <u>In mixed use structures with ground floor commercial units, each residential unit on the property shall be made available to own or rent to families with incomes less than or equal to 120 percent and greater than 80 percent of the area median income.</u> <u>2.</u> <u>Area median income shall be determined by the Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development (ORS 458.610).</u> <u>3.</u> <u>The affordability shall be enforceable by an affordable housing covenant (ORS 456.270 to 456.295), for a duration of no less than 60 years.</u> <u>C.</u> <u>The application shall be subject to:</u> <u>1.</u> <u>The development standards for the land use district in which the property is located.</u> <u>2.</u> <u>Section 7.0000 Design Review, unless exempted in Section 7.0002.D.</u> <u>3.</u> <u>The design standards applicable to the proposed residential use and to the land use district in which the property is located.</u> <u>4.</u> <u>Where the code does not define standards for a residential use in a land use district, the Manager shall determine which standards are appropriate.</u> <u>PROCESS</u>	Added to comply with state regulations per ORS 197A.460

<u>10.1734 PROCEDURES</u> <u>A.</u> <u>An application shall be subject to the procedure type specified in Table 11.0204. An application for affordable housing development is not a unique application type.</u> <u>B.</u> <u>The applicant shall submit a statement with the development permit application describing how the application shall meet the applicable income restrictions, terms, and standards in Section 10.1733. The statement shall be signed by the housing and property owner(s).</u> <u>C.</u> <u>Prior to building permit issuance, the applicant shall submit an affordable housing covenant recorded by the County recorder, which demonstrates that the affordability criteria in Section 10.1733.A.1 are met.</u> <u>10.1740 AFFORDABLE HOUSING DEVELOPED BY RELIGIOUS CORPORATION</u> <u>GENERAL</u> <u>10.1741 PURPOSE</u> <u>The purpose of this section is to expand options for the development of income restricted housing by nonprofit corporations organized as religious corporations. It describes qualifying affordability terms and specifies the applicable standards and procedures (ORS 197A.470(5)-(6)).</u> <u>10.1742 APPLICABILITY</u> <u>A.</u> <u>Land Use Districts. This section shall apply on land that is in any land use district except for the following industrial districts: HI, GI, ME-PV, RTI-SW, and IND-SW.</u> <u>B.</u> <u>Overlapping Criteria. For a proposed affordable housing development that meets the criteria in this section as well as the criteria in Section 10.1700 Affordable Housing with Height and Density Bonuses or Section 10.1730 Affordable Housing on Commercial Land, the applicant may choose which set of standards to follow.</u> <u>STANDARDS</u> <u>10.1743 REVIEW CRITERIA AND STANDARDS</u> <u>A.</u> <u>An affordable housing development is allowed under this section provided:</u> <u>1.</u> <u>The property is owned by a nonprofit corporation organized as a religious corporation;</u> <u>2.</u> <u>The property meets the applicability criteria in Section 10.1742; and</u> <u>3.</u> <u>The development meets the standards in Section 10.1743.</u> <u>B.</u> <u>Affordability.</u> <u>1.</u> <u>Each unit on the property shall be made available to own or rent to families</u>	Per ORS 197A.470(5) (b), applicability for non-residential properties if the property is not zoned for industrial uses. Affordability calculation based on MFI for the
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<u>with incomes of 60 percent or less of the median family income for Multnomah County.</u> 2. <u>The affordability shall be enforceable by an affordable housing covenant (ORS 456.270 to 456.295) for a duration of no less than 60 years from the date of the certificate of occupancy.</u> C. <u>Nonresidential Land.</u> 1. <u>Affordable housing proposed on land not zoned to allow residential uses shall only be permitted if the subject property is contiguous to property that is zoned to allow residential uses.</u> 2. <u>Affordable housing allowed Subsection (B)(1) shall be subject only to the restrictions applicable to the contiguously zoned residential property as limited by Subsection (C). If there is more than one contiguous residential property, the zoning of the property with the greatest density applies.</u> D. <u>Applicable Standards.</u> <u>The City shall apply only restrictions or conditions of approval to affordable housing pursuant to Subsections 1. or 2.</u> 1. <u>Clear and objective regulations as described in ORS 197A.400, including:</u> a. <u>The development standards for the land use district in which the property is located.</u> b. <u>Section 7.0000 Design Review, unless exempted in Section 7.0002.D.</u> c. <u>When the proposed residential use is only permitted in the land use district under the provisions of this section, the design standards specified in Table 10.1711(A) shall apply.</u> d. <u>Where the code does not define standards for a residential use in a land use district, the Manager shall determine which standards are appropriate.</u> 2. <u>Discretionary standards related to health, safety, habitability or infrastructure. For the purposes of this standard, this means that affordable housing shall not be located on lands where the City determines that the development on the property cannot be adequately served by water, sewer, storm water drainage or streets, or will not be adequately served at the time that development on the lot is complete.</u> <u>PROCESS</u> <u>10.1744 PROCEDURES</u> A. <u>An application shall be subject to the procedure type specified in Table 11.0204. An application for affordable housing development is not a unique application type.</u> B. <u>The applicant shall submit a statement with the development permit application describing how the application shall meet the applicable income restrictions, terms, and ownership standards in Section 10.1743. The statement shall be</u>	county, not AMI, per the ORS provision
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signed by the housing and property owner(s).	
C. <u>Prior to building permit issuance, the applicant shall submit an affordable housing covenant recorded by the County recorder, which demonstrates that the affordability criteria in Section 10.1743.A are met.</u>	

Section 49. Volume 3, Development Code, Section 11.0100 Development Permit Requirements is amended as follows:

Proposed Text Amendment	Commentary
11.0100 Development Permit Requirements 11.0101 Development Permit Required 11.0102 Exclusions from Development Permit 11.0103 Issuance and Effective Date of Development Permit 11.0104 Development Permit Conditions of Approval and Modifications of Approvals 11.0105 Expiration of Development Permit 11.0106 Extension of Development Permit 11.0107 Application for Staff Interpretation 11.0108 Modifications to Approved DR-E <u>Design Review</u> Applications *** 11.0102 Exclusions from Development Permit *** E. The following activities do not require a Development Permit, except in the Floodplain Overlay District, Hillside and Geologic Risk Overlay, and Natural Resource Overlay: 1. The establishment, construction, maintenance, or termination of minor basic utilities and the following authorized public facilities: public streets, public sidewalks, sanitary sewers, storm sewers, water lines, wastewater lines, stormwater lines and waterlines, electrical power and gas lines, communication and data lines, and telephone and television cable lines; and public paths and trails which are identified in the Gresham Community Development Plan as a transportation facility <u>a current council-adopted master plan or system plan</u>, constructed by a public agency, and are within a public right-of-way or a public access easement. *** G. The following activities do not require a Planning Development Permit but will require a Building Permit: 1. Construction of Single Detached Dwellings and Middle Housing in the LDR-GB, LDR-7, LDR-5, TR, TLDR, MDR-12 (lots of record only), OFR (lots of record only), LDR-PV, MDR-PV, VLDR-SW, LDR-SW, CMF (only those portions along the NE Glisan and NE 162nd Avenue corridors), DRL-1 and DRL-2 districts. 21. Roof-top solar energy systems where the system meets the following: a. Is installed on the roof of a residential, commercial/mixed-use, or industrial, <u>or institutional</u> structure; and b. Does not exceed the peak height of the portion of the roof on which it is installed; and	Updated name of section Updated terminology for consistency Future trails and paths are generally found in the Parks Master Plan. Proposed language allows for trails adopted in other council documents as well. Deleting section; a Type I review is required for compliance

c. Does not increase the footprint of the residential, commercial/mixed-use or industrial structure; and d. Is installed parallel to the slope of the roof; and e. Is not listed in the exceptions of Section 11.0102.H. 32. The conversion of a hotel or motel to an emergency shelter or to affordable housing under Section 10.0420. H. There are conditions under which certain roof-top solar energy systems may require both a Building Permit and a Planning Development Permit. Exceptions to the roof-top solar energy system exclusions of Section 11.0102.G.21 include any solar energy system which is: *** 11.0108 Modifications to Approved DR-E Design Review Applications A. Modifications to Approved DR-B through DR-D Applications. <u>Proposed modifications to approved DR-B, DR-C, and DR-D applications will be reviewed as follows:</u> 1. <u>Modifications shall be reviewed by staff as part of the Building Permit review if the modifications are in compliance with the Design Standards and do not alter the application's compliance with conditions of approval.</u> 2. <u>Modifications which exceed the threshold in subsection (1) shall require submittal of a Type II or Type III Design Review application unless waived by the Manager. The review type shall be based on the thresholds in Section 7.0003.C through E, considering the total number of discretionary guidelines used in the original application and requested modification.</u> 3. <u>Review of a Type II or III application for Modifications shall be limited to the scope of the modification(s) and any additional discretionary guideline(s) that are triggered by the modification(s).</u> B. Modifications to Approved DR-E Applications. <u>Proposed modifications to approved DR-E applications will be reviewed as follows:</u> A1. Modifications not necessitating changes to Design Standards, Design Guidelines, conditions of approval or specific discretionary guidelines discussed as part of the DR-E approval may be modified by staff as part of the Building Permit review. B2. Modifications necessitating changes to Design Standards, Design Guidelines, conditions of approval, or specific discretionary standards discussed as part of the DR-E review will be reviewed and decided upon by the Design Commission <u>as a Type III Modification of Conditions of Approval.</u> Written notice of the Design Commission meeting will be provided to all parties of record 20 days prior to the meeting at which the Design Commission will consider these changes.	with design standards Adding missing use type Correcting reference Clarifying applicability; establishing criteria for review Formatting Clarifying process
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Section 50. Volume 3, Development Code, Section 11.0200 Initiation and Classification of Applications is amended as follows:

Proposed Text Amendment	Commentary
*** 11.0204 Review Authorities A. Purpose. Review authorities are established to make recommendations and decisions on land use applications and to recommend land use policy to the	

City Council. The review authorities provide an opportunity for citizen involvement and provide expertise for specialized topic areas. Review authorities that make recommendations do so as quasi-judicial decisions, unless otherwise specified in Table 11.0204. Review authorities are do so under authority delegated authority by the City Council.

Table 11.0204 - Land Use Applications and Review Authorities

R = Recommendation D = Decision Authority A = Appeal Authority

UFS = Urban Forestry Subcommittee HRS = Historic

Resources Subcommittee DC = Design Commission PC =

Planning Commission CC: City Council

Code	Application	Pre-App	Type	Manager	Hearing Officer	UFS	HRS	DC	PC	CC
Residential										
4.0134	Single Detached/Middle Housing on a lot	N	I	D	A					
5.0210	Single Detached/Middle Housing HGRO	N	I	D	A					
5.0710	Single Detached/Middle Housing NRO	N	I	D	A					
10.0100	<u>Accessory Dwelling</u>	<u>N</u>	<u>I</u>	<u>D</u>	<u>A</u>					
10.0100	Accessory Dwelling Unit									
	- Interior Conversions & Detached 750 sq ft ADUs in DCC, DTM,	N	I	D	A					

Adding clarification to acknowledge that Historic Resources Subcommittee is not a quasi-judicial authority

Changing all Accessory Dwellings to a type I review

	DRL-1, DRL-2, & CNRM										
	All other ADUs	N	II	D	A						
10.0500 Home Occupation											
	Review Excepti on Standar ds of 10.0504	N	I	D	A						
	All other Home Occupat ions	N	II	D	A						
10.1300	Tempor y Health Hardship	N	I	D	A						
Code	Application	Pre - Ap p	Ty pe	Ma na ger	He ari ngs Off ice r	UF S	HR S	DC	PC	CC	
Overlays											
5.0100 Floodplain											
	Minor Floodplain Development listed in Section 5.0104(A)(2)	N	I	D	A						
	Floodplain Development	N	II	D	A						
5.0200 Hillside & Geologic Risk											
5.0208 D(D)	Programmatic Permit	N	II	D	A						

5.0209 - 5.0211	Stand-alone Permits	N	I	D	A						
5.0212	Alternate Review	N	II	D	A						
5.0300 Historic & Cultural Landmarks											
5.0322	Addition to Historic and Cultural Landmarks List	N	IV					R ±			D
5.0322	Designation of National Register Resources as Historic and Cultural Landmarks	N	I	D	A						
5.0323	Removal from List per 5.0323(A)(1)	N	I	D	A						
5.0323	Change in Status or Removal from List per 5.0323(A)(2)(a) or (b)	Y	II	D	A			R ±			
5.0323	Removal from List per 5.0323(A)(2)(c)	N	I	D	A						
5.0333	Relocation or Exterior Alterations of Class 1 Historic Landmarks	N	III		D			R ±	A		
5.0334	Demolition of Landmark Buildings	Y	III		D			R ±	A		
5.0335	Demolition or Relocation of National Register Resources	Y	III		D			R ±	A		
5.0500 Open Space											
	Open Space Dedication, in	N	I	D	A						

Adding table note

Adding table note

Adding table note

Adding table note

	Open Space or Natural Resource Site									
	Open Space Dedication in other areas	N	II	D	A					
	Open Space Boundary Revisions	Y	III		D				A	
5.0600 Gresham Butte Scenic View										
12.0111	Gresham Butte Scenic View Boundary Revisions	Y	III		D				A	
5.0700 Natural Resource										
5.0703(B)	Potential Resource Area Determination	N	I	D	A					
5.0708(A)	Dangerous Tree Removal	N	I	D	A					
5.0708(B)	Programmatic Permit	N	II	D	A					
5.0710(A)	Development of a single detached dwelling or middle housing on a lot of record	N	I	D	A					
5.0710(B)	Linear utility facilities	N	I	D	A					
5.0710(C)	Non-linear utility facilities	N	I	D	A					
5.0710(D)	Rights of ways and public access easements	N	I	D	A					
5.0710(E)	Public trails and paths and park enhancements	N	I	D	A					

5.0710(F)	Municipal utility facilities	N	II	D	A					
5.0710(G)(1-8)	Land divisions	Y	II	D	A					
5.0710(G)(9)	Property line adjustment	N	I	D	A					
5.0710(H)	Other development activities in a RA (other than those activities listed above)	N	I	D	A					
5.0711(E)	Request for payment-in-lieu of mitigation	Y	II	D	A					
5.0712	Alternative review	Y	II	D	A					
5.0715(C)	Map Administration and Correction	N	I	D	A					

Table Note
1. Recommendations by the HRS are made at public meetings that are not quasi-judicial proceedings and do not require public notice. Recommendations are made by motion and recorded in the meeting minutes, which are provided to the decision authority. No findings of fact nor order are prepared subsequent to the meeting.

Code	Application	Pre-App	Type	Manager	Hearing Officer	UFS	HRS	DC	PC	CC
Land Divisions²										
6.0020	Condominium Review	Y	II	D	A					
6.0020	Condominium Final Plat	N	I	D	A					
6.0100	Property Line Adjustments and Lot	N	I	D	A					

Clarifying that HRS proceedings are not quasi-judicial

Removing processes the City does not offer

	Consolidations											
6.0200	Partition/Subdivision - Preliminary	Y	II	D	A							
6.0300	Planned Developments	Y	III		D				A			
6.0400	Land Division - Final Plat	N	I	D	A							
6.0411	Reinstatement of Tentative Plan	N	II	D	A							
Table Note 2. A Middle Housing Land Division is not a land use decision or a limited land use decision under ORS 197.015, see Section 6.0500. <u>A pre-application meeting is not required.</u> *** Table Note 3. Pre-application meetings required only for development described in <u>Section 7.0003.C.3.b.iv-vi and (c).</u> ***												
Code	Application	Pre - App	Type	Manager	Hearings Officer	UFS	HR S	DC	PC	CC		
Modifications & Variances												
3.0206	Determination of Similar Use	N	II	D	A							
7.0212(D)	Solid Waste Collection Standard exception	N	II	D	A							
9.0110	Alternative Buffers	N	II	D	A							
10.1510	Minor Variance	N	II	D	A							
10.1520	Reduction in Minimum Street Frontage	N	II	D	A							

Removing a process the City does not offer

Adding to this note for clarity

Correcting reference

Formatting

10.1521	Modification of Regulations	N	II	D	A							
10.1522	Modification of Dedications and Other Requirements	N	II	D	A							
10.1530	Major Variance ⁵	Y	III		D						<u>A</u>	
11.0104	Modification of <u>Approvals and</u> Conditions (Modifications to <u>DR-B through</u> DR-E per Section 11.0108)	N	⁶									
11.0107	Application for Staff Interpretation	N	II	D	A							

Table Note
7. Building permit only is required

Code	Application	Pre-App	Type	Manager	Hearings Officer	UFS	HRS	DC	PC	CC
Other										
10.0700	Resource Utilization Permit	Y	III		D					A
11.0106	Extension of land use approval	N	I	D	A					
11.0206	Code or Plan Text Amendment (Council Initiated)	N	IV						R	D
12.0000 0100	Code or Plan Map Amendment									

Adding appeal body for Major Variance

Revising for clarity

Revising to reflect a new code section related to plan amendments added to Article 12

12.0000	One parcel or small group of parcels	Y	III						R	D
12.0000	Conditioned	Y	III						R	D
12.0000	Large area/multiple ownerships	N	IV						R	D
<u>12.0200</u>	<u>Community Development Plan Amendment</u>	<u>N</u>	<u>IV</u>	=	=	=	=	=	<u>R</u>	<u>D</u>
A1.0000	Annexation	Y	IV							D
A6.010	Sign Permit (Design Commission review if sign is part of a project requiring Commission review)	N	I	D	A				R	
A7.000	Vacations	Y	IV						R	D

Code	Application	Pre-App	Type	Manager	Hearings Officer	UFS	HR S	DC	PC	CC
Unlisted										
	Miscellaneous Type I	N	I	D	A					
	Miscellaneous Type II	N	II	D	A					
	Miscellaneous Type III	<u>Y⁸</u>	III		D					A

Table Note
8. Pre-application meetings are not required for modifications to Approved DR-E Applications, pursuant to **Section 11.0108**.

Adding new table note for clarification

Section 51. Volume 3, Development Code, Section 11.0800 Neighborhood Meeting is amended as follows:

Proposed Text Amendment	Commentary
*** 11.0803 Procedures and Evidence of Compliance *** B. Meeting Location and Time. Neighborhood meetings shall be held at a <u>place (in-person or virtual) and time agreed to with the applicable neighborhood association, or city representative when the neighborhood association is inactive. An in-person meeting location in shall be within</u> reasonable proximity to the subject site. The meeting shall be held at a location open to the public that is ADA accessible. The neighborhood meeting may be combined with a regularly scheduled meeting of the recognized neighborhood association in which the project is located, if feasible. An 8 ½ x 11" sign shall be posted at the entry of the building before the meeting. The sign will announce the meeting, state that the meeting is open to the public and that interested persons are invited to attend. The starting time for the meeting shall be limited to weekday evenings between the hours of 6 pm and 8 pm or Saturdays between the hours of 10 am and 4 pm. Neighborhood meetings shall not be held on national holidays. If no one arrives within 30 minutes of the scheduled starting time for the neighborhood meeting, the applicant may leave <u>end the meeting</u>. *** D. Posted Notice. The applicant shall also provide notice of the meeting by posting a waterproof sign on the frontage of the subject property at least 14 and not more than 20 calendar days prior to the meeting. The sign and posting requirements will be provided by the City at <u>or shortly after</u> the pre-application conference but it is the applicant's responsibility to post the sign within 30 feet of the adjacent right-right(s)-of-way, viewable from the right-of-way; <u>make sure to ensure the sign or signs remain</u> remains posted until the meeting; and <u>to</u> remove it following the meeting. A signed and notarized affidavit of the posting is required to demonstrate compliance with this section. If the posted sign is inadvertently removed (i.e., by weather, vandals, etc.), that shall not invalidate the neighborhood meeting proceedings. ***	Adding clarification and allowing for virtual meetings Revising for clarity Revising for clarity

Section 52. Volume 3, Development Code, Section 12.0000 Plan Map Amendments and Amendments to Map Boundaries is amended as follows:

[illegible]

b. the The proposed designation complies with the appropriate land use district or sub-district characteristics identified in the Community Development Code. bc. The proposed designation will not negatively impact existing or planned public facilities and services. ed. The applicant shall demonstrate compliance with one of the following criteria: i. A mistake was made in the current designation. -The applicant must identify a specific error made during the adoption process of the Community <u>Plan Map Development Code</u> that, if it had been brought to the attention of the council, would have influenced the council's decision of the appropriate designation; or ii. The site is suitable for the proposed designation and there is a lack of appropriately designated alternative sites within the vicinity. The size of the vicinity will be determined on a case-by-case basis since the impacts of a proposed land use designation and its potential uses vary. The factors to be used in determining suitability are parcel size and location. de. The proposed designation is consistent with the Metro Urban Growth Management Functional Plan.	Revising for accuracy
B. Type III Plan Map Amendments – Conditioned Plan Amendment 1. An applicant may initiate a Conditioned Plan Map Amendment, <u>as set forth in Section 11.0200</u>. A Conditioned Plan Map Amendment links the map amendment to a specific development proposal or specific use. Unlike other Type III procedures, the decision of the Planning commission <u>Commission</u> on a Type III Conditioned Plan Map Amendment shall be in the form of a recommendation to the City Council. The City Council shall hold another public hearing and make a final decision. 2. A Conditioned Plan Map Amendment may take one of two forms: a. A plan map amendment submitted at the same time as an application for a specific land use, development proposal, such as a Design Review or Land Division. The decision on the plan map amendment shall be conditioned to the specific development proposal. If the concurrent application is a Design Review subject to established design principles, design guidelines, and design standards of a Design District, then the Design Review component shall be reviewed by the Design Commission. The Design Commission shall provide a recommendation on the Design	Adding reference for clarity Fixing capitalization Revising for accuracy

Review element for the City Council decision. This is in addition to the general process outlined above in Section 12.00012.0101.B.1. b. A plan map amendment with some details regarding a specific associated with a future land use. The decision on the plan map amendment shall be conditioned to the specific future land use. <u>A subsequent land use review will be required for the specific development proposal associated with the approved land use and plan map amendment.</u> This review for conditions is an additional Type III review for the plan map amendment. The following information shall be provided to calculate impacts for the specific use: *** 4. Amendment Criteria. The applicant must demonstrate compliance with the following criteria: a. The proposed designation is consistent with the applicable goals, policies, and implementation strategies of the Community Development Plan. The applicant must demonstrate that <u>b. the</u> The proposed designation complies with the appropriate land use district or sub-district characteristics identified in the Community Development Code. bc. The proposed designation will not negatively impact existing or planned public facilities or services. If there is a negative impact on existing or planned public facilities or services, then mitigation of the impact shall be addressed through conditions upon the plan map amendment. <u>ed.</u> The applicant shall demonstrate compliance with one of the following criteria: i. A mistake was made in the current designation. The applicant must identify a specific error made during the adoption process of the Community Development Code that, if it had been brought to the attention of the Council, would have influenced the Council’s decision of the appropriate designation; or ii. The site is suitable for the proposed designation and there is a lack of appropriately designated alternative sites within the vicinity. The size of the vicinity will be determined on a case-by-case basis since the impacts of a proposed land use	Correcting reference, formatting Revising for clarity Breaking a longer paragraph into two standards
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designation and its potential uses vary. The factors to be used in determining suitability are parcel size and location. de. The proposed designation is consistent with the Metro Urban Growth Management Functional Plan. 5. Expiration of Conditioned Plan Map Amendment. The approval of a Conditioned Plan Map Amendment shall expire five years from the date the approval was final if no development application has been approved. The approval shall also expire if the approved development application subsequently expires. C. Type IV <u>Legislative</u> Plan Map Amendments—Large Area of the City and Multiple Ownerships 1. The City may initiate plan map amendments affecting large areas and multiple ownerships under the Type IV procedure. These map changes include those that have widespread and significant impact beyond the immediate area of change. 2. Amendment Criteria. The City must demonstrate <u>compliance with the following criteria</u>: a. The proposed designation is consistent with the applicable goals, policies, and implementation strategies of the Community Development Plan. b. That the <u>The proposed designation complies</u> with the appropriate land use district or sub-district characteristics identified in the Community Development Code. c. The proposed designation is consistent with the Metro Urban Growth Management Functional Plan. 12.0002 <u>12.0102</u> Minor Amendments to the Gresham Urban Services Area Map Boundaries *** 12.0010 <u>12.0110</u> Overlay District Adjustments *** 12.0011 <u>12.0111</u> Overlay District Boundary Revisions ***	Revising for clarity Revising for clarity
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Section 53. Volume 3, Development Code, Section 12.0200 Community Development Plan Amendments is inserted as follows:

Proposed Text Amendment	Commentary
<u>General</u> <u>12.0201 Community Development Plan Amendments</u> <u>General</u> <u>12.0201 Community Development Plan Amendments</u> <u>This section describes the procedures and criteria that apply to any legislative amendment to the Gresham Community Development Plan.</u> <u>A. The City may initiate a legislative code amendment under the Type IV legislative procedures set forth in Section 11.0600. However, the Manager is authorized to make typographical, grammatical, formatting, and cross-referencing corrections to the Community Development Plan, as needed, without initiating the Type IV legislative code amendment process.</u> <u>B. Amendment Criteria. The City must demonstrate compliance with the following criteria:</u> <u>1. The proposed amendment is consistent with the applicable goals, policies, and implementation strategies of the Community Development Plan.</u> <u>2. The proposed amendment is consistent with applicable statewide planning goals, administrative rules adopted by the Department of Land Conservation and Development, and the Metro Urban Growth Management Functional Plan.</u>	Adding a new section to specify the process and criteria for plan amendments

Section 54 Volume 3, Development Code, Appendix 3 Guarantee of Completion and Warranty
Guarantee is amended as follows:

Proposed Text Amendment	Commentary
<u>General</u> <u>A3.001 Guarantee of Completion and Warranty Guarantee</u> <u>When the applicant has an obligation to furnish a guarantee of completion <u>Guarantee of Completion</u>, a guarantee(s) of completion <u>the Guarantee of Completion</u> shall be provided prior to the issuance of the associated permit, (s) <u>or the start of construction of privately financed public improvements facilities, the approval and signature of a final land division plat, or any other timing required by code. The guarantee(s) A Guarantee of Completion</u> required by this section or any other section of this code shall be in the form of a bond, or other security acceptable to the Manager. The Manager may elect to accept a guarantee of completion <u>Guarantee of Completion</u> that covers more than one obligation. Upon acceptance by the City, the guarantee of completion <u>Guarantee of Completion</u> shall be released or returned.</u> <u>A Warranty Guarantee shall be required in all cases where a Guarantee of Completion is required unless otherwise explicitly stated in code. If the</u>	Formatting consistency. Clarification. Codifying current practice.

<u>Warranty Guarantee is not supplied concurrent with the Guarantee of Completion, the Warranty Guarantee shall be provided before the City accepts the associated facilities and before the Guarantee of Completion is released or returned. The Warranty Guarantee shall be released or returned at the end of the Warranty Guarantee term, including any extensions allowed by code, or whenever the obligations specified in the Warranty Guarantee have been met.</u> A3.002 Noncompliance with Obligation If the work or any portion of the work guaranteed is not completed in accordance with applicable requirements within the period specified, the guarantee <u>Guarantee of Completion</u> may be used by the City to complete the work and cover City costs. A3.003 Insufficiency of Guarantee of Completion and Warranty Guarantee A. If a guarantee of completion <u>Guarantee of Completion</u> required by this code is not sufficient to compensate the City for expenses necessary to fulfill the obligation, the amount due to the city for the obligation shall become a lien in favor of the City upon the real property subject to the obligation. B. The lien attaches upon the entry in the city records of the claim notice. The notice shall state the amount due, demand payment, allege the insufficiency of the guarantee of completion <u>Guarantee of Completion</u> to compensate the city fully for the expense of the fulfillment of the obligation, and allege the applicant's failure to meet the obligation. ***	Formatting consistency. Formatting consistency. Formatting consistency.
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Section 55. Volume 3, Development Code, Appendix 5 Public Facilities is amended as follows:

Proposed Text Amendment	Commentary
Appendix 5.000 Public Facilities	<i>Appendix 5.000 Public Facilities is repealed and replaced by Exhibit E.</i>

Section 56. Volume 3, Development Code, Appendix 6.000 Sign Regulations is amended as follows:

Proposed Text Amendment	<i>Commentary</i>

Signs in Residential Land Use Districts *** A6.091 Subdivision Signs A6.092 Multi-Family <u>Multifamily</u> Dwelling Signs A6.093 Manufactured Dwelling Park Signs A6.094 Signs for Permitted Commercial Uses in the OFR District <u>Residential Districts</u> *** A6.001 General Provisions The installation of all signs within the City of Gresham shall be subject to the issuance of a development permit, establishing compliance with the Community Development Code. See Section 4.1250(B)(6) <u>4.1152.B.6</u> in the Downtown Plan District and Section 4.1101(A)(6) <u>4.1252.B.6</u> in the Civic Neighborhood Plan District for additional signage standards. A6.020 Measurements A. Sign Area *** 2. When a sign is on a base material and attached without a frame, such as a wood board or plexiglas <u>plexiglass</u> panel, the dimensions of the base material are to be used unless it is clear that part of the base contains no sign, related display or decoration . *** 5. Free-standing signs in the RTC, SC, CC, MC, NC, GI and HI Districts: If a site has frontage on more than one street (e.g., a corner lot or a double frontage lot), the street frontage on which the sign is to be located shall be used to determine the maximum area of the sign face. No more than one frontage may be used for this measurement. For a sign located on the corner of a corner lot, the applicant shall choose one frontage to use for this measurement. *** A6.021 Placement *** C. Clear Vision Area. No sign shall be located in the clear vision area as defined <u>required</u> in Section 9.0200. No support structure(s) shall be	Update table of contents. Updated code references Fixing typo Addition of a dash in free-standing signs for consistency in terminology Clarification
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located in the clear vision area unless the combined total width is 12 inches or less and the combined total depth is 12 inches or less. A6.024 Marquees and Awnings *** B. At the discretion of the City Transportation Engineer, marquees Marquees and awnings containing signs may extend into the right-of-way the same distance as allowed for those that do not contain signs, in accordance with the Building Code. <u>Right-of-way permits for installing the sign and for encroaching in the right-of-way may be required per Gresham Revised Code.</u> A6.025 Illuminated Awning Sign A. At the discretion of the City Transportation Engineer, illuminated Illuminated awning signs may extend into the right-of-way the same distance as is allowed for awnings. In accordance with the Building Code. <u>Right-of-way permits for installing the sign and for encroaching in the right-of-way may be required per Gresham Revised Code.</u> *** Signing of Nonconforming Uses	Clarifications. Public Works process Clarifications. Public Works process
A6.030 Provisions A. Free-<u>Standing</u> Sign. Any existing free-standing sign on the premises of a nonconforming use can be maintained, improved or relocated on the premises as long as the change does not increase the total sign area or exceed the height of the existing sign. *** Exemptions A6.050 Sign Requirement Exemptions The following signs shall not require a Development Permit but shall conform to all other applicable provisions of the Gresham Development Code. *** K. A menu board sign in conjunction with a drive through window shall not be considered a free-<u>standing</u> sign or an on site direction sign. It shall be	Addition of a dash in free-standing signs for consistency in terminology

located adjacent to an on site driveway and shall not exceed 6 feet in height and/or 8 feet in width. M. An illuminated representation of a multi-family <u>multifamily</u> complex which shows the location of the visitor and the unit designations within the complex. The sign(s) shall be positioned at a driveway, shall be free-standing, have a 3 feet to 5 feet 6 inches height, a 7 to 32 square foot area, and be located a minimum of 20 feet back from the property line at the street access point. N. A-board signs subject to Sections A6.030, A6.120 and A6.130. O. Window signs in conjunction with a permitted commercial, industrial, institutional use, or, a sales or manager’s office associated with a permitted multi-family <u>multifamily</u> or PD facility, provided no more than 50% <u>percent</u> of the window area is obscured by signage. ***	Consistency within development code. Formatting consistency.
Signs in Residential Land Use Districts A6.090 Residential Districts Signs in the LDR-5, LDR-7, TLDR, TR, MDR-12, MDR-24, Corridor Multi-Family <u>CMF, DRL-1, DRL-2,</u> and OFR districts and LDR-PV, MDR-PV, HDR-PV, VLDR-SW, LDR-SW and THR-SW subdistricts shall be subject to the provision of this section and all other applicable provisions of this ordinance. <u>Commercial uses permitted in these land use districts and not requiring a Special Use Review, shall comply with the standards in Section A6.094.</u> *** A6.092 Multi-Family <u>Multifamily</u> Dwelling Signs Signs associated with multi-family <u>multifamily</u> developments <u>in the residential land use districts listed in Section A6.090</u> shall be subject to the following limitations: <u>For multifamily development in commercial, mixed-use, and industrial land use districts, see Section A6.100.</u> *** A6.094 Signs for Permitted Commercial Uses in the OFR District <u>Residential Districts</u> Signs associated with permitted commercial uses in the OFR District residential districts shall be subject to the following limitations: *** Signs in Commercial, Mixed Use & Industrial Land Use Districts	Updating land use district references; wayfinding to applicable standards for Commercial uses in Residential districts Update to zone designation; wayfinding for multifamily development not in a Residential district

A6.130 Sidewalk A-Board Signs Within the Downtown <u>and Civic Neighborhood</u> Plan Districts, the Rockwood Town Center District, the Station Center District, the Corridor Mixed-Use District, and Civic Neighborhood Plan District, and the Pleasant Valley Town Center sub-district, the Pleasant Valley Mixed Use Employment sub-district and the Springwater Village Center <u>the RTC, SC, SC-RJ, and CMU districts, TC-PV, ME-PV, and VC-SW</u> sub-districts, on public sidewalks and within a multi-business complex on an internal private sidewalk <u>walkway</u>, A-Board signs shall be permitted subject to the following criteria: *** A6.131 Residential District A-Board Signs Within the Moderate Density Residential-12, Moderate Density Residential-24, Corridor Multi-Family, and Office/Residential <u>MDR-12, MDR-24, CMF and OFR</u> Districts, and the LDR-PV, MDR-PV, HDR-PV, VLDR-SW, LDR-SW and THR-SW sub-districts, on-premise A-board signs shall be permitted subject to the following criteria- <u>criteria</u>: *** A6.132 Commercial/Industrial District A-Board Signs Within the Neighborhood, General, Moderate, and Community Commercial <u>NC, MC, and CC</u> Districts, and the TC-PV, MUE-PV <u>ME-PV</u>, NC-PV, NC-SW and VC-SW sub-districts, and for permitted retail sales in the General Industrial and Heavy Industrial <u>GI and HI</u> Districts, and EC-PV RTI-SW and IND-SW sub-districts, on-premise A-board signs shall be permitted subject to the following criteria- <u>criteria</u>: ***	Clarification of applicability; wayfinding Adding sub-district from Pleasant Valley Updating land use district references Consistency; terminology Updating land use district references
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