Commentary is for information only.

Proposed new language is <u>double-underlined</u>;

Proposed deleted language is <del>stricken</del>.

[ DRAFT ] CB XX-25

# [ DRAFT ] ORDINANCE NO. XX

# AMENDMENTS TO VOLUME 3, DEVELOPMENT CODE, OF THE GRESHAM COMMUNITY DEVELOPMENT PLAN, DEVELOPMENT CODE AND PROCESS UPDATE, PART 1

#### THE CITY OF GRESHAM DOES ORDAIN AS FOLLOWS:

# <u>Section 1.</u> Volume 3, Development Code, Section 4.1200 Civic Neighborhood Plan District is amended as follows:

Proposed Text Amendment	Commentary
4.1250 Design Guidelines and Standards	
A. Site Design	
1. Integrated Site Design	
***	
Design Standards	
All Development, Continued	
<b>S5.</b> Primary internal drives shall be consistent with the section shown in	
Figures A.1.S5.a. and b. Primary internal drives shall consist of an 18-ft	., No change; included
two-way drive lane, on both sides of which shall include a clear accessi	ble for reference/to
walking route of a minimum 5 ft. in width provided in a sidewalk of eith	ner   <i>help situate later</i>
5 ft. or 6 ft. wide. Where a 5-ft. sidewalk is provided, there shall be a 5-	ft. text edits.
wide amenity zone, where a 6-ft. sidewalk is provided, there shall be a	4-
ft. wide amenity zone. Primary internal drives may include 7-ft. wide la	nes
for parallel parking in locations approved by the Manager or Design	
Commission.	
<ul> <li>a. Primary internal drives shall be built to public works standards.</li> </ul>	
***	
<b>k.</b> Trees selected from the City of Gresham Recommended Street Tree	
list shall be planted in the amenity zone at an average	coordinate with
spacingseparation of one per 3035 ft. The trees shall be of a size no	updated average
smaller than 2.5-in. caliper at time of planting.	street tree
***	separation distance.
5. Open Spaces, Continued	
Design Standards	
Commercial, Industrial, and Institutional	
***	
<b>S5.</b> Sidewalks and amenity zones on public streets and primary internal driv	
that receive enhanced design and intensive streetscaping may be count	
toward the public open space requirement under the following condition	ns:

\*\*\* Only areas within 10 ft. of the front or side of a building shall count a. toward the open space area requirement; e. Enhanced streetscapes shall include a minimum of the following requirements to qualify: i. Provide decorative paving for the required length. Decorative paving includes stone pavers, brick pavers, decorative concrete pavers, or other pavement treatments as approved by the Manager or Design Commission; Amended to Provide trees of 3-in. minimum caliper and other landscape coordinate with the plantings located in the amenity zone. Trees shall be spaced an updated average average of no greater than 3035 ft. apart; street tree

<u>Section 2.</u> Volume 3, Development Code, Section 7.0420 Design Standards for Single Detached Dwellings, Duplexes, Triplexes, and Quadplexes is amended as follows:

Proposed Text Amendment	Commentary
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, DRL-1, and DRL-2.	
Internal conversion of an existing single detached dwelling into a duplex, triplex, or quadplex (as provided in OAR 660-046-0230) is exempt from this section, provided that the conversion does not increase nonconformance with applicable clear and objective standards, unless increasing nonconformance is otherwise permitted by the development code. New duplexes, triplexes, and quadplexes created by adding square footage on a site occupied by an existing single detached dwelling shall comply with this section.	
A. Entry Orientation	
<ol> <li>Except for flag lots, at least one primary entrance per lot shall be oriented to the street right-of-way. At least one primary entrance per building containing one or more dwelling units shall be oriented to the front lot line as defined in Section 3.0103, except for buildings on flag lots or where another building containing one or more dwelling units exists between the subject building and the front lot line.</li> <li>a. The primary entry shall be set back no greater than 8 ft.feet from the longest street-facing wall of the dwelling unit.</li> </ol>	Updated to clarify orientation requirement when more than one residential building is located on one lot.
<b>b.</b> The primary entrance shall:	
i. Directly face the street; or	
<ul> <li>ii. Be at an angle of up to 45 degrees from the street; or</li> <li>iii. Open onto a porch of at least 25 sq. ft. that has either a roof or an entry facing the street.</li> </ul>	

separation distance.

**c.** Where a building is on a corner lot and fronts two abutting streets, the required primary entry may be oriented to either street.

#### B. Vehicle Access and Parking

- 1. For lots abutting an alley, access shall be taken from the alley. Lots, including middle housing without existing access, that abut an alley, shall take access from the alley.
- 2. Driveway Approaches. Driveway approaches (as shown in Figure 7.0420(B)(2)) below) are encouraged to be shared for multiple units, but may be developed for individual units. shall meet the requirements of the Public Works Standards.

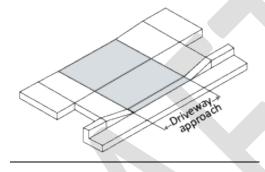
Edited to state how the standard applies to middle housing lots.

Edited to be clear and objective.

Figure moved for

clarity.

Figure 7.0420(B)(2) Driveway Approach



- a. Shared driveways shall include shared driveway approaches. Driveways approaches may be shared by multiple units.
- b. The total width of all driveway approaches on an individual frontage may occupy no greater than 34% of that lot frontage, or 28 ft., whichever is less. The maximum combined width of all driveway approaches on a parent lot, with or without middle housing land divisions, shall be the lesser of:
  - i. 30 ft. per parent lot, or
  - ii. A maximum of 10 ft. of driveway approach width for each parking space located within a garage, regardless of the orientation of the garage. When the building does not contain a garage, a maximum of 10 ft. of driveway approach width for each building containing residential unit(s) shall be permitted. For the purposes of this standard, tandem parking spaces count as one space.
- c. Driveway approaches shall meet all the requirements contained in Section A5,000.

Rephrased for clarity.

Updated to address confusion about how to apply the regulation when a development site includes middle housing lots.

Deleted because the driveway approach requirements are in the Public Works Standards, not GCDC Appendix 5.

Figure 7.0420(B)(2) Driveway Approach

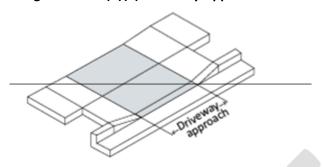


Figure moved to earlier in the standard.

3. Attached and detached garages, and carports that face the street, shall not exceed 50 percent of the street frontage they face. The garage width and frontage length shall be calculated per parent lot.

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:

- Such areas are separated from the street property line by a building;
  or
- **b.** 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% of the street frontage, whichever is greater.
- **4.** Garages and carports that face the street shall be set back at least 4 feet behind the street facing wall closest to the street. Where garages and carports face the street:
  - **a.** <u>Garages and carports shall be set back at least 4 ft. behind the street-facing wall closest to the street, or</u>
  - **b.** A wall plane containing a street-facing primary entry may be set back a maximum of 8 ft. behind the garage wall closest to the street when:
    - i. A covered entry porch is provided, and
    - <u>ii.</u> The porch is flush with, or in front of, the garage wall closest to the street, and
    - iii. The entry porch contains a covered floor area of at least 30 sq. ft., and a minimum width of 5 ft.

The porch shall not project into the required setback.

- 5. Off-Street ParkingSee Section 9.0870 for off street parking and driveway standard for single detached dwellings, duplexes, triplexes, and quadplexes. In addition:
  - **a.** Off-street <u>parallel</u> parking spaces for residential uses shall be at least 8.5 feet wide by 18 feet deep, or8 ft. wide by 24 ft. long for parallel parking spaces.
  - **b.** Tandem (end-to-end) parking is allowed only for individual units.
- **6.** See **Section 9.0870** for additional parking standards for single detached dwellings.

Amended to clarify the language generally and the applicability to parent lots.

Updated to allow the option for a covered entry porch to be flush with or in front of the garage, in lieu of the street facing primary entry.

Edited because Section 9.0870 is newly being applied to duplexes, triplexes, and quadplexes. \*\*\*

### D. Private Open Space

- 1. A minimum of 15% percent of the gross area of the parent lot shall be included as private outdoor open space.
  - **a.** No greater than 50% percent of the required open space area shall be covered in hardscaping such as paths, patios, and decorative pavers.

\*\*\*

## F. Rear Roof Height Limit Reductions

1. In the VLDR-SW, LDR-SW, LDR-PV, LDR-7, LDR-5, and TR districts, the maximum allowed building height is limited at the rear of the lot. The maximum roof height shall be equal to the distance from the rear property line or 17 ft., whichever is greater, up to the maximum height limit for the district. (See Figure 7.0420(F).)

Max. height:

Max. height:
Per zone district

Max. height:
Distance to rear setback

Front lot line

Rear lot line

Figure 4.0420(F): Rear Height Limit Reductions

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 ft. 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.

- <u>a.</u> <u>The maximum roof height shall be measured from the final finished grade to the top of the roof.</u>
- **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).
- <u>c.</u> 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)) and subject to the rear roof height limit reductions may add

Clarifying the intent of this standard to apply to private open space only and that it should be applied per parent lot.

Text removed and replaced to adequately describe how roof height at the rear setback is measured (including how it applies on a sloped lot) and to provide flexibility for application in natural resources areas or for certain projections.

the applicable building height allowance under **Table 10.1711 (B)** to the maximum roof height in **Section 7.0421(F)(1)**.

\*\*\*

#### G. Side Wall Articulation

- 1. Facades facing side setbacks and within 10 ft. of the side setback line shall utilize a minimum of one of the following articulation strategies:

  Facades greater than one story in height, facing a side setback, and less than 5 ft. from 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. in length before a full-height offset a minimum 2 ft. in depth and 6 ft. in length is provided.
  - b. Wall area(s) above the first floor shall be setback a minimum of 4 ft. from the first floor wall plane closest to the side setback for a minimum of 60% of the total first floor wall plane(s) length. 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 ft. 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 ft. may have an upper floor width of 30 ft. 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 ft. from the first-floor wall plane.

- **c.** No individual wall plane shall be greater than 280 sq. ft. Individual wall planes shall be offset a minimum of 12 inches from adjacent wall planes.
- d. Setback all side walls at least an additional 5 ft. from the side setback line. 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.

H. Transparency

- 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 facade area(s). (See Figure 47.0420(H)(1) Street Facing Transparency.)
  - **a.** Facade area(s) separated from the street by a building shall not be counted towards total street-facing facade area.

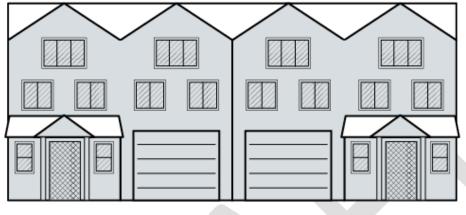
Qualifying the standard to apply to multi-story buildings. Clarifying that the standard applies to buildings less than 5 feet from the minimum required setback line (resolving existing conflict/confusion between G.1. and G.1.d).

Adding a sidewall transparency option.

Spelling out percent.

- b. Roof area shall not count towards total street-facing facade area, but wall area above wall headers (such as gable ends and dormers) shall count.
   c. Entry doors used to meet this standard shall face the street or be at
- **c.** 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 47.0420(H)(1): Street-Facing Transparency



Street-Facing Facade

Area subject to 17% window & entrance door converage requirement

Qualifying window coverage

Qualifying entrance door coverage

 Clear glass in windows and/or doors shall occupy a minimum of 5% percent of all other facades. <u>Clear glass shall have a Visible</u> <u>Transmittance value of 60 percent or greater.</u> Correcting figure number.

Adding Visible
Transmittance
value for
consistency with
other code
sections.

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

Proposed Text Amendment	Commentary
9.0870 Off-street Parking and Driveways for Single Detached Dwellings.	Applying Section
, ,	9.0870 to
<u>Duplexes, Triplexes and Quadplexes</u>	Duplexes, Triplexes,
***	and Quadplexes to
	clarify that basic
	provisions such as
	paving apply to
	plexes.

Section 4. Volume 3, Development Code, Section 9.1000 Tree Regulations is amended as follows:

Proposed Text Amendment	Commentary
***	
9.1021 Tree Removal: Existing Development	

\*\*\*

- **A.** Required Trees. Removal of all Required Trees *except Required Perimeter Trees* shall follow a Type I procedure and meet the following standards:
  - 1. Street Trees
    - a. Single Detached Dwellings and Middle Housing. Street trees may be removed at the property owners' discretion and shall be replaced in accordance with Section 9.1022. Replacement is required if the planter strip is at least 3 feet wide and tree planting is feasible given the street tree separation spacing and locational standards of Section 9.1044.

b. Other Uses. Street trees may be removed in accordance with the health and non-health related reasons in Section 9.1032(E)(6) and shall be replaced in accordance with Section 9.1022. Replacement is required if the plater planter strip is at least 3 feet wide and tree planting is feasible given the street tree spacing separation and locational standards of Section 9.1044.

Updating term from spacing to separation because it is more precise.

Correcting scrivener's error.

\*\*\*

#### 9.1022 Tree Replacement: Existing Development

- **A.** Replacement of Required Trees shall meet the following standards as well as the replacement size, height at maturity, and spread at maturity standards in **Section 9.1042**:
  - 1. Street Trees
    - a. Single Detached Dwellings and Middle Housing. For street trees, one tree shall be planted for each tree removed in accordance with the street tree master plan or the spacing street tree separation requirements in Section 9.1044. If replanting is not feasible because of site constraints, as determined by the Manager, no replanting is required.

**b.** Other Uses. Street trees shall be replaced in accordance with a street tree master plan or the <u>street tree separation</u> <u>spacing</u> requirements in **Section 9.1044**.

Updating term from spacing to separation because it is more precise.

\*\*\*

### C. Fee-in-Lieu/Tree Fund

- **1.** Single Detached Dwellings and Middle Housing. Fee-in-Lieu is not applicable to Single Detached Dwellings and Middle Housing.
- **1.2.** Other Uses: The intent of the Code is that Required Trees are planted when feasible. If site constraints make it infeasible to plant all required trees as demonstrated by the applicant and approved by the Manager, the Manager may approve contributions to the tree fund in lieu of tree planting. A contribution shall be made for each required street tree not planted. The fee contribution shall be set by Council resolution. Tree fund cContributions related to standards in Section 9.1033 shall be

Applying fee-in lieu to single detached dwellings and middle housing; and, therefore, "Other Uses" is not necessary.

approved by the Manager only when:

\*\*\*

### 9.1033 Tree Replacement: During Development

- **A.** Replacement of Required Trees shall meet the following standards as well as the replacement size, height at maturity, and spread at maturity standards in **Section 9.1042**:
  - Street Trees
    - a. Single Detached Dwellings and Middle Housing. Street trees shall meet the street tree plan or the <u>street tree separation</u> <u>spacing</u> requirements in <u>Section 9.1044</u>. If replanting is not feasible because of site constraints, the standards of <u>Section 9.1022(A)</u> would apply.
    - b. Other Uses. Street trees shall be replaced in accordance with a street tree plan or the <u>street tree separation</u> <u>spacing</u> requirements in <u>Section 9.1044</u>.

Updating term from spacing to separation because it is more precise.

\*\*\*

#### C. Fee-in-Lieu/Tree Fund

- 1. Single Detached Dwellings and Middle Housing. Fee in Lieu is not applicable to Single Detached Dwellings and Middle Housing except during the land division process.
- 2. Other Uses. The intent of the Code is that Required Trees are planted when feasible. If site constraints make it infeasible to plant all required trees as demonstrated by the applicant and approved by the Manager, the Manager may approve contributions to the tree fund in lieu of tree planting. A contribution shall be made for each required street tree not planted. The fee contribution shall be set by Council resolution. Tree fund cContributions related to standards in Section 9.1033 shall be approved by the Manager only when:

Applying fee-in lieu to single detached dwellings and middle housing; and, therefore, "Other Uses" is not necessary.

\*\*\*

#### 9.1044 Street Tree Planting: During Development

- A. A Street Tree plan shall be submitted for approval with a building permit, tentative partition, subdivision plan, planned development or design review. The Street Tree plan shall show <u>compliance with the applicable standards of Section 9.1000 tree spacing, number of trees and their location and meet all required characteristics noted in the submittal requirements provided by the Manager.</u>
- **B.** Street Trees of a minimum 1.75-inch caliper are required when a land use or building permit requires street trees.
  - 1. Single Detached Dwelling and Middle Housing. Street Trees shall be planted every 30 feet on all street classifications, with the following additional standards:

Clarifying language while preserving the intent of the text.

Updated to coordinate with the change is street tree spacing; so a street tree is required where less

- **a.** On streets with a collector or higher classification, each lot, with the exception of flag lots, shall have a minimum of one tree, in addition:
  - i. Frontages exceeding 30 feet shall require 2 trees.
  - ii. Corner lots shall require 3 trees.
- <u>1.</u> <u>2. Other Uses.</u> The number and <u>spacing separation</u> of required street trees shall meet the following standards:
  - a. Number: On all street classifications, one <u>street</u> tree shall be required for every 30-35 feet of frontage for the development site. minus the clear vision area and driveways. When a development site contains more than 10 feet and less than 35 feet of frontage on any street a minimum of 1 street tree per lot, including middle housing lots, shall be planted. For the purpose of Section 9.1044 the measurement shall be taken along right-of-way frontage but not through curb returns at intersections.
  - **b.** Spacing Street Tree Separation: Trees shall be placed a minimum of 20 feet and maximum of 40 feet apart. The spacing separation requirement may be modified by the Manager.
  - c. For new development, if site constraints make it infeasible to plant all required street trees as demonstrated by the applicant and approved by the Manager, the Manager may approve contributions to the tree fund in lieu of street tree planting. The fee in lieu of street tree planting is scaled based on the average tree separation.

    Average street tree separation in more than 50 feet is prohibited. A contribution shall be made for each required street tree not planted. For applications related to non-conforming development, as determined by the Manager, a contribution shall be made for each required street tree not planted, but the contribution shall be limited by the 10 percent cost limitations found in Section 8.0202 Design Review Standards. The fee contribution shall be established by Council resolution.
- **C.** Street trees shall be located at least 15 feet from streetlights, 5 feet from stormwater catch basins, and 5 feet from driveway cuts or underground public utilities.
- **D.** No Street Trees shall be planted in the right-of-way within 12 feet of the nearside of the crosswalk on the vehicular approach side of the street as at street intersections.
- **E.** Street Trees shall be selected from the City's Approved Tree List or other varieties as approved by the Manager.
- F. Fee-in-Lieu/Tree Fund

**1.** Single Detached Dwelling and Middle Housing. Fee in-Lieu is not applicable to Single Detached Dwelling and Middle Housing.

than 35 feet of frontage is being developed but there is sufficient planting space.

Describing how the frontage length is to be measured.

Eliminating maximum street tree separation.

Describing the feein-lieu and street tree spacing limit.

Applying fee-in-lieu to single detached dwellings and middle housing; and, therefore, "other uses" is not necessary.

- 2. Other Uses. The intent of the Code is that Required Trees are planted when feasible. If site constraints make it infeasible to plant all required trees as demonstrated by the applicant and approved by the Manager, the Manager may approve contributions to the tree fund in lieu of tree planting. A contribution shall be made for each required street tree not planted. The fee contribution shall be set by Council resolution. Tree fund <a href="Contributions">CONTRIBUTIONS</a> related to standards in Section 9.1033 shall be approved by the Manager only when:
  - **a.** One of the following conflicts exists that makes planting infeasible:
    - One or more of the standards in Section 9.1044(C) through (D)
      make it infeasible to plant a tree because insufficient room
      remains; or
    - ii. The development does not include planter strips that are at least3 feet wide to accommodate the required street trees; or
    - **iii.** The applicant demonstrates that the tree planted at the location would create a potential traffic, fire safety or building structural hazard; or
    - iv. Other similar site constraints make it physically infeasible to plant the Street Tree(s), as determined by the Manager; and
  - b. The applicant provides evidence that generally accepted arboricultural methods to make tree planting feasible have been considered but are not appropriate in this situation. Arboricultural practices include but are not limited to meandering the sidewalk; using permeable and/or flexible pavement; incorporating structural soil; root channels (soil volumes under pavement that connect to larger soil areas); and/or enhanced drainage.

\*\*\*

Section 5. Volume 3, Development Code, Appendix 5 Public Facilities is amended as follows:

	Text Am	endment								Commentary
** \5.500	Transp	ortatio	n Syst	em Des	criptio	n and	d Fur	nction		
*										
			Tab	le A5.501	Α					
Street Classifica	Typical Average	Motorist Travel	Bicycle Lane	Parking	Media n	Lands cape Strip	Side walk	Pave- ment Width	Right- of- Way	

Major	25,000-	4 lanes	Yes	Not	Yes	Yes	Yes	74'	104′
Arterial	60,000			allowed,					
r				except where					
				designated					
				boulevard,					
				then					
				optional					
Standard	15,000-	4 lanes	Yes	Not	Yes	Yes	Yes	66′	96′
Arterial	40,000			allowed,					
				except					
				where					
				designated boulevard,					
				then					
				optional					
Minor	10,000-	2 lanes	Yes	No	Yes	Yes	Yes	48'	74'
Arterial	20,000					1			
Major	1,000-	2 lanes	Yes	Yes	No	Yes	Yes	48'	74'
Collector	10,000								
Standard	1,000-	2 lanes	Yes	No	No	Yes	Yes	36'	60'
Collector	10,000								
Minor	1,000-	2 lanes	No	Yes	No	Yes	Yes	36'	60′
Collector	10,000								
Local	800 or	2 lanes	No	Yes	No	Yes	Yes	26′	46' <u>58'</u> 1
Queuing	fewer								
Local	1000 or	2 lanes	No	Yes	No	Yes	Yes	32'	<del>52′</del> <u>64′¹</u>
Transitio	fewer								
nal									
Local	1000 or	2 lanes	No	Yes	No	Yes	Yes	40'	60′
Industrial	fewer								
Local	1000 or	2 lanes	No	Yes	No	Yes	Yes	36'	56′
Commerc	fewer								
ial									
Minor	58 or	2 lanes	No	No	No	No	No	20′	25′
Access	fewer								
Street									

Increasing
maximum rightof-way width for
Local Queuing
Streets and Local
Transitional
Streets to allow
for a 10-foot-wide
planter strip in
residential
subdivisions.
Provisions to
coordinate with
Public Works
Standards.

## Table A5.501 A Notes

1. The property owner or developer must construct the public street improvements, including dedication of rights-of-way, to the Public Works Standards. This is the maximum right-of-way-width.

Adding an explanatory table note.

#### A. Local Queuing Streets

Local queuing streets have a <u>5258</u>-foot-wide right-of-way with a 26-foot-wide pavement width. The following standards apply:

1. Maximum Block Length: The maximum block length for a queuing street

is 400 feet. A queuing street may not terminate in a cul-de-sac, but may temporarily dead end with a planned future street extension.

2. Parking: "No Parking" shall be posted within 30 feet of curb return.

#### B. Transitional Street

Local transitional streets have a <u>4664</u>-foot-wide right-of-way, 32-foot-wide pavement width and applies in the following areas:

\*\*\*

