



Oregon

Theodore R. Kubangski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

03/13/2009

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Gresham Plan Amendment
DLCD File Number 008-08

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, March 27, 2009

This amendment was submitted to DLCD for review prior to adoption. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Jonathan Harker, City of Gresham
Gloria Gardiner, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative
Thomas Hogue, DLCD Regional Representative
Angela Lazarean, DLCD Urban Planner

<paa> YA/

Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

In person electronic mailed

DATE STAMP

DEPT OF

MAR 09 2009

LAND CONSERVATION AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: **City of Gresham**

Local file number: **CPA 08-250**

Date of Adoption: **3/3/2009**

Date Mailed: **3/6/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 10/23/2008

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Updates Industrial Policies; replaces existing BP, LI and HI Districts with two new GI & HI districts; applies Industrial Springwater (IND-SW) to 87 acre HI & 5 acre LDR site; adopts standards complying with Metro T4 regarding limitation on retail/professional services and land divisions; applies transit commercial zoning (MC & CC) to industrial areas at or near intersection of arterial transit streets (about 49 acres); rezones 9.9 acres HI/LI houseboat moorage to LDR-5.

Does the Adoption differ from proposal? Yes, Please explain below:

Dropped proposed 6.4 MC to GI amendment; rezoned additional 30 acres of BP/LI to MC rather than GI; added transportation/distribution & warehousing/storage as permitted in HI; a few minor text changes.

Plan Map Changed from: **BP, LI, HI, LDR**

to: **GI, HI, MC, CC, LDR-5, IND-SW**

Zone Map Changed from: **NA**

to: **NA**

Location: **City-wide**

Acres Involved: **2462**

Specify Density: Previous: **NA**

New: **NA**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

008-08.(17215) [15430]

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Metro, ODOT

Local Contact: **Jonathan Harker**

Phone: (503) 618-2502 Extension:

Address: 1333 NW Eastman Parkway

Fax Number: - -

City: Gresham

Zip: 97030-

E-mail Address:

jonathan.harker@ci.gresham.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. **Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.

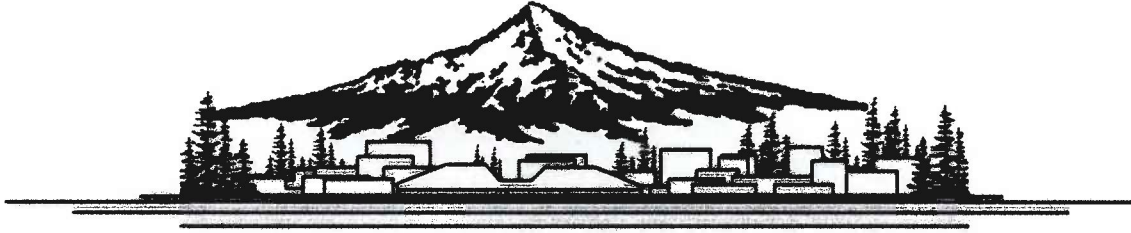
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.

4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.

5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.

6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.

7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax



CITY OF GRESHAM
Urban Design & Planning Office
1333 NW Eastman Parkway
Gresham, Oregon 97030

NOTICE OF FINAL DECISION

March 6, 2009

On March 3, 2009, the Gresham City Council Approved the application of **City of Gresham (Council Order No. 610 and Ordinance No. 1668)** contained in **City Application No. CPA 08-250** regarding amendments to the Gresham Community Development Plan and the Community Development Plan Map related to the **Industrial Lands Assessment Project**.

An appeal of this decision may be filed with the Land Use Board of Appeals (LUBA) within 21 days of this Notice of Decision. LUBA has the jurisdiction to review all governmental land use decisions. An appeal of a land use decision must conform to the procedures and requirements of LUBA. They may be contacted in Salem at:

LUBA
550 Capitol Street, NE – Suite #235
Salem, Oregon 97301-2552
(503) 373-1265

BEFORE THE CITY COUNCIL OF THE
CITY OF GRESHAM

IN THE MATTER OF AMENDMENTS TO) Order No. 610
VOLUME 2, POLICIES, AND VOLUME 3,)
DEVELOPMENT CODE, OF THE GRESHAM) CPA 08-250
COMMUNITY DEVELOPMENT PLAN,)
REGARDING INDUSTRIAL LANDS)
ASSESSMENT)

On February 3, 2009, the City Council held a public hearing to take testimony on amendments to Volume 2, Policies, and Volume 3, Development Code, of the Gresham Community Development Plan relating to the Industrial Lands Assessment.

The hearing was conducted under Type IV procedures. Mayor Shane T. Bemis presided at the hearing.

The Council closed the public hearing and approved the proposed amendments at the February 3, 2009 meeting, and a decision was made at the March 3, 2009 meeting.

A permanent record of this proceeding is to be kept on file in the Gresham City Hall, along with the original of the Order.

The Council orders that these amendments are approved, and adopts the findings, conclusions, and recommendations as stated in the attached Planning Commission Recommendation Order, Planning Commission staff reports, City Council staff report and additional staff recommended changes as set forth in the February 3, 2009 Addendum Staff Report regarding Agenda Item Number D-1.

Dated: March 3, 2009

C. J. [Signature], AIC.
City Manager

Richard A. Strathorn
Mayor Council President

**BEFORE THE PLANNING COMMISSION OF THE
CITY OF GRESHAM**

TYPE IV RECOMMENDATION ORDER

CPA 08-250

A public hearing was held on January 12, 2009, upon an application to consider proposed amendments to Volumes 1, 2 & 3 of the Gresham Community Development Plan and the Community Development Plan Map relating to the **Industrial Lands Assessment** project.

The Commission closed the public hearing at the January 12, 2009 meeting, and a final recommendation to Council was made at the January 12, 2009 meeting.

Richard Anderson, Chairperson, presided at the hearing.

A permanent record of this proceeding is to be kept on file in the Gresham City Hall, along with the original of this Type IV Recommendation Order.

The Planning Commission recommends **ADOPTION** of the proposed Gresham Community Development Plan and Plan Map amendments to the City Council, and adopts the findings, conclusions and recommendations contained in the attached December 12, 2008 staff report and the December 19, 2008 Addendum staff report with the following exceptions, additions and/or changes:

Including changes in the 1/12/09 Addendum Staff Report


Chairperson

JAN 12, 2009
Date



MEMORANDUM

URBAN DESIGN & PLANNING

Comprehensive Planning

STAFF REPORT
TYPE IV HEARING—COMPREHENSIVE PLAN AMENDMENT
INDUSTRIAL LAND USE ASSESSMENT PROJECT

To: Gresham Planning Commission

From: Mike Abbaté, Urban Design & Planning Director
Janet Young, Economic Development Services Director
Jonathan Harker, AICP, Comprehensive Planning Manager

Hearing Date: December 22, 2008

Report Date: December 12, 2008

File: CPA 08-250

Proposal: To adopt comprehensive plan amendments to Volumes 1, 2 and 3 of the Community Development Plan with:

- 1) Text amendments deleting obsolete industrial land use policies and updating economic development policies (Volume 2)
- 2) Text amendments creating new Heavy Industrial (HI) and General Industrial (GI) Districts and deleting existing Heavy Industrial (HI), Light Industrial (LI) and Business Park (BP) (Volume 3)
- 3) Map amendments replacing existing HI, LI and BP Districts with new HI and GI Districts and with existing Moderate Commercial (MC), Community Commercial (CC) and Low Density Residential-5 (LDR) Districts and replacing existing MC District with new GI District (Volume 2, Appendix C, Community Development Plan)
- 4) Map amendments replacing existing HI and LDR-5 with Industrial-SW (IND-SW) subdistrict (Volume 2, Appendix G, Springwater Plan Map)

Exhibits: 'A' – Text Amendments, Draft Council Bill 15-08, Community Development Plan
'B' – Map Amendments, Draft Council Bill 15-08, Community Development Plan
'C' – Memorandum, Dec. 10, 2008, Steve Fancher, Watershed Division Manager
'D' – Letter, Dec. 3, 2008, Metro, Ray Valone, Principal Regional Planner
'E' – Pre-hearing Testimony

Recommendation: Staff recommends **adoption** of the proposed comprehensive plan amendments.

SECTION I BACKGROUND INFORMATION

Background – Industrial Land Use Assessment

The Industrial Land Use Assessment (ILA) project is on the 2008 Council Work Plan project and is intended to update and revise the City's Industrial land use districts. The last significant update to the industrial districts was in 1988. The project began in Jan. 2008. The project is designed to ensure:

- Industrial districts are updated in a way that meets the City's economic development goals as new industrial trends emerge.
- More efficient use of Gresham's limited industrial land area as development and redevelopment opportunities arise.
- Compliance with recent changes to Title 4 – Industrial and Employment Land of the Metro Urban Growth Management Functional Plan (Functional Plan).

Following an economic development analysis done as part of the State mandated periodic review of the Gresham Community Development Plan in 2002, the Council adopted new economic development goals and policies for industrial development. The adoption included action measures that identify projects that if executed would implement these adopted goals and policies. One action measure project was to evaluate land use regulations with the objective of enhancing the flexibility and efficiency of industrial lands by considering:

- Allowing information sector uses in light industrial.
- Transitioning from three industrial districts to two.
- Adopting standards to promote more intense industrial development to increase the city's ratio of employees per acre.
- Allowing more flex space and office build-out.
- Ensuring that emerging and non-traditional economic activities are not precluded.
- Ensuring that existing businesses can adapt their operations to respond to changing economic conditions.

In July 2004 Metro Council amended **Title 4: Industrial and Other Employment Areas** of its Functional Plan. Title 4 seeks to protect the supply of industrial sites for employment by limiting the types and scale of non-industrial uses in industrial areas. It also seeks to protect the capacity and efficiency of the region's transportation system and to encourage the location of other types of employment in centers and corridors. The Title 4 changes required jurisdictions to have limits on retail and commercial and professional services that cater to daily customers. It also requires provisions that maximize preservation parcels of 50 acres or greater. This originally required compliance by July 2007. However, the Metro Council gave Gresham and 13 other jurisdictions a compliance extension to April 3, 2009.

Earlier in the research and analysis phase of the project, staff identified a number of industrial trends relevant to Gresham. These trends were drawn from recent local and regional economic development reports and from a focus session with members of industry-related businesses. The focus session was held on June 18, 2008, and participants included industrial operators, industrial developers and brokers, industrial designers, and agency/business advocacy interests. Key industrial trends are:

- Many industries are transitioning to flex space for buildings and sites to be able to rapidly respond to economic changes. Flex space might be one- or two-story buildings ranging from 20,000 to 100,000 square feet with a combination of office and warehouse space inside. These buildings may be devoted exclusively to research or may serve multiple uses, such as office and administration and research and development and other high tech uses. Flex space develops generally at higher densities than more transition industrial development. Having flex space means that over time a company may change the mix of uses inside the building, for example, reducing its production area while increasing office and warehouse uses or on the site.

- Information sector uses are increasing within the region. Information sectors include information/computer technologies, research and design, telecommunications, call centers, data/information processing, publishing, corporate offices, and online information services. These industries are often done in office format buildings.
- Warehousing and distribution are strong components to existing industries within this area and are anticipated to remain so. Warehousing and distribution buildings generally provide storage and distribution of goods. The development sites need space for maneuvering trucks and access to transportation. Distribution centers may use multiple gates and trailers to minimize downtime for drivers and trucks. Buildings with high ceilings (up to 36 feet) allow increased stacking heights so that more goods can be stored at one facility before they are shipped out. Access to a I-5, a marine port and to the Columbia River is a regional strength for warehousing and distribution.
- Emerging (new or modified) industries applicable to the region include computer hardware/software and electronics, food manufacturing and processing, medical devices, apparel and outdoor gear design and manufacturing, specialized manufacturing (such as metals, machinery, and transportation), biosciences (including laboratories and research), alternative/renewable energy industries, environmental services and recycling technology, and information technologies.
- What is considered an industrial use has changed. There are fewer traditional heavy industrial uses such as mills, foundries and chemical plants. The technologies and standards for industrial development have changed significantly in the years since Gresham's industrial districts were last revised. Manufacturing structures are large buildings designed to house manufacturing processes and can be more than 1 million square feet. These industries require good transportation and utility systems.

Availability of Industrial Lands

Analysis regarding the availability of industrial lands shows that redevelopment of industrial lands will be an increasingly important factor for economic development opportunities. Table 1 shows for each of the City's three current industrial district their total acreage, the amount that is development and vacant, and the amount of constrained and unconstrained vacant land. Of the City's 2,112 acres (exclusive of Springwater and Brickworks) of currently zoned industrial lands about 539 acres are vacant. About 118 acres of the vacant lands are constrained by water quality, hillside, and natural resource or floodplain overlays leaving about 421 acres of unconstrained land. With this limited amount of developable vacant lands, redevelopment of industrial lands will have a prominent role in the future.

District	Total	Developed	Vacant (Total)	Vacant (Constrained)	Vacant (not constrained)
Heavy Industrial (HI)	662	569	93	36	57
Light Industrial (LI)	1096	786	310	58	252
Business Park (BP)	354	218	136	24	112
All	2112	1573	539	118	421

Table 1 – Industrial District Acreages (August 2008)

An analysis of the City's three current industrial districts found that none of these districts allows the needed range of existing and emerging industrial uses. The BP is limited because it does not allow assembly, warehousing and outdoor storage. The LI and HI do not allow the emerging industrial uses that occur in office buildings. Many uses currently allowed only in the HI district are, because of technological innovations, no longer as incompatible with other districts as they have been in the past.

Commercial Incursions

A staff analysis also found that incursion of retail commercial facilities may be preventing Gresham's limited industrial lands from achieving the City's goals. Currently the code allows a broad spectrum of commercial retail and professional service uses that cater to daily customers in the industrial districts. In BP and LI, up to 60,000 square feet of retail uses are allowed per building although they can be no more than 20% (BP) and 15% (LI) of the total floor area of a development. Commercial services (such as restaurants and banks) can be no more than 30% (BP) and 20% (LI) of the total development. This

means 50% of a site in BP can be used uses not related to industry. The Walgreen development at 223rd and Glisan is an example of industrial land (BP) not achieving an industrial vision because of site-specific retail commercial development pressure.

Limiting the incursion of retail and of commercial and professional services catering to daily customers in the industrial districts would preserve more land for industrial and other industrial-related employment uses. It also would help protect transportation networks for the industrial areas from commercial generated traffic.

One aspect of this project is to bring the City's industrial districts into compliance with recent changes to Title 4 – Industrial and Employment Land of the Metro Urban Growth Management Functional Plan (UGMFP). Title 4 limits retail and commercial and professional uses that cater to daily customers on most industrial lands to 5,000 square feet per single outlet and 20,000 square feet for multiple outlets within the same development project. There is one area (north of I-84) in Gresham that Metro considers regionally significant industrial land that would be subject to a more restrictive standard of 3,000 square feet per single outlet and 20,000 square feet for multiple outlets within the same development project.

The Metro Title 4 approach limits but allows some retail (such as stores and restaurants) and commercial and professional services (such as financial, insurance, real estate, legal, medical and dental offices) that cater to daily walk-in customers. This is to ensure that they primarily serve the needs of workers in the area and do not use up industrial lands nor impact the transportation systems serving the industrial lands. Such limitations can also take into account that some manufacturers include an outlet store on site – the Candy Basket and Trailblazers Food are local examples.

One approach addressing commercial incursion in industrial lands is to do two things simultaneously:

1. Restrict the amount of commercial retail and professional services development allowed in industrial lands, exceeding Title 4 minimum requirements; and
2. Identify specific intersections and nodes where commercial development is needed to serve needs of nearby industrial workers and the surrounding community and the make map changes from industrial to commercial districts. The nodes would be lands in transit corridors and most typically at the intersection of two arterial or an arterial and collector streets.

It was determined to take this approach following a Council work session on Oct. 14, 2008.

Another concern in protecting industrial lands from commercial uses is **mini-storage facilities**. These are structures that contain separate storage spaces of varying sizes rented on an individual basis. The spaces are only to be used for storage of customer's goods and materials. In the past mini-storage has been considered as warehousing and allowed in the LI district. However, mini-storage is not the same as warehousing as it does not support an industry but rather individual daily customers. These facilities tend to have few employees, and costs of development and operation are relatively low. Consequently, these properties are less likely to redevelop. An approach that would prohibit mini-storage facilities in industrial districts was determined following a Council work session on Oct. 14, 2008.

The project included a public outreach effort, with the industrial group focus session in June and two community workshops in August and November. It also included several presentations to the Planning Commission and City Council.

Background – Mutual Materials

The Mutual Materials parcel (1S3E14C 1600) is a mixed-zone parcel with 81.6 acres of Heavy Industrial (HI) land and 4.8 acres of LDR-5 land. The site is developed with a concrete pavers plant and brick manufacturing plant and as well as clay surface mining. The property owner has a renewable State of Oregon surface mining permit first established in 1976. The 1976 permit determined that the site had a legally established surface mining operation at least prior to July 1972.

The Mutual Materials site is part of what was, until Jan. 18, 2007, all HI land bounded on the west by Hogan Road, on the north by Palmquist Road and on the east by low density residential lands. This larger HI site was part of the Springwater Community Plan that was adopted by the Council, effective Dec. 1, 2005. In the same 2002 economic development analysis mentioned previously there was conclusion that the HI land was not suitable for heavy industrial use and that it should be master planned

to address industrial use, residential use and mixed use on the site. Property owners had approached the City asking for a change from HI. The City, in concurrence with Metro, decided to include this land as part of the Springwater study area in order to address what industrial uses might be appropriate for the site and if there should be other residential or commercial uses on the site, particularly in conjunction with the new lands that would be available for industrial development in Springwater.

The HI site was therefore included in the Springwater Community Plan development process. In January 2003, the Council initiated a work program to create an urbanization plan for Springwater. In fall 2003, formal project planning began with the formation of an advisory group, the Springwater Community Working Group (CWG). In October 2004, the CWG endorsed a Springwater Draft Concept Plan Map including the Brickworks site. In November 2004, the Council accepted the Draft Concept Plan Map and initiated the legislative process to develop and adopt comprehensive plan amendments to establish the Springwater Plan District. The Springwater Community Plan was adopted by City Council, effective December 1, 2005.

Effective in January 2007, the Council approved designation of all of the HI land, except for the Mutual Material parcel, to various Springwater sub-districts. It had been decided to process the change from HI to Springwater sub-districts in two phases with the Mutual Materials site being the second phase. This was because, at the time, there was a need to better understand the effect Mutual Materials surface mining permit could have on part of the site that is forested. This forested area was being considered for natural resource protection designation with the remainder of the site being IND-SW. As the clay surface mined at the site is also considered a protected resource by the State and because there is a renewable surface mining permit issued by the State Department of Geology and Mineral Industries (DOGMI) the forested area can be removed as part of the surface mining. Thus no specific natural resources designation is being proposed for this site and instead the entire site is proposed for IND-SW.

Proposed Comprehensive Plan Amendments Overview

Volume 3 – Code

Text amendments propose creating new Heavy Industrial (HI) and General Industrial (GI) Districts and deleting the existing Heavy Industrial (HI), Light Industrial (LI) and Business Park (BP). The new GI District is intended to generally allow the industrial uses allowed currently in the BP and in the LI districts. The HI allows some of the uses allowed in the GI, such as construction, manufacturing and transportation/distribution but also some uses, such as heavy industrial and waste management, not allowed or limited in the GI. Other elements include:

- Table 4.0320 establishes an expanded list of use categories. For each land use category there is a description and specific examples to provide better direction for applicant's and city reviewers as to what is permitted, permitted but limited, or not-permitted.
- Section 4.0321 provides standards for those uses that are allowed but limited. A section is used instead of the current practice of using footnotes. Section 4.0321 provides the limits to Retail and Commercial and Professional Services that Cater to Daily Customers to not exceeding 3,000 square feet per use and 5,000 square feet total per development site and requiring that such uses be part of a building whose primary use is for industrial.
- Section 4.0330 establishes development standards for allowed uses. Although many of these standards are from the current industrial districts the new proposed standards would have no maximum building height (residential height transition standards would continue to apply), allow a 20-foot minimum building setback instead of 25 feet, and allow in the GI district up to 50% outdoor storage (with screening requirements) where the current BP District allows no outdoor storage. The current LI allows the same 50% limit proposed for GI.
- Section 4.0331 establishes additional standards for some of the standards in Section 4.0330. This is proposed as a section rather than as footnotes to the table. Section 4.0331(A) provides standards on division of parcels 50 acres or larger as required by Metro Title 4. The intent is to preserve 50 acre parcels or to have them master planned.
- Section 4.0341 establishes Green Development Practices for Stormwater Management standards. These standards are proposed by the City's Watershed Management Division and

are intended to address goals regarding water quality and flooding issues. Exhibit 'C' is a memorandum from the Watershed Management Division manager.

There are additional minor amendments to other code sections that replace cross references to the existing industrial districts with the new industrial districts. Also Section 8.0121 is proposed that "boat moorage, marina or houseboat moorage" be deleted as a use not allowed in industrial districts. This will correct a situation where there are now non-conforming uses. Table 9.0111A – Buffer Matrix proposed that an E buffer be applied to General Industrial Uses consistent with the current Light Industrial District uses rather than the D buffer applied currently to Business Park.

Exhibit A is in a two-column format showing proposed text in one column and an explanation in the corresponding column.

Volume 2 – Appendix C – Community Development Plan Map and Appendix G Springwater Plan Map
Map amendments replace the current BP, LI and HI districts with the new GI and HI districts with a few exceptions. This results in about 1,792 acres of GI and 282 acres of HI. The map amendment concentrates the exclusive HI allowed uses in one area by replacing existing HI with the new HI in the area generally bordered by Yamhill St., Birdsedale Ave., and Division St. – see Exhibit B Map Two of Five. Three parcels (1S3E05C 7000, 7100, 7200) that are currently HI are proposed for GI because they already have GI uses including RV storage, fencing and auto parts sales and a trucking firm and as a secondary reason to limit impact to the developed low density residential along the south and west property lines.

Consistent with the approach to identify commercial nodes, generally at or near the intersection of major transit streets, there are existing BP and LI acreages proposed to be Moderate Commercial (MC) or Community Commercial (CC).

- On Exhibit B (Map One of Five) parcel 1N3E30A 200 (2 acres) and a portion (5.7 acres) of parcel 1N3E30A 600 are proposed for MC. They are located near the intersection of Sandy Blvd. and 181st Ave. and are surrounding existing MC parcels. The portion of parcel 600 is located at the 181st entry into the U.S. Bank complex.
- On Exhibit B (Map Two of Five) parcel 1S3E05D 800 (3.6 acres) is proposed for MC. It is located on Division St. east of Birdsedale Ave. and is already developed with a grocery store and other retail and office uses.
- On Exhibit B (Map Three of Five) parcels 1N3E38D 1001 and 1002 (8.5 acres) and a portion of parcel 1N3E34C 500 (7.1 acres) is proposed for MC. Parcel 1001 and 1002 are on the southwest corner of Glisan and 223rd. Parcel 1001 is developed with a Walgreens and other commercial and retail and a flex space building. Parcel 1002 is vacant. The portion of parcel 500 is on the southeast corner of Glisan and 223rd and is vacant. It is separated by topography from the rest of the industrial land (partially developed by LSI) to the east. The southern extent of the 223rd proposed MC is to ensure that a driveway access will match the existing driveway access for parcel 1001 across the street.

Parcel 1N3E20B 1100 (3.25 acres) that is currently HI and parcels 1N3E20A 400 (1.36 acres), 301 (1.14 acres) and 200 (1.3 acres) that are currently LI are proposed to become LDR-5. These parcels are currently a moorage with houseboats and do not function as industrial lands. The moorages adjacent to the west are currently LDR-5.

Parcel 1S3E14C 1600 on Map Four of Five would change the mixed-zone parcel of 81.6 acres of HI and 4.8 acres of LDR-5 to Industrial-Springwater (IND-SW). This amendment affects both the Community Development Plan Map and the Springwater Plan Map.

Volume 2 – Policies

Text Amendment will delete obsolete industrial land use policies starting with the SUMMARY OF FINDINGS and including POLICY I, POLICY II, POLICY III and POLICY IV. These policies were added to the code in August 1989 and should have been deleted when the new Goal 9 – Economic Development Background, Goal, Policies and Action Measures were adopted in Oct. 2002. The

amendment also includes minor updating of the 2002 amendments to include new information from the ILA project.

Staff Report Organization

- Sections II and III identify those current Community Development Plan procedures and policies that apply to the proposal.
- Section IV identifies the applicable development codes that apply to the proposal.
- Section V identifies the applicable Metro Urban Growth Functional Plan (UGMFP) titles that apply to the proposal.
- Section VI identifies the applicable Oregon Statewide Goals that apply to the proposal.
- Section VIII contains specific findings of fact that detail how the proposal is consistent with Sections II through VII:
 - Subsection A is findings of fact for the Community Development Plan procedures.
 - Subsection B is findings of fact for the Community Development Plan policies.
 - Subsection C is findings of fact for the Community Development Plan code.
 - Subsection D is findings of fact for the UGMFP Titles.
 - Subsection E is findings of fact for the State Goals.
- Sections IX and X summarize staff conclusions and recommendations.
- Exhibit 'A' includes the following:
 - Text amendments creating new Heavy Industrial (HI) and General Industrial (GI) Districts and deleting existing Heavy Industrial (HI), Light Industrial (LI) and Business Park (BP) (Volume 3)
 - Text amendments deleting obsolete industrial land use policies and updating economic development policies (Volume 2)
- Exhibit 'B' includes the following:
 - Map amendments replacing existing HI, LI and BP Districts with new HI and GI Districts and with existing Moderate Commercial (MC), Community Commercial (CC) and Low Density Residential-5 (LDR) Districts and replacing existing MC District with new GI District (Volume 2, Appendix C, Community Development Plan)
 - Map amendments replacing existing HI and LDR-5 with Industrial-SW (IND-SW) subdistrict (Volume 2, Appendix G, Springwater Plan Map)

SECTION II APPLICABLE COMMUNITY DEVELOPMENT CODE PROCEDURES

Section 11.0400	Legislative Actions
Section 11.0205	Type IV Procedure – Legislative
Section 11.0300	Public Deliberations and Hearings

SECTION III APPLICABLE COMMUNITY DEVELOPMENT PLAN GOALS & POLICIES

Section 10.014	Land Use Policies and Regulations
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**SECTION IV
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**SECTION V
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**SECTION VIII
FINDINGS OF FACT**

The proposed Community Development Plan text amendments attached as Exhibit 'A' and the map amendments attached as Exhibit "B" are consistent with all applicable procedures, policies and criteria of the Community Development Plan; applicable titles of the Metro Urban Growth Management Functional Plan; and applicable Statewide planning goals as indicated in the following findings. Attachment "A" provides "*commentary*" which supplements the findings.

A. Community Development Code Procedures

1. **Section 11.0400 - Legislative Actions.** This section requires that an amendment to the Community Development Code and the Community Development Plan be a legislative action under the Type IV Procedure pursuant to this section. This section applies to this proposal, as it is an amendment to the Community Development Code and the Community Development Plan.

2. **Section 11.0205 - Type IV Procedure - Legislative.** This section requires that the Planning Commission shall hold a public hearing and make a recommendation to the Council. The Council shall hold another public hearing and make a final decision. Interested persons may present evidence and testimony relevant to the proposal. The Planning Commission and Council will make findings for each of the applicable criteria. The section also provides for a hearing process consistent with Section 11.0300. Both the Planning Commission and the City Council, at public hearings in conformance with provisions of this section, will consider this proposal. Findings are made for the applicable criteria in this report or as revised in the record.

3. **Section 11.0300 – Public Deliberations and Hearings.** For a Type IV Comprehensive Plan Amendment this section requires that hearings be scheduled, a notice published in a newspaper of general circulation in the City and a copy of the decision be mailed to those required to receive such notice. As the proposed action effects properties' permissive uses a State Measure 56 notice to property owners is required between 40 and 20 days of the first scheduled hearing. A Measure 56 notice was mailed to property owners on November 26, 2008 which was 26 days prior to the scheduled December 22, 2008 hearing. Required notice of public hearing for these proposed text amendments has been published in the Gresham Outlook, as required by this section. The Planning Commission will make a recommendation and the Council will make a decision that will be based on findings of fact contained in this report and in the hearings record and a decision will be sent to those who participated in the hearings. A decision shall be made accompanied by findings and an order.

B. Community Development Plan Goals and Policies (Volume II)

This section identifies the Community Development Plan goals and policies applicable to the proposed comprehensive plan amendments. The text (*italicized*) of the policy is followed by corresponding findings and conclusions. The applicable policies are grouped by general categories.

1. General Goals & Policies

Section 10.014 Land Use Policies and Regulations

Goal: Maintain an up-to-date Comprehensive Plan and implementing regulations as the legislative foundation of Gresham's land use program."

Policy 1: The City's land use program will be consistent with state and regional requirements but also shall serve the best interests of Gresham.

Policy 2: The City's land use regulations, actions and related plans shall be consistent with and implement the Comprehensive Plan.

Policy 3: Gresham's Community Development Plan Map shall implement the Comprehensive Plan by providing for a range of needed urban land uses including: a. Residential; b. Commercial and office uses including business parks; c. Mixed-Use; d. Industrial uses; d. Overlay Districts where conditions warrant the use of special regulatory tools, and f. Community services where compatible with existing land uses.

Policy 4: The City shall promote a development pattern of land uses in the amounts, types and of sufficient economic values to advance the community's quality of life and its social and fiscal stability.

Policy 21: Council may, upon finding it is the overall public interest, initiate legislative processes to change the Comprehensive Plan text and Community Development Plan Map(s) and Development Code.

Policy 23: Gresham shall coordinate the development, adoption and amendment of its land use related goals, policies and implementing measures with other affected jurisdictions, agencies and special districts.

Policy 24: Gresham shall protect the economic development value and jobs potential of its commercial and industrial lands by restricting land use not supportive of local and regional economic development objectives.

Findings

The general land use goal and the cited policies establish the City's intent to use its comprehensive plan (Gresham Community Development Plan [GCDP]) as the basis for appropriate planning processes and resulting land use plans.

The Industrial Land Use Assessment (ILA) project is on the 2008 Council Work Plan project and is intended to update and revise the City's Industrial land use districts. The last significant update to the industrial districts was in 1988. The project is designed to ensure:

- Industrial districts are updated in a way that meets the City's economic development goals as new industrial trends emerge.
- More efficient use of Gresham's limited industrial land area as development and redevelopment opportunities arise.
- Compliance with recent changes to Title 4 – Industrial and Employment Land of the Metro Urban Growth Management Functional Plan (UGMFP).
- Complete the Springwater Community Plan implementation by designating the Mutual Material site as Industrial-Springwater.

During the research and analysis phase of the ILA project industrial trends relevant to the City were identified, a developable land analysis was conducted, the suitability of the current industrial districts was analyzed and the applicability of the Metro's Title 4 changes was determined. Advice on these issues was sought from the industrial community at a June 2008 Focus Group session.

During the alternatives development and selection phase of the project different approaches to addressing ILA issues were considered and evaluated. The selected approach was to create two new industrial districts, GI and HI, to replace the existing BP, LI and HI districts. The new GI district was intended to generally allow the industrial and industrial related uses in office type buildings associated with the LI and BP districts. The HI was generally intended to allow conventional industrial uses but also heavier industrial uses. Most lands become GI except for existing HI around the Multnomah County and private gravel pits.

An additional approach to the identified issues was to address commercial incursion in industrial lands by doing two things simultaneously:

1. Restricting the amount of commercial retail and professional services development allowed in industrial lands, exceeding Title 4 minimum requirements; and
2. Identifying specific intersections and nodes where commercial development is needed to serve needs of nearby industrial workers and the surrounding community.

The incursion of mini-storage facilities was also considered and addressed by prohibiting them in the two new industrial districts.

The Mutual Materials site is part of a larger HI site that was included in the extensive efforts of the Springwater Community Plan.

As required by State and Metro regulations a draft of the proposed amendments were sent Oregon Development and Land Conservation Department (DLCD) and to Metro 45 days prior to the scheduled December 22, 2008 Planning Commission hearing. Drafts of the proposal were also sent to the Oregon Department of Transportation (ODOT)

Issues related to Industrial Land Use Assessment project were discussed with the City Council on May 20, July 8, and Oct. 14, 2008. The Council found that it would be in the overall best public interest to initiate the Code Amendment. The Council initiation took place on July 15, 2008.

Conclusion

The proposed amendments provide an update to the City of Gresham's Development Code and Plan Map, which is part of the City's Comprehensive Plan and implements the City's land-use regulations.

Policies 1 and 2 are addressed by proposed text and map amendments that respond to the need to update the City's industrial districts to reflect industrial trends, the need to have an industrial district that provides for a wider range of permitted uses, the need to limit the incursions of non-industrial uses in the City's industrial districts and the need to adopt code language that is consistent with the provision of Metro Title 4. It is also addressed by the map amendment to the Mutual Materials site needed to complete the Springwater Plan implementation process.

Policies 3 and 4 are addressed by the proposed text amendments and map amendments that by increasing the range of permitted industrial uses will promote more employment opportunities for the development and redevelopment of industrial lands. They are also addressed by identifying commercial nodes (at or near the intersection of major transit streets) that function better as commercial and retail development than as industrial development. They are also addressed by the plan amendment completing the Springwater Plan at the Mutual Materials site.

Policy 21 is addressed because the City Council initiated these amendments on July 15, 2008.

Policy 23 is addressed through the notice of the proposed amendment to DLCD and Metro; by coordination with Metro on the specific Title 4 provisions; and by coordination with the ODOT.

Policy 24 is addressed by code limitation of retail and commercial and professional services that cater to daily customers in industrial lands while simultaneously amending the plan map for commercial nodes at major intersections that can serve the nearby industrial areas.

The proposal is consistent with the applicable general goals, policies and action measures listed in this section.

2. Citizen Involvement Goals & Policies

Section 10.100 - Citizen Involvement

Goal: The City shall provide opportunities for citizens to participate in all phases of the planning process by coordinating citizen involvement functions; effectively communicating information; and facilitating opportunities for input.

Policy 1: The City shall ensure the opportunity for citizen participation and input when preparing and revising policies, plans and implementing regulations.

Policy 6: The City shall ensure that technical information necessary to make policy decisions is readily available.

Policy 7: The City shall facilitate involvement of citizens in the planning process, including data collection, plan preparation, adoption, implementation, evaluation and revision.

Policy 10: The City shall ensure the opportunity for the public to be involved in all phases of planning projects and issues.

Findings

The public involvement goals and policies establish the City's intent that its citizens have meaningful opportunities throughout a planning project to be informed and to affect proposals.

A public participation plan was created as part of the project work plan and reviewed with the Council on May 20, 2008. Elements of the public participation plan include:

- Staff distributed information on the project at a Neighborhood Association Fair on February 6, 2006.
- Staff distributed information on the project at the Farmers' Market on May 31, 2008.
- An Industrial Focus Group session with participants from a range of industrial interests was held on June 18, 2008.
- Two Community Forums were held on August 27 and November 20, 2008.
- Information on the project has been made available at other Comprehensive Planning workshops.
- The Ask Gresham e-mail tool has been used to alert interested parties when new materials are available on the Web site and when upcoming meetings will occur.
- Project information has been available on the City's Web site and at the Urban Design & Planning office. The Web site is www.greshamoregon.gov.
- Articles on the project have been published in the Neighborhood Connections newsletter, Gresham newsletter and the Council Connections.
- A Measure 56 notice was sent on the proposed amendments on Nov. 26, 2008.

Planning Commission work sessions have been held throughout this process. The Commission discussed the project on April 28, June 9, July 28, Sept. 8, Oct. 13 and Nov. 24.

Conclusion

The *Citizen Involvement Goal (10.100)* and related policies is met by the combination of focus session, community forums, mailings and meetings as well as providing information on the proposal on the City Web site.

The proposal is consistent with the applicable citizen involvement goals and policies listed in this section.

3. Industrial – Economic Development Goal & Policies

10.313 Economic Development Industrial and Business Park Employment

Goal: Achieve and maintain an environment of sustainable economic prosperity and opportunity.

Policy 1: Gresham shall ensure an adequate supply of read-to-build employment lands. The City shall designate and maintain on its Community Development Plan Map the land base necessary for sustained and diverse economic development and job creation.

Policy 2: The City shall acquire a share of the region's jobs at least proportionate to its population growth. The City shall focus on economic sectors and targeted industries that hold the most promise for the creation of a diverse economic base, family wage job growth and career opportunities.

Policy 6: The City shall be able to respond proactively to larger-scale industrial/business park sites of appropriate size and location.

Policy 10: Gresham shall manage its industrial and employment lands to prevent inappropriate and unrelated retail and office land conversion.

Policy 11: Gresham shall increase the potential for higher employment densities to improve job to household ratio and make more efficient use of its existing employment lands.

Policy 13: The City shall ensure that its economic development, land use planning and regulatory efforts support the retention and growth of existing businesses and also addresses the needs of small businesses that wish to locate in Gresham.

Action Measure 15: Evaluate land use policies and regulations with the objective of enhancing the flexibility and efficiency of Gresham's industrial and business park employment lands. Possible future actions may include: a. Allowing information sector uses on light industrial lands. b. Increasing the amount of land allocated for business park uses. c. Transitioning from three industrial zones (Heavy Industrial, Light Industrial and Business Park) d. Encouraging more employment intensive land uses to locate within and near the MAX corridor. e. Adopting standards to promote more intense business park and industrial development to increase the City's ratio of employees per acre. f. Using, where appropriate, performance-based zoning and other development standards.

Findings

The economic development and industrial goal and cited policies establish the City's intent that its industrial lands function efficiently for Gresham's economic prosperity and its citizen's employment opportunities.

The proposed text and map amendments address industrial trends applicable to Gresham. Key trends are:

- Many industries are transitioning to flex space for buildings and sites to be able to rapidly respond to economic changes. Flex space might be one-or two story buildings ranging from 20,000 to 100,000 square feet with a combination of office and warehouse space inside. These buildings may be devoted exclusively to research or may serve multiple uses, such as office and administration and research and development and other high tech uses. Flex space develops generally at higher densities than more transition industrial development. Having flex space

means that over time a company may change the mix of uses inside the building, for example, reducing its production area while increasing office and warehouse uses or on the site.

- Information sector uses are increasing within the region. Information sectors include information/computer technologies, research and design, telecommunications, call centers, data/information processing, publishing, corporate offices, and online information services. These industries are often done in office format buildings.
- Warehousing and distribution are strong components to existing industries within this area and are anticipated to remain so. Warehousing and distribution buildings generally provide storage and distribution of goods. The development sites need space for maneuvering trucks and access to transportation. Distribution centers may use multiple gates and trailers to minimize downtime for drivers and trucks. Buildings with high ceilings (up to 36 feet) allow increased stacking heights so that more goods can be stored at one facility before they are shipped out. Access to a I-5, a marine port and to the Columbia River is a regional strength for warehousing and distribution.
- Emerging (new or modified) industries applicable to the region include computer hardware/software and electronics, food manufacturing and processing, medical devices, apparel and outdoor gear design and manufacturing, specialized manufacturing (such as metals, machinery, and transportation), biosciences (including laboratories and research), alternative/renewable energy industries, environmental services and recycling technology, and information technologies.
- What is considered an industrial use has changed. There are fewer traditional heavy industrial uses such as mills, foundries and chemical plants. The technologies and standards for industrial development have changed significantly in the years since Gresham's industrial districts were last revised. Manufacturing structures are large buildings designed to house manufacturing processes and can be more than 1 million square feet. These industries require good transportation and utility systems.

The proposed text amendments establishes a General Industrial (GI) district that will provide for a wide range of permitted industrial uses that combines while updating industrial uses allowed in the current BP and LI districts. The proposed map amendments would establish the GI district on most lands that are currently BP or LI and on some lands that are currently HI. Proposed Table 4.0320 provides an updated list of allowed uses with detailed descriptions and examples for each category. The categories include:

- Construction: Contractors and Related Businesses
- Manufacturing
- Wholesale Trade
- Transportation/Distribution (Trucking and Rail)
- Warehousing and Storage
- Information Services
- Trade or Commercial School that provide training to meet industrial needs
- Administration and Support of Industries and Companies and Related Industrial Uses in Office Buildings
- Waste Management (Limited)
- Miscellaneous Industrial (Limited)
- Retail Commercial and Professional Services that Cater to Daily Customers (Limited)

The proposed text amendments also establish a new Heavy Industrial (HI) District. The HI district would allow some of the GI permitted uses: Construction Manufacturing; Transportation/Distribution; Warehousing and Storage; Waste Management; and Miscellaneous Industrial. But the HI also allows uses not permitted in the GI such rock crushing facilities and aggregate storage and distribution facilities.

The HI district is proposed to be applied on those current HI lands at or surrounding the Multnomah County and private gravel operations.

The proposed development standards include performance standards for external effects to ensure that pollutants, electrical disturbances, noise and lighting don't affect adjacent properties. The proposed development standards also allow for more intense development in part by allowing a slightly smaller front building setback (from 25 to 20 feet) but current buffering and screening standards still apply, by removing height limit restriction (residential height transition still applies) and by allowing outdoor storage (50% maximum and screening standards apply) where currently outdoor storage is not allowed in the BP.

The proposed text amendment includes provisions required by Title 4 whose intent are to preserve parcels 50 acres or larger until they are developed or master planned.

The proposed text amendments would limit retail and commercial and professional services to 3,000 square feet per use and 5,000 square feet maximum where in BP and LI, up to 60,000 square feet of retail uses are allowed per building although they can be no more than 20% (BP) and 15% (LI) of the total floor area of a development. Commercial services (such as restaurants and banks) can be no more than 30% (BP) and 20% (LI) of the total development. This means that currently 50% of a site in BP can be used uses not related to industry. The proposed restrictions are greater than that required by Title 4 which has a maximum of 5,000 square feet per use and 20,000 square feet total.

The proposed map amendments do provide for greater commercial opportunity by changing the designation from BP or LI to Moderate Commercial (MC) or Community Commercial (CC), where it makes sense at intersections of major transit streets. These new commercial nodes are next to or near industrial lands and can provide services to industrial workers and others.

Conclusions

Policy 1 is met by application of the GI district, which has a greater range of allowed industrial uses and would provide more employment development opportunities than there are currently.

Policy 2 is addressed by an updated allowed use table that provides for a wide range of information services and a variety of uses that take place in office-type buildings that do not cater to daily customers that are not currently addressed in Gresham's industrial districts. It is also addressed by providing better and more thorough descriptions of permitted uses.

Policy 6 is addressed by the establishment and implementation of the GI district which provides more areas where industrial and business park uses will be allowed. It is also addressed by proposing provisions that will preserve large, 50-acre-plus parcels until they are developed or master planned.

Policy 10 is addressed by placing stricter limits on retail and commercial and professional services that cater to daily customers in the industrial districts and by prohibiting mini-storage facilities in industrial areas.

Policy 11 is addressed by allowing what are often the more intensely business park development in more area and by providing some relaxation of setback and height controls while still providing for appropriate buffers and residential height transition.

Policy 13 is addressed by allowing a greater range of industrial uses in an expanded GI district that will give more opportunities for small businesses to grow, redevelop and to locate in Gresham.

Action Measure 15 is addressed by the ILA project which assessed the Industrial districts and standards with the objective of enhancing their flexibility and efficiency. Information sectors are added as a specific allowed use. The new GI district means that more lands can be used for business park development. The proposal finds that the use of two districts, HI and GI, provides an appropriate range of industrial and employment opportunities. Some relaxation of setback and height controls while still providing for appropriate buffers and residential height transition will allow for more dense industrial development. Performance standards for external effect are proposed.

The proposal is consistent with the applicable policies listed in this section.

4. Transit Corridor Plan Area Policies

10.318.1 Transit Corridor Plan Area

Policy 1

The City will permit and encourage land use types and intensities of use which will support creation of transit supportive development along the City's transit streets, accommodate forecast growth and are otherwise consistent with the Urban Growth Management Functional Plan and the 2040 Growth Concept Plan Map.

Findings

The proposed amendments include designating a few sites as Moderate Commercial (MC) or Community Commercial (CC).

- On Exhibit B (Map One of Five) parcel 1N3E30A 200 (2 acres) and a portion (5.7 acres) of parcel 1N3E30A 600 are proposed for MC. They are located near the intersection of Sandy Blvd. and 181st Ave. and are surrounding existing MC parcels. The portion of parcel 600 is located at the 181st entry into the U.S. Bank complex.
- On Exhibit B (Map Two of Five) parcel 1S3E05D 800 (3.6 acres) is proposed for MC. It is located on Division St. east of Birdsdale Ave. and is already developed with a grocery store and other retail and office uses.
- On Exhibit B (Map Three of Five) parcels 1N3E38D 1001 and 1002 (8.5 acres) and a portion of parcel 1N3E34C 500 (7.1 acres) is proposed for MC. Parcel 1001 and 1002 are on the southwest corner of Glisan and 223rd. Parcel 1001 is developed with a Walgreens and other commercial and retail and a flex space building. Parcel 1002 is vacant. The portion of parcel 500 is on the southeast corner of Glisan and 223rd and is vacant. It is separated by topography from the rest of the industrial land (partially developed by LSI) to the east. The southern extent of the 223rd proposed MC is to ensure that a driveway access will match the existing driveway access for parcel 1001 across the street.

The sites are all located on at least one transit street. The MC and CC are corridor districts. The majority of sites are located within the 360 foot corridor as designated on the Metro 2040 Growth Concept map. Findings and conclusion for the proposed changes that are located outside of the corridor are made in the Section C Title 4 of this report.

Conclusion

The proposal supports the policy by designating corridor districts along City designated transit streets and within Metro 2040 Growth Concept map corridors.

The proposal is consistent with the applicable policy listed in this section.

5. Stormwater Management System Goals and Policies

10.333. Stormwater Management System Public Facilities and Services

Goal

Improve flood protection and water quality through the construction and maintenance of the public stormwater system and preservation of natural resources, including area waterways, in compliance with applicable federal and state environmental regulations.

Policy 3. The following shall apply to new development and redevelopment:

Specific System Requirements

i. The preferred method to manage stormwater shall be through the use of facilities that rely on infiltration, bio-retention, and other processes that mimic the natural hydrologic regime. Examples of facilities that incorporate these concepts by integrating stormwater and vegetation are swales, trees, vegetated planters and wetland.

j. Where it is not possible to use the preferred method of stormwater management, new development shall use existing natural drainage ways, in combination with any necessary mechanisms, to ensure that resulting flow quantities and velocities do not degrade the integrity of the stream channel.

k. Where there is no existing natural drainage way, new development shall use constructed open channel conveyance and other non-structural methods to manage stormwater. Structural systems (such as pipes) shall be used only when site characteristics do not allow for open drainage systems

l. The quantity of stormwater runoff after project development shall be equal to or less than the quantity of stormwater runoff from the site before project.

m. Project/sites shall be developed in a manner that conforms to the water quality design criteria found in the City's Water Quality Manual.

Findings

The proposal would require the use of Green Development Practices for Stormwater Management for development in the Industrial districts. These green development practices are facilities such as rain gardens, stormwater planters and porous pavement that manages stormwater runoff as close to the source as possible and are intended to treat and reduce the volume of water run-off into downstream water bodies.

The proposal is similar to the recently updated Pleasant Valley standards and the details of the Green Development Practices sections within the Gresham Water Quality Manual. The proposal was suggested by the Watershed Management Division of the Department of Environmental Services.

Conclusion

The Goal is addressed by green development practices standards that improve flood protection and water quality.

Policy 3 Specific System Requirement is addressed by having standards that provide for the preferred stormwater management system and provide for the water quality design criteria in the Gresham Water Quality Manual.

The proposal is consistent with the goal and applicable policy listed in this section.

6. Springwater Goals & Policies

10.801 Create a Community

Goals

- 1. The Springwater Community shall be an economically and environmentally sustainable community.*
- 2. Springwater will provide a high number of family-wage jobs that enhance the economic viability of Gresham, the greater East County region and its citizens.*

Policies

- 1. The Springwater Community Plan will serve as the basis for the City's comprehensive plan amendments and implementing measures that will guide future urbanization.*

10.802 Economic Development

Goals

- 1. The Springwater Community will provide industrial land that will generate a variety of family-wage job opportunities.*

Policies

- 1. Maximize the land area and accessibility for industrial and industry-related jobs.*

11. *Provide many diverse opportunities for family-wage jobs.*

12. *Work to correct the imbalance of jobs to housing within Gresham and the East Metro region.*

Findings

The Create a Community goals and policies establish the City's intent that a primary focus of Springwater planning would be to focus on a high number of industrial and industrial-related jobs to promote Gresham's economic vitality. It also establishes intent that industrial/employment lands would be complemented by providing a variety of housing options; offering flexibility in development opportunities; using sustainable and green building and development practices, and by supporting the protection and enhancement of natural resources.

The Brickworks/HI site was included in the Springwater Community Plan effort primarily to assess its viability as a Heavy Industrial site and its role in realizing the Springwater Community goals and policies. The Brickworks/HI site was included in all scenario development and evaluation and in the recommended Concept Plan.

Effective in January 2007, the Council approved designation of all of the HI land, except for the Mutual Material parcel, to various Springwater sub-districts. It had been decided to process the change from HI to Springwater sub-districts in two phases with the Mutual Materials site being the second phase. This was because, at the time, there was a need to better understand the effect Mutual Materials surface mining permit could have on part of the site that is forested. This forested area was being considered for natural resource protection designation with the remainder of the site being IND-SW. As the clay surfaced mined at the site is also considered a protected resource by the State and because there is a renewable surface mining permit issued by the State Department of Geology and Mineral Industries (DOGMI) the forested area can be removed as part of the surface mining. Thus no specific natural resources designation is being proposed for this site and instead the entire site is proposed for IND-SW.

The proposal would designate 86.4 acres of the site as IND-SW. This sub-district provides a wide range of uses, including all of the Springwater target industries such as advance materials, specialized software applications, recreational equipment and technology and corporate headquarter and well as traditional industrial uses. The existing brick manufacturing use would continue to be a conforming use as allowed under the NAICS 327 Nonmetallic Mineral Product Manufacturing classification. There is also a mineral extraction (clay) long time operation which has been determined by the City (MIS 02-6175) to be recognized as a Nonconforming Situation and as such could continue to operate under the terms of its State Permit.

Development in the IND-SW will address green building and sustainable site development practices. All development will address green stormwater management practices and be served by green streets.

As part of the Springwater Planning process estimates were made for job and housing capacity. The average capacity estimated for the IND-SW was about 30.5 jobs per net acre. The estimated net acres for the Mutual Material site are 8.0 (net acres exclude the already developed portion of the site and the lands that are available for clay surface mining). This capacity estimate for the area would be about 244 new jobs. This compares to about 108 jobs estimated capacity in the current HI district.

Conclusion

The applicable Create-a-Community and Economic Development Goals and related policies are addressed in implementing the Springwater Plan District and applying the IND-SW sub-district to the Mutual Materials site. The IND-SW sub-district has an emphasis on industrial development and on the targeted industries identified in the Springwater economic development analysis. This final piece of the Springwater Plan was developed in conjunction with the Springwater Plan District, Public Facility Plan, Transportation Plan, and other implementing measures that will be applied to the site. The IND-SW sub-district has a larger estimated capacity and is more flexible than the current HI and focuses on more sustainable industrial users.

C. Community Development Code Plan District Enabling Legislation (4.1000)

(B) Except as provided in Section 4.1000(E), a Plan District shall be established, **amended**, or removed at the initiative of the Planning Commission or the City Council through the Type IV legislative procedure. In establishing a Plan District, findings satisfying all of the following criteria must be made:

Findings:

The criteria for establishing a Plan District include having a study that identifies unique or special characteristics of an area, finding that the existing City-wide standards may not address the area's uniqueness and then establishing the new standards that are consistent with City wide policies. The Springwater Plan District has already been established under this section. No specific criteria are provided for adding an area to the Plan District map as is proposed for the Mutual Materials site. However, the Mutual Materials site is part of the adopted Springwater Community Plan study and report which provides the basis for Springwater Plan District. The proposal for adding the Mutual Materials site to the Springwater Plan District is being processed under the Type IV legislative procedure and was initiated by the Council as part of the ILA amendments initiation.

Conclusion:

The proposal is consistent with the subsection.

(D) The location and boundaries of each Plan District shall be shown on the Community Development Plan Map.

Findings:

The proposed amended Springwater Plan District map will be adopted as an amendment to Volume II. The Community Development Plan Map will be modified by changing the current HI designation to the proposed IND-SW sub-district.

Conclusion:

The proposed comprehensive plan amendments include a Plan District Map and an amendment to the Community Development Plan Map. The proposal is consistent with the subsection.

D. Metro Urban Growth Management Functional Plan

Title 4: Industrial and Other Employment Areas

Title 4 seeks to protect the supply of industrial sites for employment by limiting the types and scale of non-industrial uses in industrial areas. It also seeks to protect the capacity and efficiency of the region's transportation system and to encourage the location of other types of employment in centers and corridors. Title 4 requires jurisdictions to have limits on retail and commercial and professional services that cater to daily customers. It also requires provisions that maximize preservation of parcels 50 acre or larger. This originally required compliance by July 2007. However, the Metro Council gave Gresham and 13 other jurisdictions a compliance extension to April 3, 2009.

The Title 4 amendments affected provisions for two Title 4 classifications: Regionally Significant Industrial Areas (RSIA) and Industrial areas. The City of Gresham has lands with both RSIA and Industrial classifications. The RSIA is limited to the current HI lands north of Sandy Boulevard.

The applicable Title 4 Sections are 3.07.420 Protection of Regionally Significant Industrial Areas and 3.07.430 Protection of Industrial Areas.

Section 3.07.420.B provides that "cities ... shall review their land use regulations and revise them, if necessary, to include measures to limit the size and location of new buildings for retail commercial uses – such as stores and restaurants – and retail and professional services that cater to daily customers – such as financial, insurance, real estate, legal, medical and dental offices – to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for retail uses and services shall not occupy more than 3,000 square feet of sales and service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales of the same

development project, with the following exceptions: 1. [within the bounds of public use airport which is not applicable to Gresham] and 2. Training facilities whose primary purpose is to provide training to meet industrial needs." Section 3.07.430.A has similar language except that allowance per use is 5,000 square feet.

The proposal is to limit retail and commercial and professional services that cater to daily customers (Table 4.0320.L) to 3,000 square feet per use with a total of 5,000 square feet in both the GI and HI districts.

The proposal is to only allow Trade and Commercial Schools whose primary purpose is to meet industrial needs (Table 4.0320.G) in the GI and they are not allowed at all in the HI.

Section 3.07.420.E and 3.07.420.D are provisions regarding the division of lots or parcels into smaller lots or parcels. These provisions apply to parcels 50 acre and larger. The proposal (Section 4.0331(A)) is to adopt language that duplicates that language of these two Title 4 provisions.

The proposed IND-SW designation at the Mutual Materials site is a designation that Metro previously found consistent with Section 3.07.420 when the Springwater Plan was adopted in Dec. 2005. The IND-SW standards limit retail and commercial and professional services that cater to daily customers to the 3,000/20,000 square foot limit and provide the Title 4 limitation on land division of 50 or greater acre parcels.

There is one area that is affected by the Title 4 map (industrial) that is proposed for the Moderate Commercial (MC) district. The MC district would allow retail and commercial and professional services that cater to daily customers at square footage that exceeds the 5,000 and 20,000 square foot limitations. See Figure 1. The total area affected is 3.4 acres.

Title 4 Section 3.07.04.450 (C) provides that the City may amend in comprehensive plan or zoning regulations to change its designation of land in order to allow uses not allowed by Title 4 upon a demonstration that:

1. *The property is not surrounded by land designated on the map as Industrial Area, RSIA or a combination of the two.* Response: The areas are not surrounded by Industrial or RSIA land.

2. *The amendment will not reduce the jobs capacity of the city below the number shown on Table 3.07-1 of Title 1 of the Functional Plan, or the amount of the reduction is replaced by separate and concurrent action by the city.* Response: The Moderate Commercial district is a corridor district that allows offices, clinics, retail trade, retail service, and business services with a maximum footprint for any building of 40,000 square feet. There is no maximum floor area ratio and a 45 foot height limit. The allowed commercial uses would allow at least the number of jobs that might be generated by an industrial designation.

3. N/A as regard RSIA.

4. *The amendment would not allow uses that would reduce off-peak performance on Major Roadway Routes and Roadway connectors shown on Metro's 2004 Regional Freight System Map below standards in the regional Transportation Plan ("RTP"), or exceed volume-to-capacity ratios on Table 7 of the 1999 Oregon Highway Plan for state highways, unless mitigating action is taken that will restore performance to RTP and OHP standards within two year after approval of uses;* Response: Ross Kevlin, Oregon Department of Transportation (ODOT), asked the City to analyze the proposed MC changes at this site per ORS 660-012-0060 and potential affect on the nearby I-84 interchange at 181st. City staff provided ODOT an analysis with ITE Average Primary Trip Rate, AM Peak Hour Trips, and PM Peak Hour trips. The analysis concluded that "no increase in trip generation potential will result". Mr. Kevlin reviewed the analysis and stated in writing "We've reviewed the existing and proposed zoning regs at the NW quadrant of the 181st interchange, and we agree that there's not significant traffic effect, because both sets of regulations essentially would allows the same levels of development and trips."

5. The amendment would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in the market area;
 Response: The Moderate Commercial district is a corridor district applied to smaller nodes of activity clustered around key intersections. It is intended to function primarily as locally-oriented centers serving smaller trade areas. Permitted development types include commercial, retail, service and office uses. New housing at moderate densities may be permitted when developed in conjunction with commercial development. The proposal increases an existing MC node at the intersection of two transit streets with much of the parcels located within the 2040 corridor design type. The MC does not permit the densities allowed in regional, town center or station center areas and would not diminish their intended functions.

6. If the maps designate the property as Industrial Area, the property subject to the amendment is 20 acres or less.” Response: the affected property area is 3.4 acres.

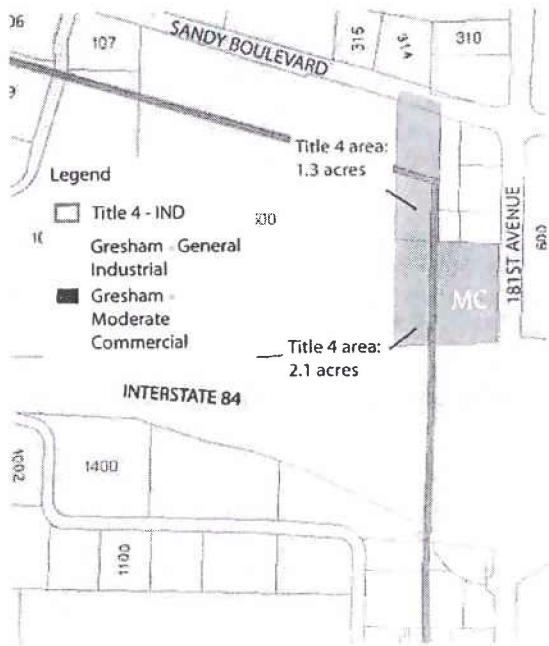


Figure 1

The proposal is consistent with Title 4.

Title 8 Compliance Procedures

Findings

Section 3.07 820 of this title requires that at least 45 days prior to the first evidentiary hearing on an amendment to a comprehensive plan or land use regulation that the City submits the proposed amendments to Metro. Metro may review the amendments and can request that the City provide an analysis of the compliance of the amendment with the Functional Plan.

The City submitted the proposed amendments to Metro on October 23, 2008 which was at least 45 day prior to the first evidentiary hearing of December 22, 2007. Metro has submitted a letter stating that proposed amendments are consistent with Title 4. That letter is Exhibit "D". No comments or request for an analysis have been received.

Conclusion

The City has submitted the proposed amendments to Metro at least 45 day prior to the first evidentiary hearing and Metro has made a written comment that the proposal is consistent with Title 4.

The proposal is consistent with Title 8.

E. Oregon Statewide Planning Goals

Goal 9. To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizen.

Findings

Effective in Oct. 2002, the City adopted updated economic development (Goal 9) goals, policies and action measures. These changes were based on economic development studies and a community planning process as part of a State required periodic review of the City's comprehensive plan. Findings and Conclusions made in Section B.3 of this staff report are that this proposal is consistent with the economic development goal and applicable policies and that it achieves applicable action measures.

When the Springwater Plan was adopted in Dec. 2005, findings and conclusions were made that it was consistent with Goal 9. The proposal completes a plan element of the Springwater Plan.

Conclusion

The proposal is consistent with Goal 9.

Goal 12. To provide and encourage a safe, convenient, and economic transportation system.

Findings:

ORS 660-012-0060 states "(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility."

Ross Kevlin, Oregon Department of Transportation (ODOT), asked the City to analyze the proposed MC changes at this site per ORS 660-012-0060 and potential affect on the nearby I-84 interchange at 181st. City staff provided ODOT an analysis with ITE Average Primary Trip Rate, AM Peak Hour Trips, and PM Peak Hour trips. The analysis concluded that "no increase in trip generation potential will result". Mr. Kevlin reviewed the analysis and stated in writing "We've reviewed the existing and proposed zoning regs at the NW quadrant of the 181st interchange, and we agree that there's not significant traffic effect, because both sets of regulations essentially would allows the same levels of development and trips."

The adopted Springwater Community Plan (Dec. 2005) included a Transportation System Plan (TSP) where findings and conclusion were made that it was consistent with Goal 12 as part of the Metro Title 11 provisions. The TSP included the Mutual Materials site proposed IND-SW designation.

Conclusion:

The proposal is consistent with Goal 12.

SECTION IX CONCLUSION

The proposed comprehensive plan amendments attached as Exhibit 'A' and Exhibit 'B' are consistent with applicable criteria and policies of the Community Development Plan, the applicable development code of the Community Development Plan; Applicable Metro UGMFP code and the applicable Oregon Statewide Planning Goals; as indicated by findings contained or referenced in Section VIII of this report.

**SECTION X
RECOMMENDATION**

Staff recommends **adoption** of the proposed comprehensive plan amendments as contained in the attached Exhibit 'A' and 'B'.

End of Staff Report



MEMORANDUM

URBAN DESIGN & PLANNING Comprehensive Planning

ADDENDUM STAFF REPORT TYPE IV HEARING—COMPREHENSIVE PLAN AMENDMENT INDUSTRIAL LAND USE ASSESSMENT PROJECT

To: Gresham Planning Commission

From: Mike Abbaté, Urban Design & Planning Director
Janet Young, Economic Development Services Director
Jonathan Harker, AICP, Comprehensive Planning Manager

Hearing Date: December 22, 2008 (Rescheduled to January 12, 2009)

Report Date: December 19, 2008

File: CPA 08-250

In response to the Measure 56 notice to property owners that have been some issues raised to staff by property owners that are not reflected in the December 11, 2008 draft amendments in the Planning Commission Dec. 22 packet. This addendum report will address these issues and makes recommendations. The following addendum report format is as follows: **Issue** – a statement of the issues; **Response** – a staff response; and **Recommendation** – staff recommendation regarding the issue.

Issue 1: Lot 1 Gresham Crossing Subdivision (1N3E34C 1001) – DR MM 06-026000379

The property is located at the southwest corner of 223rd and Glisan (Map 3 of 5) and is proposed for Moderate Commercial (MC) from Business Park (BP). The referenced design review approved an 8,000 square foot commercial building, a 14,820 square foot Walgreen's and a 50,820 square foot flex-space industrial building. This site (including the adjacent lot 1002) was proposed to be MC as a commercial node at an intersection of two major transit streets. The property owner is desirous of the MC designation but concerned about the industrial building. As an industrial flex-space building it was anticipated to be for the industrial and office uses allowed in the BP rather than the retail uses allowed in the MC. The property owner is concerned that as a vacant building there would no non-conforming use established when the MC becomes effective in April 2009 (current schedule) and, at least in the short term, this could result in not being able to use the building. The property owner requested that the City consider allowing, for a limited time period, BP type uses as allowed uses in the building with at the end of the limited time any such uses would become non-conforming.

Response: Staff concurs that this is an unusual situation that could result in an un-utilized or under-utilized building. The current BP does not allow outdoor storage or activities associated with industrial activities. This means that the uses would take place entirely within the building and should have no adverse impact to the MC site.

Recommendation: Amend the MC district by adding a footnote that, specific to this one building, would allow those uses in the GI that would have been allowed in the BP to be a permitted use for a period of five years. At the end of the five years any such uses would become non-conforming. In addition no outdoor storage or

business activity associated with the industrial uses would be allowed. The highlight date is five years from the current anticipated effective date.

Table 4.0420: Uses Permitted In the Corridor Districts

Use Categories:	Rock-wood Town Center	Station Center	Station Center (Ruby Jct. Overlay)	Corridor Multi-Family	Corridor Mixed-Use	Community Commercial	Moderate Commercial
(P) Industrial Uses	NP	NP	L ^{6,7}	NP	NP	NP	NP L ¹⁴

Table 4.0420 Notes:

14 General Industrial Uses identified under Table 4.0320(A), (B), (C), (E), (G), (H), and (K) are permitted uses for structures existing on Lot 1 of the Gresham Crossing Subdivision (IN3E34C TL 1001) that were approved by through City file DR/MP 06-26000379 for a 5-year period, ending 04/01/2014. No outdoor use (storage or business activity) is permitted in association with these General Industrial Uses. Any such General Industrial Use still present beginning 04/02/2014 will be considered a non-conforming use and subject to the provisions of Section 8.0200.

Issue 2: Letter from Brent Hedberg, SPECHT, Exhibit #1

A letter received Dec. 11, 2008, had five recommendations:

1. Eliminate the text "such as research and technology employment" from the first sentence of section 4.0311.
Response: Staff concurred that this was an unneeded statement.
Recommendation: This edit is already reflected in the Planning Commission 12-11 draft.
2. In the Table 4.0320, Section H should be revised to read "... and other office type uses that primarily service other industries and do not generate a significant number of daily customer visits".
Response: Staff concurred that this was an appropriate clarification.
Recommendation: This edit is already reflected in the Planning Commission 12-11 draft.
3. Add language to Section N. of Table 4.0330 for both industrial districts such that it reads "... of the site area may include outdoor uses and storage associate with industrial uses, *exclusive of areas utilized for temporary vehicular maneuvering or parking*". It was felt this language was needed to reflect current City practice.
Response: Staff does not believe this clarification is needed and would be concerned if it resulted in an interpretation that the access aisles within a storage area were excluded from the maximum 50% of site as outdoor storage limitation. Staff also feels that it is clear that outdoor uses and storage does not include parking and loading facilities along with associated access and maneuvering areas as regulated under Section 9.0800.
Recommendation: Staff recommends no change to this section.
4. Add text to Section 7.0210 (3) (b) such that it reads "Industrial uses within the General and Heavy Industrial Districts (such as manufacturing, processing, assembly, distribution, repair, warehousing, fabrication, *Information Services, Trade or Commercial Schools, Administration and Support of Companies and Enterprises*, and other uses as determined by the manager) are exempt." This

provision references design standards required for development facing a transit street. The current language exempts from the transit design standards certain industrial uses.

Response: Industrial developments are exempt to address their site need that may require parking in the front because there are loading docks in the rear of the building. This conflicts with transit design standard that prohibit parking between a building and a transit street. Requiring both parking and loading docks at the rear of the building may cause congestion and other traffic conflicts. However, the current standard does not exempt office, retail and other non-industrial uses from meeting the transit design standards. Although staff concurs that this section can be edited to be more specific to the new district, staff does not agree with the proposed additions where the uses are ones that would be in an office-type building.

Recommendation: Staff recommends the following language to replace the current proposal. The proposed language continues to exempt industrial development but not exempt those uses that take place in office type buildings:

7.0210(A)(3)(b) Industrial uses within the General and Heavy Industrial Districts. However, in Industrial Districts, buildings devoted to 100% non-industrial uses, which include uses listed under Table 4.0320(F), (G), (H), (I), (L), (M) and may include office-type uses under Table 4.0320(A) are not exempt from the Transit Design Criteria and Standards.

5. The minimum setback for outdoor storage should be reduced to 20 feet in order to maintain consistency with the required building setbacks and allows for efficient and functional site planning.

Response: Staff concurred with the change and had already realized that the previous draft was in conflict with building setback requirements.

Recommendation: This edit is already reflected in the Planning Commission 12-11 draft.

Issue 3: BP and LI Properties along Burnside Road east of Birdsdale Avenue (Exhibit #2)

Staff was contacted by the property owner of 1S3E04 BC 2800 at 1900 NE Burnside (see Figure 1). The property is currently designated as BP and is proposed for the new GI district. Current uses on the property are a retail light fixture shop and two auto-dependent uses.

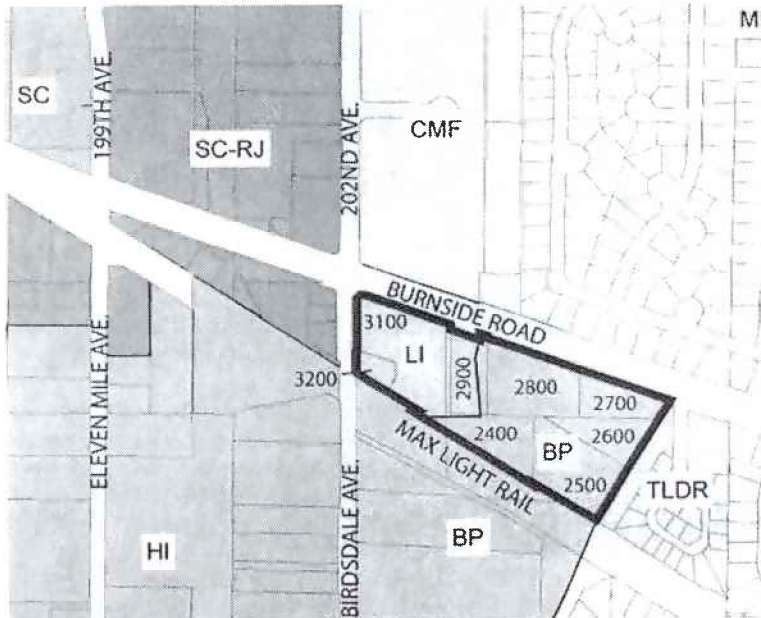


Figure 1

An Auto-Dependent Use is defined in Section 3.0010 of the Development Code as "A retail service use which provides direct services for motor vehicles where the customer may or may not wait on the site while the service or repair is being performed. Examples of auto-dependent uses are service stations, car washes, quick lubrication services, vehicle repair, transmission and muffler shops, auto body shops, alignment shops, auto upholstery shops, auto detailing, and tire sales and mounting."

The property owner noted the uses on the property are commercial not industrial uses and was concerned about the potential loss of non-conforming rights if there was a tenancy loss in the building. He also noted that the property is located at a major arterial. He has submitted a letter (Exhibit 2) requesting a Moderate Commercial (MC) designation. He also suggested that other adjacent parcels have the same MC. The auto-dependent uses are a permitted use in the MC.

Response: Staff researched the parcels and found that (see Figure 2):

- Lot 2700 (BP) has three auto-dependent uses.
- Lot 2600 (BP) is vacant.
- Lot 2500 (BP) has a single family house.
- Lot 2400 (BP) & Lot 3100 (LI) is a mini-storage facility
- Lot 2900 (LI) has two auto-dependent uses.
- Lot 3200 (LI) has contractors office, an auto-dependent use and limousine service use.

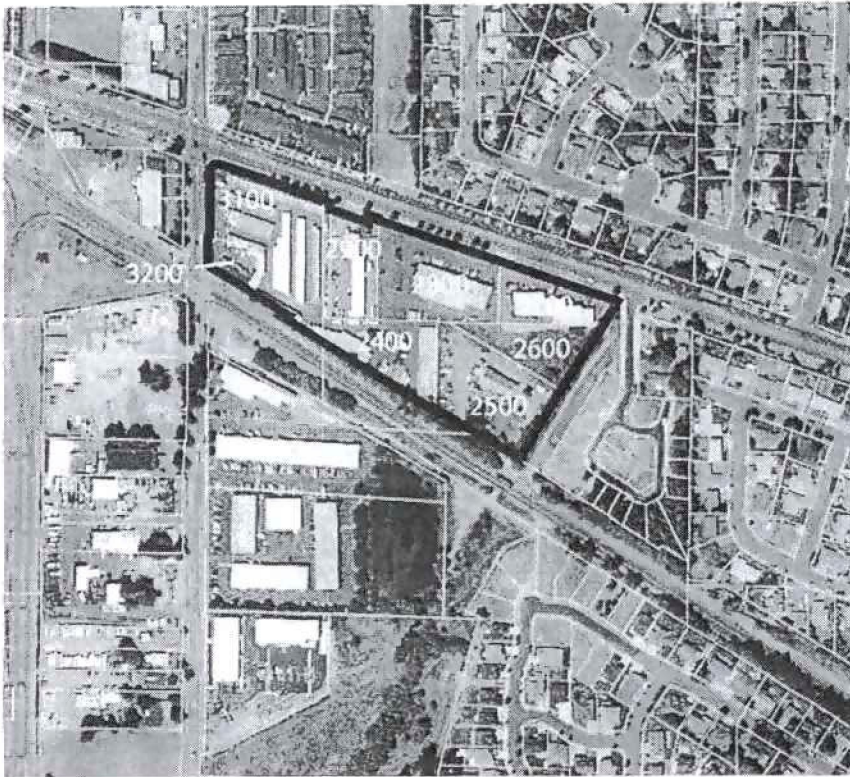


Figure 2

All of the uses, except for the mini-storage, would appear to be permitted uses in the MC. As the GI district proposes to prohibit mini-storage the facility would become non-conforming if the property were changed to GI. The properties are located along a transit street (Burnside) and near the Ruby Junction light rail station. The

site is constrained by light rail line on the south. It is bounded on the west by residential properties. None of the parcels are affected by the Metro Title 4 maps.

Recommendation: Staff recommends that the LI and BP parcels as shown (block outline) on Figures 1 and 2 be designated as MC. This change will make most of the existing uses conforming. As the MC is a corridor district the change also would support transit corridor policies (10.319.1). Those policies encourage land use types and intensities which support transit supportive uses.

Issue 4: Definition of Development Project

This issue regards Section 4.0321(D) which provides the square footage limitation on retail and professional services that cater to daily customers. The proposal is to limit such uses to 3,000 gross floor area per use and 5,000 gross floor area total per development project. The term "development project" is stated in Metro's Title 4 language but is not defined. A property owner of a corporate park expressed a concern that a large corporate park with multiple lots, multiple large buildings, and separate ownerships might be restricted to a single 3,000/5,000 limit similar to a smaller single parcel. A concern was expressed that though intent of the code is to allow outlet stores, delis, small ATM/bank branch and the like, depending on how development project is defined complexes with many buildings and employees might be not be able to serve the area as intended if the entire complex was considered a single development project.

Response: Staff concurs that there is intent to allow some retail and professional service uses in order to serve industrial workers and that it is not the intent to treat a complex with multiple lots, buildings and owners the same as a single developed parcel. However, there is also intent to limit the incursion of retail in industrial areas. Therefore, there needs to be a relationship between the size of buildings (and thus potential workers) and the allowance for retail. The Planning Commission draft proposed a way of defining development project. The Planning Commission draft also restricts the retail/professional service uses to be part of an industrial building – they cannot be a stand alone building. Staff has reviewed a corporate park site plan and concluded that 50,000 square feet is a reasonable threshold for being considered a development site. Complexes or lots with less than 50,000 square feet could be considered a development project. A building that is more than 50,000 square feet can be considered a development project. This will help ensure that these small services can be provided but are still limited.

Recommendation: The following code language is proposed to replace the language in the PC draft:

4.0321(D) Retail and Commercial and Professional Services that Cater to Daily General Public Customers

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

- (1) 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-sf 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.
- (2) Shall not be permitted in a stand-alone building and instead be included within a building whose primary purpose is for an industrial use.

Issue 5: Comments from Wilkes-East and Marc Thornsby (Attachment E)

OFFICIAL WILKES-EAST NA COMMENTS

1. We are pleased to see renewed interest in protecting, and steps being taken to insure proper, effective, and efficient use of, our limited industrial zones. *(Not an issue.)*

2. We are concerned that the proposed process for determining "similar use" will be a Type-I process wherein staff will make such determination without review of any kind. We believe that such determinations of "similar use" should go before the Planning Commission for review and approval in advance.

Response: Staff has removed the "similar use" language from the proposed ILA amendments. The provision as proposed affected all land uses not just those in the industrial districts. Staff felt that it would be more appropriate to consider the similar use determination process in the context of a larger look at how the development code addressed use categories. Such a study is planned as part of the Development Code Improvement Project.

Recommendation: Do not include a similar use determination process as part of the ILA amendments.

PERSONAL COMMENTS

3. I would like to suggest the commission consider allowing mini-storage units in perimeter of GI zones where such zones abut residential zones. This would provide siting locations for mini-storage where they would be appropriate...as buffers between heavier industrial uses and residential areas.

Response: The proposed amendments prohibit mini-storage as a permitted use in the industrial districts. Allowing any mini-storage in the GI would be an incursion into the industrial land.

Recommendation: The issue of mini-storage should be a separate future project. The potential corridors project may be able to address the issue.

4. I caution the commission with respect to the manner in which rock quarry operations are handled at their end of life. These often become landfills (122nd & San Rafael, for example). The determination of zoning and use restrictions in these areas should consider this possible outcome.

Response: Staff understands that the rock quarry operations are continuing in the foreseeable future.

Recommendation: Working with the property owners on the future of the rock quarry operation sites could be a future project.

5. While I generally support the preservation of industrial waterfront (as it continues to disappear), residential use between Marine Dr. and the Columbia River in North Gresham is appropriate. Without significant changes (such as the rerouting of Marine Drive), the area is simply too small for practical industrial use. (*Not an issue.*)

6. I am concerned that there is *no* planned HI at all in North Gresham. The large industrial areas there are suitable for the location of HI in the core area buffered by the less intense GI. Losing HI here, where it can be easily buffered by surrounding GI, may be a mistake. While not the only area, a particularly suitable section for HI can be found between I-84 and NE Sandy east of 181st. However, HI areas could easily be larger while still allowing a significant GI buffer.

Response: Staff has concluded that the proposal to have GI on most lands will best serve the interests of the City and potential industrial areas. And staff has concluded that the HI area is large enough to accommodate those needs that aren't addressed by the GI.

Recommendation: Staff recommends no change.

7. Similar to #6, I am also concerned that there is no GI buffering surrounding several HI areas that are otherwise surrounded by residential.

Response: The proposed map amendments do not result in any new HI lands and thus do not create any new areas where HI abut residential lands. As many of the HI parcels are large and deep trying to create a buffering of GI would be problematic. When new development occurs there is an existing requirement for an "E" buffer between the industrial use and the residential property.



MEMORANDUM

URBAN DESIGN & PLANNING
Comprehensive Planning

ADDENDUM STAFF REPORT
TYPE IV HEARING—COMPREHENSIVE PLAN AMENDMENT
INDUSTRIAL LAND USE ASSESSMENT PROJECT

To: Gresham Planning Commission
From: Mike Abbaté, Urban Design & Planning Director
Janet Young, Economic Development Services Director
Jonathan Harker, AICP, Comprehensive Planning Manager
Hearing Date: January 12, 2009
Report Date: January 12, 2009
File: CPA 08-250

The Planning Commission received an Addendum Staff Report dated December 19, 2008. Issue 1 of the report regards a flex-space industrial building on property proposed to go from Business Park to Moderate Commercial at the southwest intersection of 223rd and Glisan. Staff proposed allowing that specific industrial building to have for a limited five year period those General Industrial uses that would have been allowed in the Business Park. As the Business Park did not allow warehousing as a stand-alone use, the proposed language did not include allowing warehousing. However, the Business Park, does allow warehousing "in conjunction with and accessory to a primary allowed industrial use." To be consistent with the intent of the proposal staff recommends the following revised language. Section "E" refers to the General Industrial Warehousing category.

Table 4.0420: Uses Permitted In the Corridor Districts

Table with 8 columns: Use Categories, Rock-wood Town Center, Station Center, Station Center (Ruby Jct. Overlay), Corrid or Multi-Family, Corridor Mixed-Use, Community Commercial, Moderate Commercial. Row 1: (P) Industrial Uses, NP, NP, L6,7, NP, NP, NP, NP L14

Table 4.0420 Notes:

14 General Industrial Uses identified under Table 4.0320(A), (B), (C), (E) permitted only in conjunction with and accessory to a primary allowed use. (F), (G), (H), and (K) are permitted uses for structures existing on Lot 1 of the Gresham Crossing Subdivision (1N3E34C TL 1001) that were approved through City file DR/MP 06-26000379 for a 5-year period, ending 04/01/2014. No outdoor use (storage or business activity) is permitted in association with these General Industrial Uses. Any such General Industrial Use still present beginning 04/02/2014 will be considered a non-conforming use and subject to the provisions of Section 8.0200.

GRESHAM CITY COUNCIL
AGENDA ITEM TYPE: DECISION



**Development Plan Map and Code Amendments:
Industrial Land Use Assessment Project**

Meeting Date: Feb. 3, 2009
Service Area: Urban Design & Planning

Agenda Item Number: D-1
Service Area Manager: Mike Abbate

REQUESTED COUNCIL ACTION

Move to approve City Application No. CPA 08-250 based on the findings, conclusions and recommendations of the Planning Commission Recommendation Order and staff reports; and approve the first reading of Council Bill 15-08.

PUBLIC PURPOSE AND COMMUNITY OUTCOME

This project is included in the 2009 Council Work Plan. The purpose and outcome is to:

- Update industrial districts to meet City economic development goals as new industrial trends emerge;
 - Ensure efficiency of development and redevelopment in Gresham's industrial land areas;
 - Comply with required changes to Metro Functional Plan Title 4 – Industrial Lands; and
 - Complete the Springwater Community Plan land use recommendations by designating the Mutual Material site located at 2300 SE Hogan Road as Industrial-Springwater (IND-SW)
-

BACKGROUND

This is a public hearing to amend Volume 2 and Volume 3 of the Community Development Plan relating to the Industrial Land Use Assessment project, including provisions that will:

- Create two new land use districts: Heavy Industrial (HI), which provide space for industrial users that may include characteristics that could create compatibility issues for adjacent land uses; and General Industrial (GI), which is primarily intended to provide space for a wide range of industrial uses.
- Replace existing Business Park (BP), Light Industrial (LI) and Heavy Industrial (HI) industrial districts by applying the new HI to a small area for resource extraction and other heavy industrial uses and applying the GI to the remainder of the City's industrial areas.
- Rezone some industrial areas located at or near the intersection of major streets to Moderate Commercial (MC) or Community Commercial (CC) districts. The MC and the CC are transit corridor districts.

- Limit retail and commercial professional services that cater to daily customers such as restaurants, medical clinics, insurance offices and outlet stores to 3,000 square feet per use and 5,000 square feet total per development project. Such uses must be part of a building primarily for industrial uses and are not allowed as a stand alone building.
- Prohibit mini-storage facilities in Industrial districts.
- Provide an expanded list and description of permitted industrial uses standards in the industrial development code.
- Regulate external effects such as air pollutants, odorous gasses, and electrical interference from affecting adjacent properties. A new standard requires an applicant to provide information on compliance which may include operation records, periodic checks and special surveys.
- Require new development in industrial districts to use green development practices for stormwater management.
- Provide other minor text changes to improve or clarify the code as it relates to standards for the industrial districts.
- Apply the Industrial-Springwater (IND-SW) to the Mutual Material Heavy Industrial site as was proposed in the adopted Springwater Community Plan.
- Comply with Metro Title 4 by adopting provisions with limitations on retail and commercial professional services that cater to daily customer and limitations on land divisions of 50 or greater acre parcels.

The Council initiated the amendment process on July 15, 2008. The Planning Commission held a public hearing on the proposal on January 12, 2009 and recommended that the Council approve the code text amendments and proposed plan map amendments.

RECOMMENDATION AND ALTERNATIVES

Recommendation:

- Staff recommends that the City Council adopt Council Bill 15-08.

Alternatives:

The alternatives to the staff recommendation are to:

- Adopt the staff recommendation with deletions, additions or modifications to any provision of the proposal.
 - Refer some or all of the proposal to the Planning Commission for consideration. This would result in a delay in enacting some or all of the ILA map and code changes and missing the Metro Title 4 April 3, 2009 compliance deadline.
 - Reverse the recommendations of the Planning Commission and staff and reject the amendments. This would preserve the City's current map and code but would not address updating the industrial districts and complying with Metro Title 4.
-

BUDGET / FINANCIAL IMPACT

The costs associated with completing this project are funded in the FY08/09 budget.

PUBLIC INVOLVEMENT

The Council reviewed a public participation plan as part of the project work plan on May 20, 2008. Elements of the public participation plan included:

- Project information distributed on the project at a Neighborhood Association Fair on Feb. 6, 2006.
 - Project information distributed on the project at the Farmers' Market on May 31, 2008.
 - An Industrial Focus Group session with participants from a range of industrial interests was held on June 18, 2008.
 - Two Community Forums were held on Aug. 27 and Nov. 20, 2008.
 - Information on the project has been made available at other Comprehensive Planning workshops.
 - The Ask Gresham e-mail tool has been used to alert interested parties when new materials are available on the Web site and when upcoming meetings will occur.
 - Project information has been available on the City's Web site and at the Urban Design & Planning office. The Web site is www.greshamoregon.gov.
 - Articles on the project have been published in the Neighborhood Connections newsletter, Gresham newsletter and the Council Connections.
 - A Measure 56 notice was sent on the proposed amendments on Nov. 26, 2008.
 - Planning Commission work sessions have been held throughout this process. The Commission discussed the project on April 28, June 9, July 28, Sept. 8, Oct. 13 and Nov. 24.
-

NEXT STEPS

The second reading of this Council Bill is tentatively scheduled for March 3, 2009 with an effective date of April 2, 2009.

ATTACHMENTS

- A Council Bill 15-08 with Exhibit A - Proposed Community Plan Map Changes
 - B Planning Commission Recommendation Order, staff report and exhibits, addendums
 - C Planning Commission hearing exhibits
 - D Planning Commission minutes from Jan. 12, 2009
-

FROM:

Mike Abbaté, Urban Design & Planning Director
Janet Young, Economic Development Director
Jonathan Harker, Comprehensive Planning Manager

REVIEWED THROUGH:

Rick Faus, City Attorney's Office
Dave Rouse, Environmental Services Director
Alice Rouyer, Executive Manager

FOR MORE INFORMATION

Staff Contact: Jonathan Harker
Telephone: 503-618-2502
Staff E-Mail: jonathan.harker@ci.gresham.or.us
Website: www.greshamoregon.gov



MEMORANDUM

URBAN DESIGN & PLANNING Comprehensive Planning

ADDENDUM STAFF REPORT TYPE IV HEARING—COMPREHENSIVE PLAN AMENDMENT INDUSTRIAL LAND USE ASSESSMENT PROJECT

To: Mayor Bemis and Members of the Council

From: Mike Abbaté, Urban Design & Planning Director
Janet Young, Economic Development Services Director
Jonathan Harker, AICP, Comprehensive Planning Manager

Hearing Date: February 3, 2009

Report Date: February 3, 2009

File: CPA 08-250

Since the Planning Commission hearing on January 12, 2009, one request for a map change has been received via e-mail on January 29, 2009. The letter, with map exhibits, is from a property owner, McMorgan & Company, and dated January 23, 2009. On February 3, 2009 an additional correspondence of a site map was received by the City via e-mail. These correspondences have been made part of the record and available for Council review at the hearing.

This addendum report will address these issues and makes recommendations. The following addendum report format is as follows: **Issue** – a statement of the issues; **Findings** – a staff finding; and **Recommendation** – staff recommendation regarding the issue.

Issue: Gateway Corporate Center located at the SE corner of NE 181st Avenue and Sandy Boulevard

The property owner requests that a portion of the property be rezoned to Moderate Commercial (MC) rather than the new General Industrial (GI). It is currently Business Park (BP). The letter states *"the size and relative location would be similar to that portion of the US Bank site across NE 181st Avenue to the west which is being recommended to go from Business Park to Moderate Commercial."* A map provided on February 3, 2009, shows the proposed area of MC.

Findings:

A phased design review and lot line adjustment for the Gateway Corporate Center was approved by the City on July 29, 2003 (DR/LL/PHASE 03-2513). This approval included two parcels (3 and 4) which could be developed with an approximately 15,000 square foot retail building. Those two parcels (See Figure 1) are part of an approved plat map recorded with Multnomah County on November 26, 2008. Designating these two parcels as MC is consistent with the past action. This would add about 2.12 acres of MC land.

Parcels 3 and 4 have frontage on 181st Street (a transit street), are located at a signalized intersection, and would be served by a driveway that matches the driveway to the US Bank property across the street to west. The design review demonstrated that these parcels could be developed with a retail building consistent with transit street standards. Designating the proposed area a MC is consistent with the purpose of the project's intent to have some intersection nodes designated as commercial. It will also support Transit Corridor policies as the site can accommodate transit supportive uses. The new MC area is limited and would not have an adverse effect on the rest of the Corporate Center's ability to develop under GI standards. These parcels are not affected by Metro Title 4 requirements.

Recommendation:

Staff recommends that Parcels 3 and 4 be designated as MC rather than GI as originally proposed based on the findings and recommendations of this Addendum Staff Report.

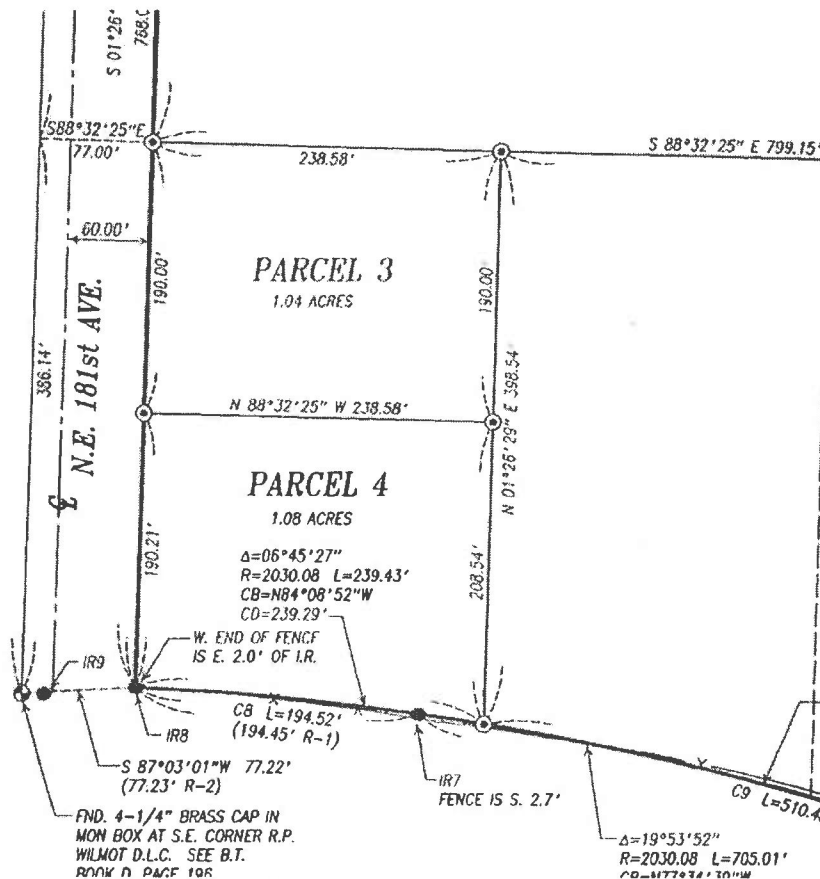
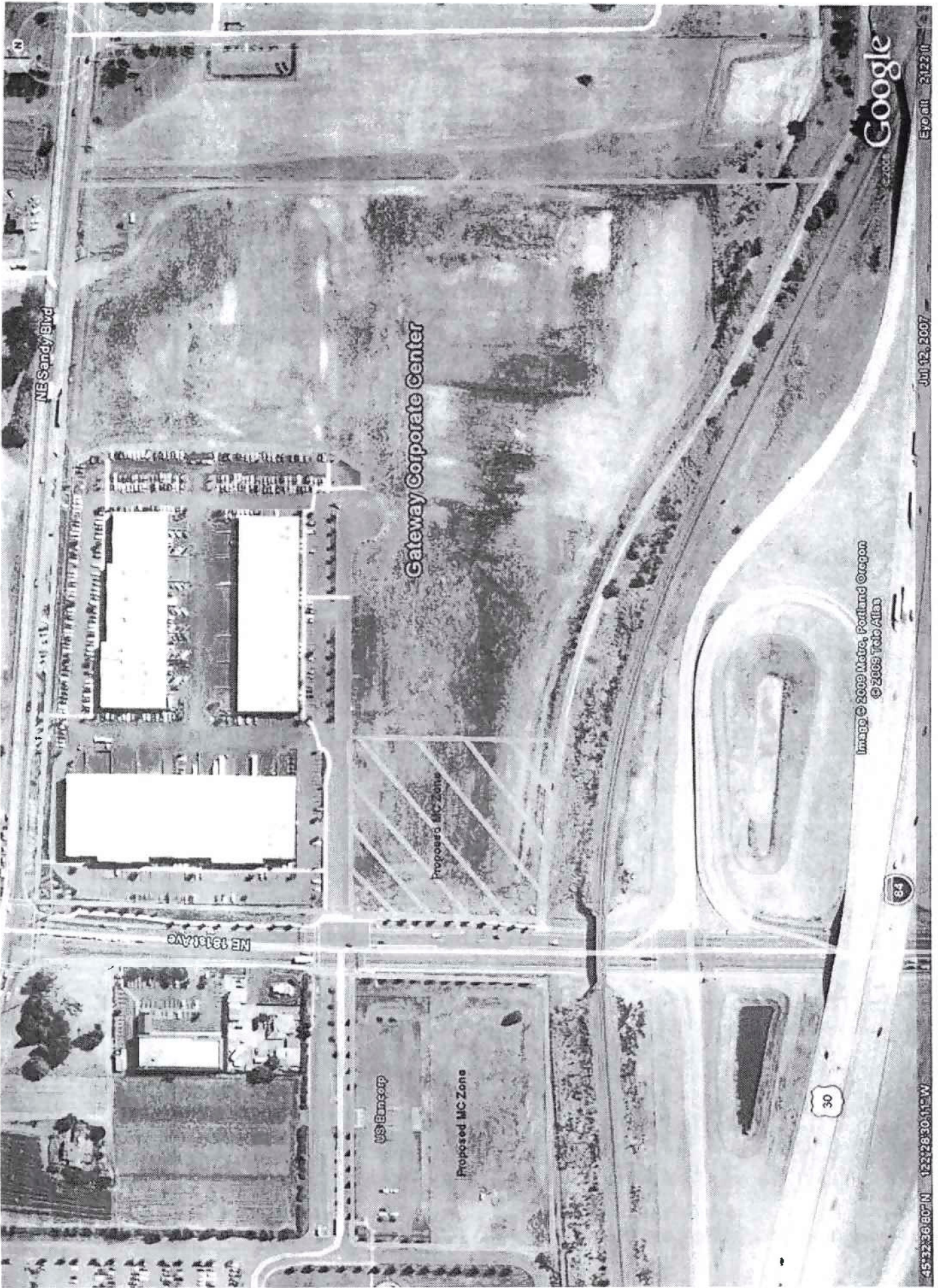


Figure 1 – Proposed MC (Parcels 3 & 4)



NE Sandy Blvd

Gateway Corporate Center

NE 193rd Ave

US Bancorp

Proposed MC Zone

Proposed MC Zone

30

84

Image © 2009 Meta, Portland Oregon
© 2006 Tele Atlas

Google

45°32'36.80\"/>

Jul 12, 2007

EyeAlt 2122 ft

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CB 15-08

ORDINANCE NO. 1668

AMENDMENTS TO VOLUME 2, POLICIES, AND VOLUME 3, DEVELOPMENT CODE, OF
THE GRESHAM COMMUNITY DEVELOPMENT PLAN, REGARDING INDUSTRIAL LANDS
ASSESSMENT

THE CITY OF GRESHAM DOES ORDAIN AS FOLLOWS:

Section 1. Volume 3, Development Code, Section 3.0110 is amended as follows:

Section 3.0010 – Definitions

~~Industrial Service. Firms involved in large scale repair and servicing of industrial, business or consumer, machinery, equipment, products, or by products. Contractors and building maintenance services and similar uses can perform services off-site. Few customers, especially the general public, come to the site. Examples include welding shops; machine shops; tool, electric motor, industrial instruments repair; sales, repair, storage, salvage or wrecking of heavy machinery, metal and building materials; towing and vehicle storage; auto and truck salvage and wrecking; heavy truck servicing and repair; tire retreading or recapping; truck stops; building, heating, plumbing or electrical contractors that include workshops, fabrication, storage, and/or fleet vehicle storage and maintenance; exterminators including chemical mixing or storage and fleet storage and maintenance; recycling operations; janitorial and building maintenance services that include storage of materials and fleet storage and maintenance; fuel oil distributors; solid fuel yards; and large scale laundry, dry-cleaning and carpet cleaning plants.~~

Section 2. Volume 3, Development Code, Section 4.0300 Industrial Land Use Districts is deleted in its entirety and replaced with the following new Section 4.0300:

Section 4.0300
Industrial Land Use Districts

General Provisions

4.0301 Purpose

Industrial Land Use Districts

Characteristics

4.0310 Heavy Industrial (HI)

4.0311 General Industrial (GI)

Permitted Uses

4.0320 Permitted Uses

4.0321 Additional Standards for Industrial Land Use Categories
Development Standards

4.0330 Development Standards Table

4.0331 Additional Industrial District Standards

4.0341 Stormwater Green Development Practices

General Provisions

4.0301 Purpose

This section of the Community Development Code implements Section 10.313 - Industrial Land Use within Volume 2 of the Comprehensive Plan. The purposes of the Industrial Land Use Districts are to: (1) implement the Comprehensive Plan's goals, policies, and action measures to promote economic development (2) include provisions to support viable industrial trends; and, (3) provide clear and objective standards so that implementation of the Industrial Land Use Districts is efficient, effective, and fair.

Characteristics

4.0310 Heavy Industrial (HI)

The Heavy Industrial District (HI) is intended to provide space for industrial users that may include operational characteristics that could create compatibility issues for adjacent land uses (such as noise and/or air emissions). This district also permits certain uses from the General Industrial District.

4.0311 General Industrial (GI)

The General Industrial District (GI) is primarily intended to provide space for a wide range of industrial uses, related enterprises serving primarily industrial clients, and employment oriented uses in office-type buildings. Primary uses shall include manufacturing and associated industrial uses, knowledge-based industries (graphic communications, creative services, and information technology), research and development facilities, professional services primarily serving industrial and business clients and other industry focused uses and limited retail and commercial professional services that cater to the general public.

Permitted Uses

4.0320 Permitted Uses

The types of land use that are permitted in the Industrial Land Use Districts are listed in Table 4.0320. Permitted uses are designated with a "P". An "L" in this table indicates a use that may be permitted in that district, but is limited in the extent to which it may be permitted. An "NP" means that use is not permitted in the specified district(s). "NP" is only used if the use category is "P" or "L" in another district within the Development Code. Each of these uses must comply with the land use district standards of this section and all other applicable requirements of the Community Development Code.

Table 4.0320: Permitted Use Categories in the Industrial Land Use Districts		
<u>Use Categories</u>	<u>HI</u>	<u>GI</u>
<p><u>(A) Construction: Contractors and Related Businesses</u> <u>This category comprises businesses whose primary activity is performing specific building or other construction related work. Examples of contractors are residential and nonresidential building construction, utility/civil engineering construction, specialty trade contractors, and moving companies. Examples of related businesses are engineering, architectural and surveying services and which often take place in office-type buildings.</u></p>	P	P
<p><u>(B) Manufacturing</u> <u>Manufacturing comprises establishments engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products, including the assembly of components parts. Examples of manufacturing include alternative energy development, biosciences, food and beverage processing, software and electronics production, fabrication of metal products, products made from manufactured glass, products made from rubber, plastic or resin, converted paper and cardboard products, and microchip fabrication.</u></p>	P	P
<p><u>(C) Wholesale Trade</u> <u>Wholesale Trade comprises establishments engaged in selling / and or distributing merchandise to retailers; to industrial, commercial, or professional business users; or to other wholesalers, generally without transformation, and rendering services incidental to the sale of merchandise. Wholesalers sell merchandise to other businesses, not the general public, and normally operate from a warehouse or office and are not intended for walk-in traffic.</u></p>	NP	P
<p><u>(D) Transportation/Distribution (Trucking and Rail)</u> <u>This category provides for transportation of cargo using motor vehicles or rail spurs and may include loading docks, temporary outdoor storage, and fleet parking. Goods are generally distributed to other firms or the final customer and are often associated with warehousing and storage facilities.</u></p>	P	P
<p><u>(E) Warehousing and Storage</u> <u>These industries are primarily engaged in operating warehousing and storage facilities for general merchandise, refrigerated goods, and other products and materials that have been manufactured and are generally being stored in anticipation for delivery to final customer. May provide a range of logistical services including labeling, packaging, price marking and ticketing, and transportation arrangement. Mini-storage facilities are not considered industrial warehousing and storage and are not permitted in the industrial districts.</u></p>	P	P

Table 4.0320: Permitted Use Categories in the Industrial Land Use Districts		
Use Categories	HI	GI
<p><u>(F) Information Services</u> <u>Information services are establishments engaged in the producing and distributing information and cultural products; providing the means to transmit or distribute these products as well as data or communications; or processing data. Examples include publishing industries including book, periodical and software publishing; computer systems design; internet web search services; internet service providers; video and motion picture industries; computer data storage services; optical scanning and imaging services, and processing financial transactions such as credit card transactions and payroll processing services. These businesses primarily serve other industries and generate few general public customer visits per day.</u></p>	NP	P
<p><u>(G) Trade or commercial schools.</u> <u>Establishments whose primary purpose are to provide training to meet industrial needs and often lead to job-specific certification. Examples of this use category are electronic equipment repair training, truck driving school, welding, and operation and repair of industrial machinery and other industrial skills.</u></p>	NP	P
<p><u>(H) Administration and Support of Industries and Companies and Related Industrial Uses in Office Buildings</u> <u>This category includes uses in office-type buildings that are accessory to an industrial use; establishments which administer, oversee, and manage companies; which manage financial assets and securities; research and design; laboratories and testing facilities, provide industry related health services; provide document preparation and other industrial support services; including corporate offices, company business offices, call centers, and other office type uses that primarily serve other industries and do not generate a significant number of daily customer visits. See Section 4.0321(A).</u></p>	L	P
<p><u>(I) Exclusive Heavy Industrial Uses</u> <u>Uses exclusive to the HI are those sites which are primarily rock crushing facilities; aggregate storage and distribution facilities; and concrete and/or asphalt batch plants.</u></p>	P	NP
<p><u>(J) Waste Management</u> <u>Businesses that provide garbage and recycling hauling, sorting and transferring, including fleet parking and maintenance. See Section 4.0321(B)</u></p>	P	L

Table 4.0320: Permitted Use Categories in the Industrial Land Use Districts		
<u>Use Categories</u>	<u>HI</u>	<u>GI</u>
<p><u>(K) Miscellaneous Industrial</u> <u>Firms involved in large scale repair and servicing of industrial, business or consumer electronic equipment, machinery and related equipment, products, or by-products. Examples include welding shops; machine shops; tool, electric motor, industrial instruments repair; sales, repair, storage, salvage or wrecking of heavy machinery, metal and building materials; towing and vehicle storage; auto and truck salvage and wrecking; heavy truck servicing and repair; tire retreading or recapping; exterminators including chemical mixing or storage and fleet storage and maintenance; janitorial and building maintenance services that include storage of materials and fleet storage and maintenance; fuel oil distributors; solid fuel yards; and large scale laundry, dry-cleaning and carpet cleaning plants. Few customers, particularly not general public daily customers, come to the site. See Section 4.0321(C).</u></p>	P	L
<p><u>(L) Retail Commercial and Professional Services that Cater to Daily Customers</u> <u>The sales of goods and materials and of professional services to the general public. Examples of retail commercial 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. See Section 4.0321(D).</u></p>	L	L
<p><u>(M) Community Services</u> <u>See Section 8.0100 and Section 8.0121 for limitations on community services within industrial districts.</u></p>	L	L
<p><u>(N) Temporary Uses</u> <u>See Section 10.1400.</u></p>	P	P

4.0321 Additional Standards for Industrial Land Use Categories

- (A) Administration and Support of Companies and Enterprises in the HI
Only administrative offices which are related to the operation of the industrial use of the property are permitted in the HI. Up to 20% of the total floor area may consist of these administrative offices. Multiple tenant office buildings are prohibited.
- (B) Waste Management in the GI
Waste Management uses in the GI located adjacent to properties that are designated for residential use shall be located at least 100 feet from the residential property.
- (C) Miscellaneous Industrial in the GI
Auto and truck salvaging and wrecking are not permitted in GI. All other miscellaneous industrial uses located adjacent to properties that are designated for residential use shall be located at least 100 feet from the residential property.

(D) Retail and Commercial and Professional Services that Cater to Daily General Public Customers
In order to ensure that these uses are primarily intended to serve the needs of workers in the immediate area the following standards apply:

(1) 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 the section a development project is a 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.

(2) Shall not be permitted in a stand-alone building and instead be included within a building whose primary purpose is for an industrial use.

Development Standards

4.0330 Development Standards Table

Table 4.0330(A) summarizes development standards which apply within the Industrial Land Use Districts. The standards contained in this table are supplemented by the referenced subsections and footnotes, which provide additional clarification and guidance.

Table 4.0330 Development Standards for the General Industrial and Heavy Industrial Districts

	<u>HI</u>	<u>GI</u>
<u>(A) Minimum Lot Size</u>	<u>None; See Section 4.0331(A)</u>	<u>None; See Section 4.0331(A)</u>
<u>(B) Minimum Average Floor Area Ratio (FAR)</u>	<u>None</u>	<u>None</u>
<u>(C) Minimum Building Setbacks</u>	<u>20 feet front and street side; 0 feet for interior side and rear</u>	<u>20 feet front and street side; 0 feet for interior side and rear</u>
<u>(D) Minimum Building Height</u>	<u>None</u>	<u>None</u>
<u>(E) Maximum Building Height</u>	<u>None; see Section 4.0331(B)</u>	<u>None; see Section 4.0331(B)</u>
<u>(F) Minimum Off-Street Parking Required</u>	<u>As provided in Section 9.0851</u>	<u>As provided in Section 9.0851</u>
<u>(G) Maximum Off-Street Parking</u>	<u>As provided in Section 9.0851</u>	<u>As provided in Section 9.0851</u>
<u>(H) Pedestrian Circulation and Standards Apply (Section 9.0824)</u>	<u>Yes</u>	<u>Yes</u>
<u>(I) Screening & Buffering Required (Section 9.0100)</u>	<u>Yes</u>	<u>Yes</u>

	<u>HI</u>	<u>GI</u>
<u>(J) Landscaping (Section 7.0202)</u>	<u>Yes; See Section 4.0331 (C)</u>	<u>Yes; See Section 4.0331 (C)</u>
<u>(K) Outdoor Uses and Outdoor Storage Uses</u>	<u>Yes; 100% of the site area may include outdoor uses and outdoor storage associated with industrial uses. Screening required, see Section 4.0331(D)</u>	<u>Yes; no more than 50% of the site area may include outdoor uses and storage associated with industrial uses. Screening required, see Section 4.0331(D)</u>
<u>(L) Parking, Loading and Unloading Area Standards</u>	<u>See Section 4.0331(E) and 9.0800</u>	<u>See Section 4.0331(E) and 9.0800</u>
<u>(M) External Effects</u>	<u>See Section 4.0331(F)</u>	<u>See Section 4.0331(F)</u>
<u>(N) Mechanical Equipment Screening</u>	<u>Yes; see Section 4.0331(G)</u>	<u>Yes; see Section 4.0331(G)</u>
<u>(O) Exterior Building Treatment</u>	<u>See Section 4.0331(H)</u>	<u>See Section 4.0331(H)</u>
<u>(P) Wellhead Protection</u>	<u>See Section 4.0331(I)</u>	<u>See Section 4.0331(I)</u>
<u>(Q) Public Facility Site and Supplementary Requirements</u>	<u>See Section 4.0331(J)</u>	<u>See Section 4.0331(J)</u>
<u>(R) Stormwater Management</u>	<u>Yes; See Sections 4.0341</u>	<u>Yes; see Sections 4.0341</u>

4.0331 Additional Industrial Land Use District Standards

(A) Lot Area. Division of lots or parcels are permitted as follows:

- (1) Lots or parcels 50 acres or smaller may be divided into any number of smaller lots or parcels.
- (2) Undeveloped lots, parcels, or tracts larger than 50 acres in size may be divided into smaller lots, parcels, or tracts so long as the resulting land division yields at least one lot, parcel, or tract of at least 50 acres in size. If a land division results in more than one lot, parcel, or tract of 50 acres or greater in size, only one of those 50+ acre lots, parcels, or tracts, if further divided, must yield a lot, parcel, or tract of at least 50 acres in size.
- (3) Development lots or parcels 50 acres or larger in size may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city so long as at least 40 percent of the net area or the lot or parcel has already been developed with industrial uses or uses accessory to industrial uses, and no portion of the lot is developed, or proposed to be developed, with uses regulated by Table 4.0320(A) (L) Retail Commercial and Professional Services that Cater to Daily Customers.
- (4) Notwithstanding parts (2) and (3) of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to right-of-ways for the following purposes:
 - (a) To provide public facilities and services;

(b) To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;

(c) To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or

(d) To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.

(B) Maximum Building Height in all Industrial Land Use Districts

There is no maximum building height except when abutting a residential district the height transition standards of Section 9.0600 shall apply.

(C) Landscaping

Seventy five percent of landscaping required by Section 7.0202 may include preserved natural areas and vegetated stormwater detention/retention facilities.

(D) Outdoor Uses to be Screened

(1) All outdoor storage uses shall be screened from adjacent properties by a six foot high sight-obscuring fence or wall.

(2) All screened or walled outdoor use and storage areas which abut a public street shall be set back a minimum of 25 feet from the property line(s). Within that setback area trees and evergreen shrubs shall be planted. The plants 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.

(3) Alternate plan: an 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 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.

(E) Parking, Loading and Unloading Areas in Industrial Land Use Districts

(1) Parking, loading and unloading areas shall not be located within the required setback.

(2) No loading or unloading facilities shall be located adjacent to lands designated for residential uses or a residential community service if there is an alternative location of adequate size adjacent to commercial, industrial or non-residential community service.

(3) Standards for parking are located in Section 9.0800.

(F) External Effects

(1) In the GI district, the emission of air pollutants or odorous gasses and changes in temperature detectable by the human senses without the aid of instruments at any point beyond the property line is prohibited.

(2) In both the HI and GI districts, electrical disturbances which interfere with the normal operation of equipment or instruments on adjacent properties are prohibited.

(3) In the GI district, except for exterior lighting, operations producing heat or glare shall be conducted entirely within an enclosed building.

(4) In the GI district, loud, unnecessary, or unusual noise which endangers health, peace or safety is prohibited.

(5) Prior to the City taking any action on a Type I, Type II or Type III land use application or on issuance of certificate of occupancy information sufficient to determine the degree of compliance shall be furnished by the applicant. Such request may include continuous records of operations, for periodic checks to ensure maintenance of standards, or for special surveys.

(G) Mechanical Equipment in the GI and HI Land Use Districts

Roof mounted mechanical equipment such as ventilators and ducts for buildings located adjacent to residential districts, arterial streets or transit streets shall be contained within a completely enclosed structure that may include louvers, latticework, etc.

(H) Exterior Building Treatment in the GI District

In the GI District, unfinished metal structure siding shall not be the major (over 50%) exterior material. Materials such as finished metal, wood, tilt-up concrete, masonry or glass should be the primary structural siding materials.

(I) Wellhead Protection

Industrial and commercial development may be subject to the provisions of Gresham Revised Code Article 3.65 Wellhead Protection.

(J) Public Facility Site and Supplementary Requirements for all Industrial Land Use Districts

All developments shall also be subject to the applicable requirements of Sections 4.0321, 4.0431 and 4.0341; Article IX – Common Requirements and Appendix 5.000 - Public Facilities.

4.0341 Green Development Practices for Stormwater Management

Green Development Practices, such as rain gardens, stormwater planters, and porous pavement, manage stormwater runoff as close as possible to its source and use natural processes such as retention, infiltration, and evapotranspiration to treat and reduce the volume of stormwater runoff that drains into downstream water bodies. They are a toolbox of techniques that help a developed property mimic predevelopment natural hydrology, reducing any negative off-site impacts. Through the use of Green Development Practices local and downstream flooding impacts will be minimized and water quality and aquatic habitat will be protected to the maximum extent practicable.

When Green Development Practices are used in the public street right-of-way to manage stormwater, the street is referred to as a "Green Street".

(A) Definitions

(1) Green Development Practices. Green Development Practices are defined as stormwater management techniques that utilize the processes of retention, infiltration, and evapotranspiration to treat runoff and reduce the volume of stormwater. Design standards and requirements for Green Development Practices are included in the City of Gresham's Water Quality Manual.

(2) On-Site Stormwater Management. On-site stormwater management is defined as the management of stormwater as close to the impervious source as possible. For public streets, on-site stormwater management is defined as management within the public right-of-way, also known as Green Streets.

- (3) Green Streets. Green Streets are streets that utilize Green Development Practices to manage stormwater. Standards for Green Street design can be found in the Public Works Standards.
- (B) Stormwater runoff from new or redevelopment shall be managed on-site with Green Development Practices and Green Streets to the maximum extent practicable. Green Development Practices shall be designed per the requirements set forth in the Gresham Water Quality Manual and Green Streets shall be designed per the Public Works Standards.
- (C) Submittal Requirements Prior to Tentative Land Division or Site Design Approval. Prior to tentative land division or site design approval, applicants for new or redevelopment must submit a stormwater management plan with the development permit application. The stormwater management plan, as required by the Gresham Water Quality Manual, shall provide details for developing in a manner consistent with this section. The stormwater management plan shall include the following:
- (1) The location and areas of all impervious surfaces within the future public right-of-way. Generalized assumptions for areas of impervious surfaces on future private property.
 - (2) A table that lists the anticipated Green Development Practices for each lot within the development and overflow point. Overflow points shall either be specified as public storm pipe, weep hole to street gutter, private storm pipe, surface flow, or other.
 - (3) All Green Street facilities shall comply with the sizing and design standards set forth in the Gresham Water Quality Manual and Public Works Standards.
 - (4) Applicants seeking exemptions for on-site stormwater management requirements listed in this section must follow the procedures outlined in the Gresham Water Quality Manual.
- (D) Submittal Requirements Prior to Building Permit Approval. Prior to building permit approval, applicants for development on private property must meet Green Development Practice submittal requirements as specified in the Gresham Water Quality Manual, including the following items at a minimum:
- (1) The location of all Green Development Practices, shown on the permit drawings.
 - (2) Typical cross-section for each Green Development Practice, shown on the permit drawings.
 - (3) Piping used to direct stormwater runoff from impervious surfaces to Green Development Practices, shown on the plumbing permit drawings.
 - (4) Form SIM facility sizing calculations from the Gresham Water Quality Manual.
 - (5) Completed operations and maintenance agreement (Form O&M) from the Gresham Water Quality Manual. Form O&M must be recorded with the County prior to building permit approval.
- (E) Parking lot landscaping may be used as Green Development Practice for parking lots, if designed as provided by the Gresham Water Quality Manual.

- (1) Purpose: This section is enacted with the purpose of achieving multiple functions from parking lot landscaping by using it for on-site stormwater management.
- (2) Appropriate designs are contained in the Gresham Water Quality Manual.
- (3) Landscaping for stormwater management within parking lots will count towards total percentage of landscaping required on site.
- (F) After management in Green Development Practices, excess stormwater from private property must be discharged into an approved conveyance facility.
- (G) 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 chapter.
- (H) Operations and maintenance requirements. The property owner, its successors or assigns, including any homeowner association, shall adequately maintain the on-site Green Development Practices according to the recorded operations and maintenance agreement.
- (I) Landscaping
 - (1) This section is enacted with the goal of utilizing required landscaping for the purpose of protecting and enhancing water quality and aquatic habitat by providing for the infiltration, storage, and treatment of surface water runoff.
 - (2) Landscaping for stormwater management will count towards total percentage of landscaping required on site.
 - (3) Detailed landscaping requirements for Green Development Practices are included in the Gresham Water Quality Manual.

Section 3, Volume 3, Development Code, Section 4.0420 is amended as follows:

Table 4.0420: Uses Permitted In the Corridor Districts

Table 4.0420: Uses Permitted In the Corridor Districts

Use Categories:	Moderate Commercial
(P) Industrial Uses	NP L ¹⁴

Table 4.0420 Notes:

Table 4.0420 Notes:

⁷ Industrial uses which may be permitted in the Ruby Jct. Overlay shall be as specified in the ~~BP and LI~~ GI portions of Section 4.0320 (A). Industrial developments shall also be subject to standards of the LI portion of Section 4.0330(A-D) and the BP portion of Section 4.0330 (F-L) pertaining to GI in Sections 4.0330(A) and 4.0331.

¹⁴ General Industrial Uses identified under Table 4.0320(A), (B), (C), (E) permitted only in conjunction with and accessory to a primary allowed use, (F), (G), (H), and (K) are permitted uses for structures existing on Lot 1 of the Gresham Crossing Subdivision (1N3E34C TL 1001) that were approved through City file DR/MP 06-26000379 for a 5-year period, ending 04/01/2014. No outdoor use (storage or business activity) is permitted in association with these General Industrial Uses. Any such General Industrial Use still present beginning 04/02/2014 will be considered a non-conforming use and subject to the provisions of Section 8.0200.

Section 4. Volume 3, Development Code, Section 7.0202 is amended as follows:

Section 7.0202: Community Service, Commercial, Industrial, and Mixed Use Developments

(A) Areas to be landscaped as defined in Section 3.0010 - Definitions:

(1) Community Services

All areas not occupied by structures, pavement, or outdoor business activity, display or storage areas. In no case shall less than 15% of the gross site area be landscaped.

(2) Commercial, Industrial and Mixed Use Developments

(a) A minimum of 15% of the gross site area:

- Office/Residential District;
- Neighborhood, General, Moderate, and Community Commercial Districts;
- ~~Light~~ General and Heavy Industrial Districts

(b) A minimum of 20% of the gross site area:

- CMU District
- ~~Business Park~~ District

Section 5. Volume 3, Development Code, Section 7.0210 is amended as follows:

Section 7.0210: Transit Design Criteria and Standards

(3) Exceptions to Transit Design Criteria and Standards on Transit Streets

(a) Certain motor vehicle service uses permitted in the underlying district are exempt from Transit 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) Industrial uses within the ~~Business Park, Light Industrial, General~~ and Heavy Industrial Districts (such as manufacturing, processing, assembly, distribution, repair, warehousing, fabrication, and other uses as determined by the manager) are exempt. However, in Industrial Districts, ~~Community Service uses and buildings within an industrial complex devoted entirely (100%) to office, retail, or other associated non-industrial uses permitted in the underlying district buildings devoted to 100% non-industrial uses, which include industrial uses listed under Table 4.0320 (F), (G), (H), (L), (M), and may include uses in office-type buildings under Table 4.0320(A)~~ are not exempt from the Transit Design Criteria and Standards.
- (c) When a site has frontage on both a Transit Street and on other streets, the Transit Design Criteria and Standards shall apply only to site development along the Transit Street frontage, unless otherwise specified.

Section 6. Volume 3, Development Code, Section 8.0121 Community Service Uses, is amended as follows:

Section 8.0121 Standards

Community Services shall be located in conformance with the following standards:

- (A) Adjacent land uses: Solid waste transfer stations and solid waste landfills, sewage treatment plants, electrical generating facilities, or stadium shall not be located in or adjacent to residentially designated land.
- (B) Solid waste transfer stations, solid waste landfills, campgrounds, and golf courses are not permitted in the Downtown Plan District, the Civic Neighborhood Plan District, the Station Center District or the Rockwood Town Center District.
- (C) Except as provided in subsection (D), below, the following community service uses are prohibited in the ~~Light Industrial, Heavy Industrial, or Business Park~~ and General Industrial Districts:
- Temporary buildings for residential real estate sales
 - Public urban plazas, public neighborhood parks, and public community parks
 - Buildings used for religious worship
 - Cemetery, crematory, mausoleum, mortuary, or funeral home
 - Public or private elementary school academically accredited by the State of Oregon
 - ~~Boat moorage, marina or houseboat moorage~~
 - Adult or senior center
 - Bed and breakfast inns
 - Medical offices developed in conjunction with a hospital
 - Public or private high school or college that is academically accredited by the State of Oregon
 - Campground
 - Golf course
 - Hospital
 - Private club, fraternal organization, or lodge
 - Resort
 - Drug and alcohol treatment facility
 - Elderly housing
 - Commercial parking facilities

(D) Notwithstanding provisions of Section 8.0121(C), public elementary schools, public high schools, public urban plazas, public parks, and buildings used for religious worship may be permitted in the ~~BP~~, HI, and ~~LI~~ 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 the effective date of this ordinance.

In addition, notwithstanding provisions of Section 8.0121(C), the City Council, after a de novo Type III hearing before the City Council without prior Planning Commission or Hearings Officer review, may authorize application for a development permit (pursuant to Section 8.0113) for a new, public, elementary or high school in the ~~LI~~, HI, ~~or BP~~ or GI district when a potential applicant for such a facility demonstrates to the City Council that suitable school sites are not available outside the ~~LI~~, HI, ~~or BP~~ or GI district. If the City Council authorizes such application, the appropriate decision making body reviewing the application is authorized to grant the development permit application for a new public elementary school, as a Type II Community Service, or public high school, as a Type III Community Service, in the ~~LI~~, HI, ~~or BP~~ or GI district, where the application also meets the applicable requirements of the Gresham Community Development Plan.

(H) Community Service structures shall meet the following site development requirements,

- (2) Minimum yard setbacks in OFR, NC, GC, RTC, SC, CMU, CC, MC, ~~BP~~, ~~LI~~, GI and HI: All yards shall be as required in the district.

(K) Helicopter landing facilities shall meet the following standards:

- (1) Are permitted in GC, RTC, CC, ~~LI~~ GI, HI, ~~BP~~ Districts, and the Downtown Plan District and the Civic Neighborhood Plan District.
- (2) Are permitted in the LDR, TLDR, MDR-12, MDR-24, CMF, CMU, SC, MC, OFR and NC Districts as an accessory to a community service use. Only trips which support the community service use are allowed.
- (3) Repair facilities are allowed only in the ~~LI~~ GI and HI Districts. Minor or emergency repairs and routine maintenance are allowed in all districts. All storage and repair shall be conducted in enclosed building.
- (4) Refueling facilities are allowed in conjunction with an approved helicopter landing facility.

Section 7. Volume 3, Development Code, Section 9.0100 is amended as follows:

9.0110 Buffering and Screening Requirements

- (C) For purposes of this section a vacant lot is a lot that is undeveloped or developed with a non-conforming use. Least to more intensive use is: LDR District dwellings, TLDR District dwellings, 2 to 4 attached dwellings or single family attached dwellings, 5 or more attached dwellings or single family attached dwellings, residential community service, primarily residential mixed use, office use, NC use, GC use, primarily commercial mixed use, non-residential community service use, outdoor commercial use, ~~BP use~~, ~~LI~~ GI use, HI use and regional shopping center. The abutting use

of 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 conforming use that would conflict most with the proposed use.

Table 9.0111A - Buffer Matrix

PROPOSED USE	ABUTTING USE														
	Single Family Dwellings*	Three or More Attached Dwellings	Office Use	Neighborhood Commercial Use	General Commercial Use	Outdoor Commercial Use	Business Park Use	Light General Industrial Use	Heavy Industrial Use	Primarily Residential Mixed Use	Primarily Commercial Mixed Use	Residential Community Service	Non-Residential Community Service	Regional Shopping Center	Springwater Industrial Use
Single Family Dwellings*	-	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Three or More Attached Dwellings	C	-	B	C	C	D	D	E	E	A	C	A	C	F	-
Office Use	B	B	-	-	-	-	-	-	-	B	-	B	-	-	-
Neighborhood Commercial Use	C	C	-	-	-	-	-	-	-	C	-	C	-	-	-
General Commercial Use	C	C	-	-	-	-	-	-	-	C	-	C	-	-	-
Outdoor Commercial Use	D	D	-	-	-	-	-	-	-	D	-	D	-	-	-
Business Park Use	D	D	-	-	-	-	-	-	-	D	-	D	-	-	-
Light General Industrial Use	E	E	-	-	-	-	-	-	-	E	-	E	-	-	-
Heavy Industrial Use	E	E	-	-	-	-	-	-	-	E	-	E	-	-	-
Primarily Residential Mixed Use	C	A	B	C	C	D	D	E	E	-	C	A	C	F	-
Primarily Commercial Mixed Use	C	C	-	-	-	-	-	-	-	C	-	C	-	-	-
Residential Community Service	C	A	B	C	C	D	D	E	E	A	C	-	C	F	-
Non-Residential Community Service	C	C	-	-	-	-	-	-	-	C	-	C	-	-	-
Regional Shopping Center	F	F	-	-	-	-	-	-	-	F	-	F	-	-	-
Springwater Industrial Use	G	G	-	-	-	-	-	-	-	-	-	-	-	-	-

* Detached or up to 2 attached single-family dwellings or duplex.

Section 8. Volume 3, Development Code, Section 9.0600 is amended as follows:

9.0602 Applicability

The following standards apply to all buildings to be built on lots in the Corridor Districts, MDR-12, and MDR-24 districts, Office/Residential, and Commercial Districts; and ~~Business Park, Light General Industrial~~ and Heavy Industrial Districts that abuts an LDR or TLDR district (except as modified in 9.0610 below).

9.0610 Height Transition Standards

(B) Commercial and Industrial Districts: The standard under 9.0610(A) applies to all buildings to be built on lots in the NC, GC, ~~BP, LI GI~~ and HI Districts when those lots abut any district allowing residential development.

Section 9. Volume 3, Development Code, Appendix 6.000 – Signs - is amended as follows:

A6.020 Measurements

(A) Sign Area.

(5) Free standing signs in the RTC, SC, CC, MC, NC, GC, ~~BP, LI 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.

A6.100 Commercial, Mixed Use and Industrial Districts

Signs in the NC, GC, RTC, SC, CMU, CC, MC, ~~BP, LI GI~~ and HI Districts and in the NC-PV, MUE-PV, TC-PV, EC-PV, VC-SW, RTI-SW, IND-SW and NC-SW sub-districts shall be subject to the following limitations, except for multi-business complexes (see Section A6.101 for multi-business complexes):

(A) Free-standing Signs:

- (1) Area. The maximum permitted area per sign face shall be 0.4 square feet of sign face area per linear foot of site frontage, up to a maximum of 100 square feet. Regardless of site frontage a minimum of 40 square feet of sign area may be permitted.
- (2) Height. The maximum height of any portion of a sign or sign structure shall be 25 feet above grade.
- (3) Number. One sign per site shall be permitted, except in ~~BP, LI GI~~ and HI districts and the EC-PV, RTI-SW and IND-SW sub-districts where industrial users on parcels of 10 acres or larger may have one sign per street frontage. However, no free-standing sign shall be permitted on the same site where there is a projecting sign.

Section 10. Volume 2, Policies, 10.313 Industrial Land Use from Summary Findings to Implementation Strategy of Policy IV are deleted in their entirety.

Section 11. Volume 2, Policies, 10.313 Industrial Land Use is amended as follows:

10.313 INDUSTRIAL LAND USE

GOAL 9 — ECONOMIC DEVELOPMENT

BACKGROUND

~~Industrial and Business Park Employment~~

Regional, State and National Trends

The success of the regional and local area economy depends largely on national economic trends. In 2008 Gresham held an industrial focus group meeting and reviewed how industrial trends had changed since trends were last analyzed in 2002. The following are 2008 trends that Gresham should watch and accommodate, if possible, in its efforts to build a stronger local economy.

- ~~Flex space. Companies are moving away from large manufacturing facilities towards smaller, more flexible facilities and more research and development facilities.~~
- ~~Expedited commerce. Advances in technology will lead to more “just-in-time” inventory for stores and direct shipments to consumers, reducing the need for warehouse space, but increasing the need for sophisticated distribution facilities.~~
- ~~Warehousing. Fewer warehouses will likely be needed, but new buildings will be larger, with more storage volume and fewer employees.~~
- ~~Connectivity. The availability, speed and reliability of Internet connections and telecommunication facilities will become increasingly important for office, as well as industrial users. In distribution facilities, “information will replace inventory,” allowing products to be quickly shipped as needed.~~
- ~~Quality matters. The quality of life offered by a community will become just as important as transportation and utilities in companies’ locational decisions. A quality community will attract quality employers.~~
- ~~Skilled workforce. Future industries will need a skilled and educated workforce that can quickly adapt to changing technologies.~~
- Traditional distinctions between types of industrial and non-industrial activities are not clear. For example, on-site manufacturing is decreasing with many industries shifting to no on-site production. Other emerging industries (such as information services, software design, and research) may not have any manufacturing component but may include (for example) offices and showrooms.
- Many industries are transitioning to flex space in response to economic flux. An example of this could be a company deciding to reduce its production square footage while increasing office and warehouse areas.

- Warehousing and distribution are strong components to existing industries within this area and are anticipated to remain so.
- Industry clusters are becoming more understood and better supported by economic development and marketing interests.
- Information sector uses are increasing within the region (including information/computer technologies, research and design, telecommunications, call centers, data/information processing, publishing, corporate offices, and online information services). Many of these take on the form of office space.
- “Quality matters” is still a valid trend, especially for new industrial developments. This may take on the form of amenities (housing, schools, recreation, etc.) and/or availability of services and appropriate access.
- Skilled workforce availability is a factor in marketing for specific industries. (This is not something that the City can do much about other than to recognize it as a factor. However, support for educational and training programs helps this factor stay viable.)
- Emerging (new or modified) industries applicable to the region include computer hardware/software and electronics, food manufacturing and processing, medical devices and instruments, apparel and outdoor gear design and manufacturing, specialized manufacturing (such as metals, machinery, and transportation), biosciences (including laboratories and research), alternative/renewable energy industries, environmental services and recycling technology, and information technologies. (Several of these use types will be anticipated by the Development Code.) Providing for these types of uses within the Development Code and incorporating some type of similar use determination process for new unidentified uses would be needed.

GOAL 9 – ECONOMIC DEVELOPMENT

GOALS, POLICIES AND ACTION MEASURES

Industrial and Business park Employment Land Use

Policy 10 Gresham shall manage its industrial and employment lands to prevent inappropriate and unrelated retail and office land conversion. The City shall comply with or exceed provisions required by Metro Title 4 (Industrial and Employment Lands) relative to retail and professional service limits.

GOAL 9 – ECONOMIC DEVELOPMENT, INDUSTRIAL EMPLOYMENT LAND USE

ACTION MEASURES

15. Evaluate land use policies and regulations with the objective of enhancing the flexibility and efficiency of Gresham’s industrial and business park employment lands. Possible future actions may include:

(e) Monitor the transition to two industrial land use districts and review for problems or need for corrections. Transitioning from three industrial zones, (Heavy Industrial, Light Industrial and Business Park) to two zones (Industrial and Business Park).

Section 12. Volume 2, Policies, Appendix C, is amended as follows:

Volume 2, Appendix C, of the Community Development Plan Map, is amended to reflect changes as shown in Exhibit "A" (consisting of Maps 1 through 5) attached hereto.

Section 13. Volume 2, Policies, Appendix G, is amended as follows:

Volume 2, Appendix G, of the Springwater Plan District Map, is amended to reflect changes to the IND-SW zone as shown in Exhibit "A," Map Four.

First reading: February 3, 2009

Second reading and passed: March 3, 2009

Yes: Strathern, Widmark, Craddick, Bennett, Warr-King, Nielsen-Hood

No: None

Absent: Bemis

Abstain: None

C. G. AIC
City Manager

Rebecca A. Strathern
Mayor Council President

Approved as to Form:
[Signature]
Senior Assistant City Attorney

EXHIBIT A
CPA 08-250/CB 15-08
February 4, 2009

CITY OF GRESHAM, OREGON
INDUSTRIAL LAND USE ASSESSMENT

CURRENT
LAND USE DISTRICT
Map One of Five:
NORTH GRESHAM

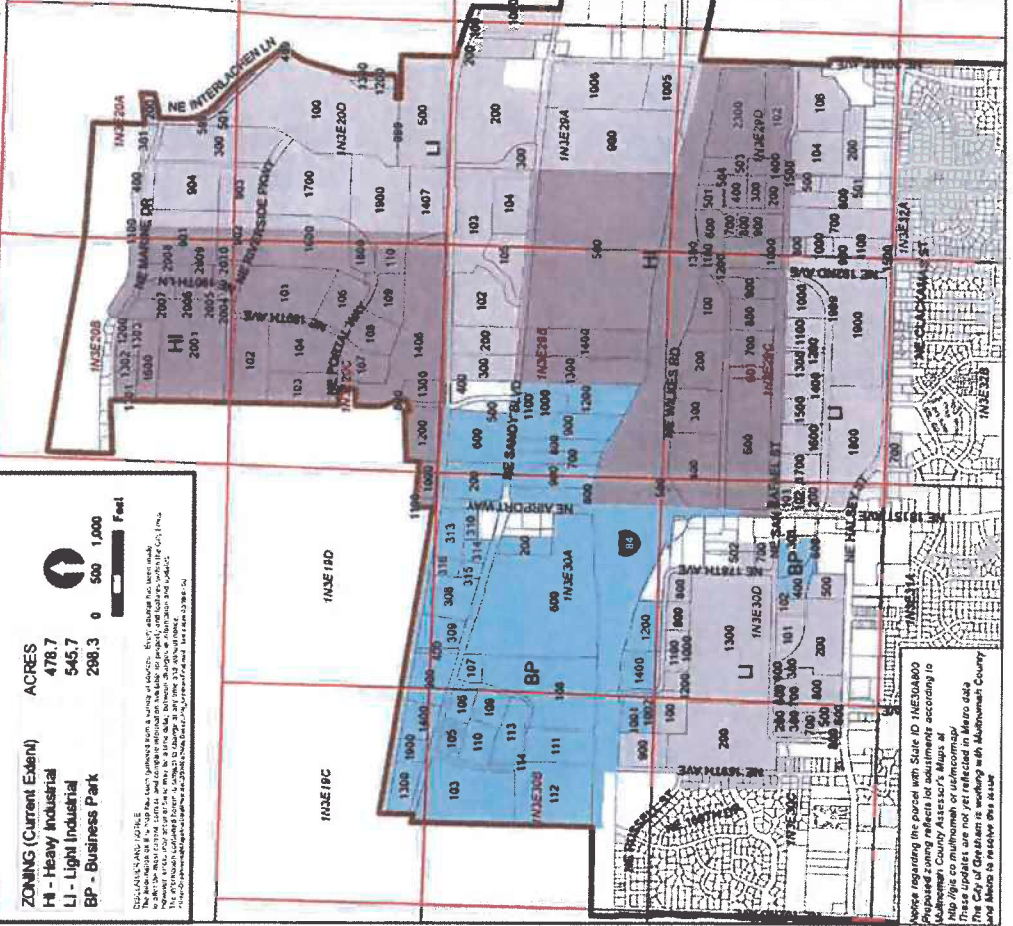
LEGEND

- Current Gresham City Limits
- BP - Business Park
- HI - Heavy Industrial
- LI - Light Industrial
- MC - Moderate Commercial
- PLSE - Planned Services

ZONING (Current Extent)

HI - Heavy Industrial	ACRES	478.7
LI - Light Industrial		545.7
BP - Business Park		298.3

Scale: 0 500 1,000 Feet



Notice regarding the parcel with State ID INE06A800. Proposed zoning reflects lot subdivisions according to Map 1000 to Multnomah or Multnomah County. These updates are not yet reflected in Map data. The City of Gresham is working with Multnomah County and Metro to resolve this issue.

EXHIBIT A
CPA 08-250/CB 15-08
February 4, 2009

CITY OF GRESHAM, OREGON
INDUSTRIAL LAND USE ASSESSMENT

PROPOSED
LAND USE DISTRICT
Map One of Five:
NORTH GRESHAM

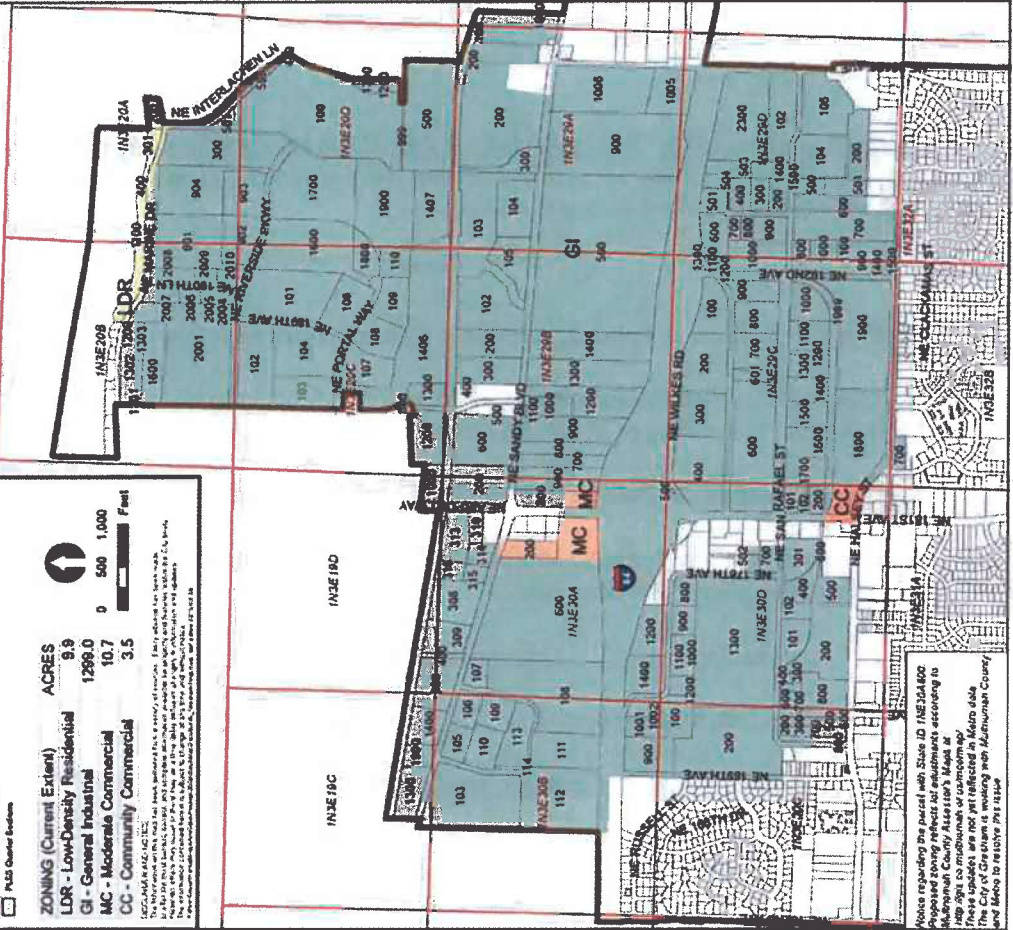
LEGEND

- Current Gresham City Limits
- By Lot or Parcel
- GI - Community Commercial
- LI - Heavy Industrial
- LI - Light Industrial
- MC - Moderate Commercial
- PLSE - Planned Services

ZONING (Current Extent)

LDR - Low-Density Residential	ACRES	9.9
GI - General Industrial		1299.0
MC - Moderate Commercial		10.7
CC - Community Commercial		3.5

Scale: 0 500 1,000 Feet



Notice regarding the parcel with State ID INE06A800. Proposed zoning reflects lot subdivisions according to Map 1000 to Multnomah or Multnomah County. These updates are not yet reflected in Map data. The City of Gresham is working with Multnomah County and Metro to resolve this issue.

EXHIBIT A
CPA 08-250/CB 15-08
February 4, 2009

CITY OF GRESHAM, OREGON
INDUSTRIAL LAND USE ASSESSMENT

PROPOSED
LAND USE DISTRICT
Map Two of Five:
CIVIC GRESHAM

LEGEND

- Consent Ordinance City Limits
- GI - General Industrial
- H - Heavy Industrial
- MC - Moderate Commercial
- PUS Quarter Section

ZONING (Current Extent)	ACRES
H - Heavy Industrial	284.6
GI - General Industrial	50.1
MC - Moderate Commercial	15.5

SCALE: 0 250 500 Feet

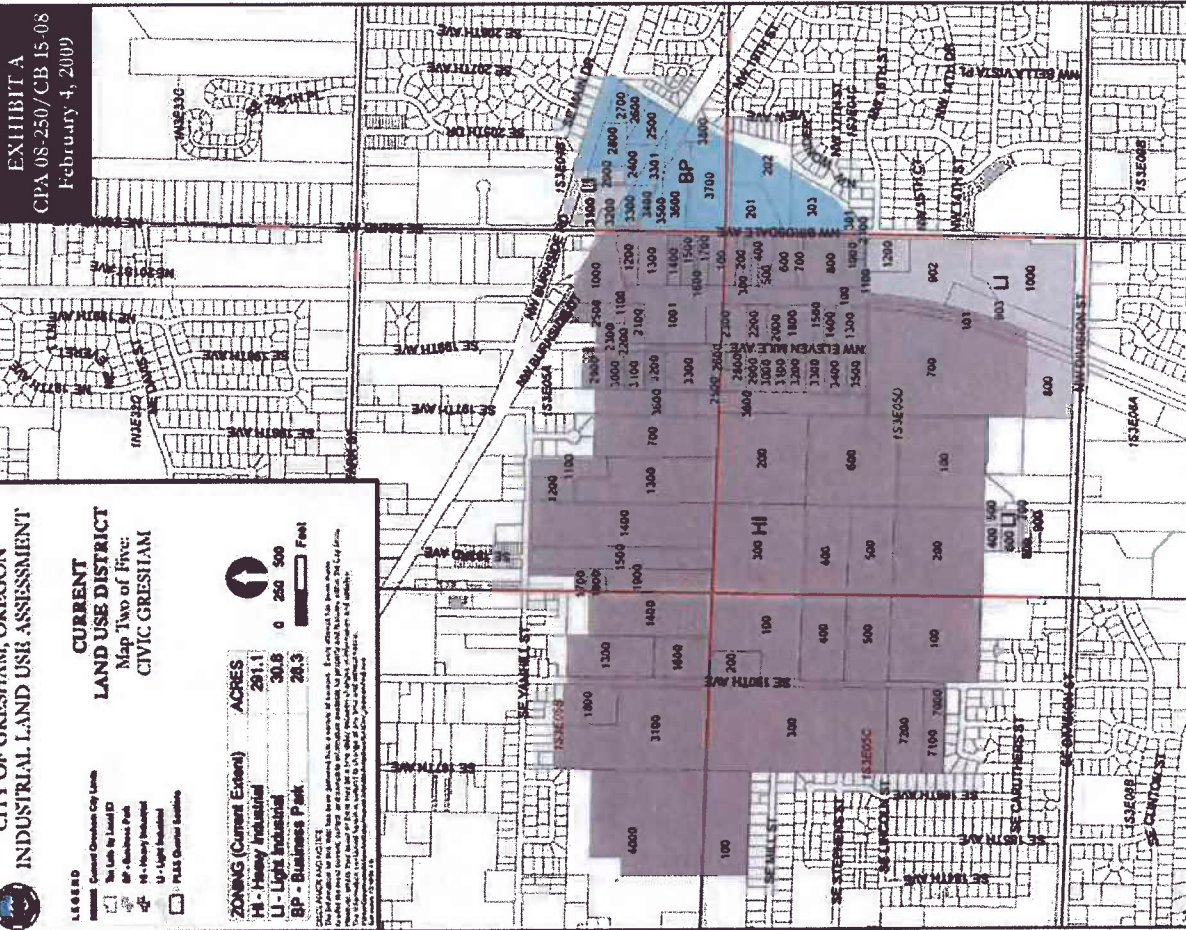


EXHIBIT A
CPA 08-250/CB 15-08
February 4, 2009

CITY OF GRESHAM, OREGON
INDUSTRIAL LAND USE ASSESSMENT

PROPOSED
LAND USE DISTRICT
Map Two of Five:
CIVIC GRESHAM

LEGEND

- Consent Ordinance City Limits
- GI - General Industrial
- H - Heavy Industrial
- MC - Moderate Commercial
- PUS Quarter Section

ZONING (Current Extent)	ACRES
H - Heavy Industrial	284.6
GI - General Industrial	50.1
MC - Moderate Commercial	15.5

SCALE: 0 250 500 Feet

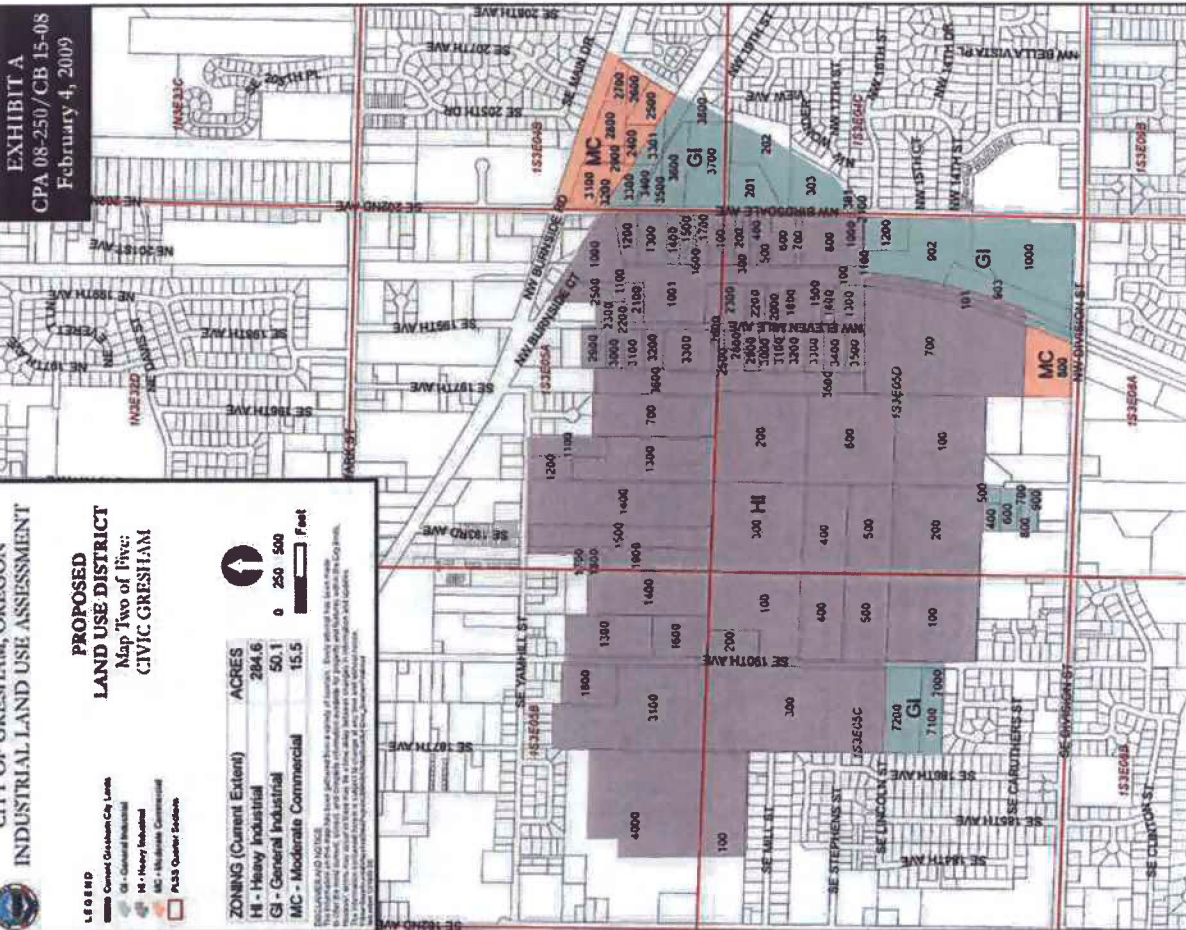


EXHIBIT A
CPA 08-250/ CB 15-08
February 4, 2009

CITY OF GRESHAM, OREGON
INDUSTRIAL LAND USE ASSESSMENT

LEGEND

- Current Gresham City Limits
- Map Title by Local ID
- GI - General Industrial
- MC - Moderate Commercial
- PLSS Quarter Sections

ZONING (Current Extant) ACRES **498.7**

U - Light Industrial

BP - Business Park **96.8** Feet

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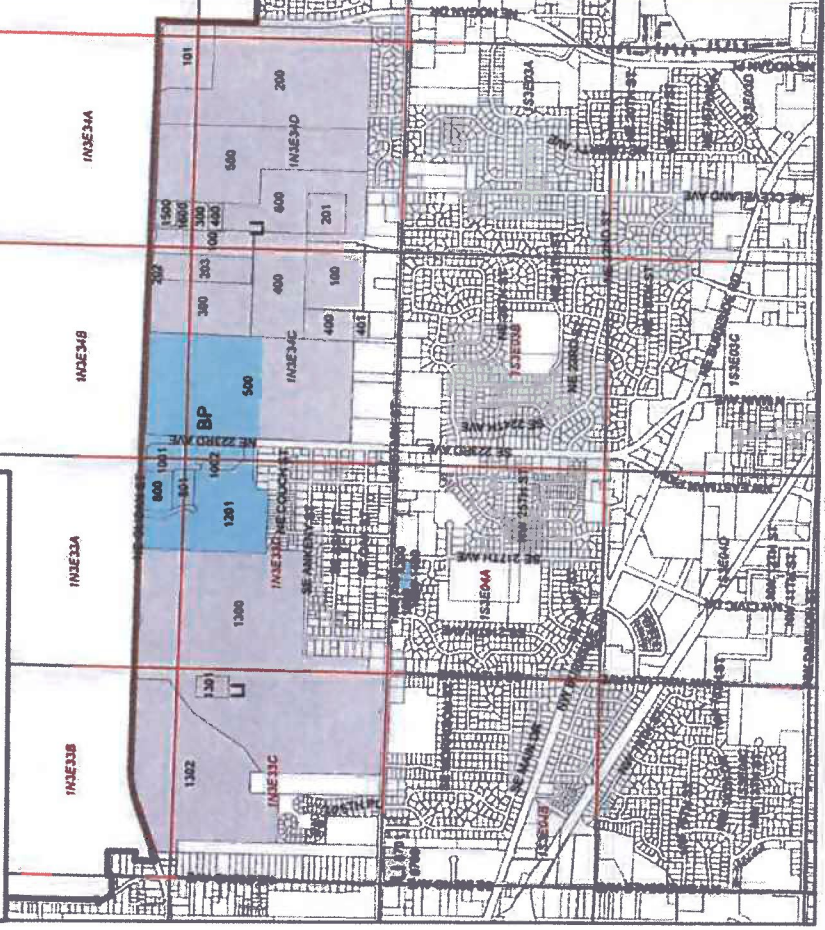


EXHIBIT A
CPA 08-250/ CB 15-08
February 4, 2009

CITY OF GRESHAM, OREGON
INDUSTRIAL LAND USE ASSESSMENT

LEGEND

- Current Gresham City Limits
- Map Title by Local ID
- GI - General Industrial
- MC - Moderate Commercial
- PLSS Quarter Sections

ZONING (Current Extant) ACRES **567.6**

GI - General Industrial

MC - Moderate Commercial **18.9** Feet

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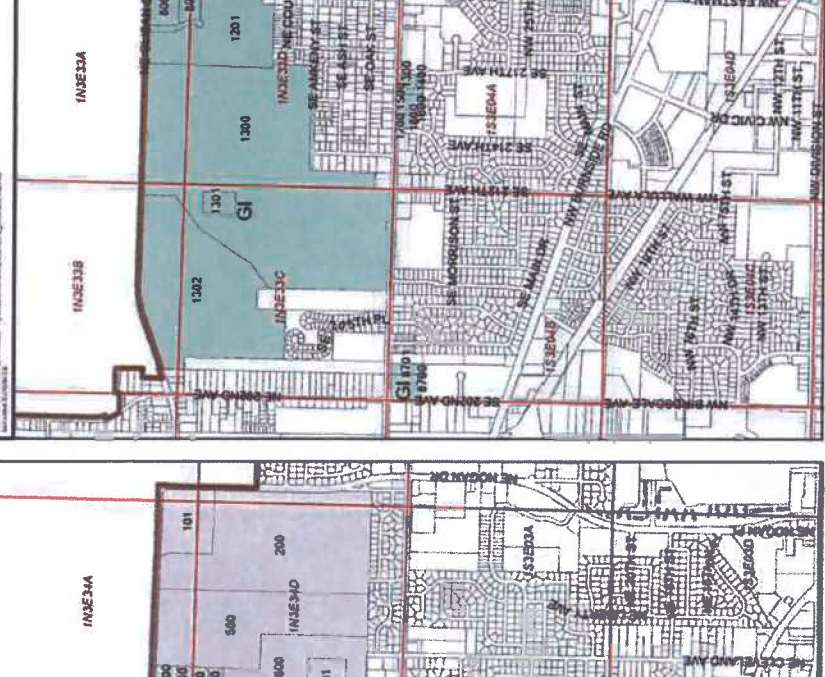


EXHIBIT A
CPA 08-250/ CB 15-08
February 4, 2009

CITY OF GRESHAM, OREGON
INDUSTRIAL LAND USE ASSESSMENT

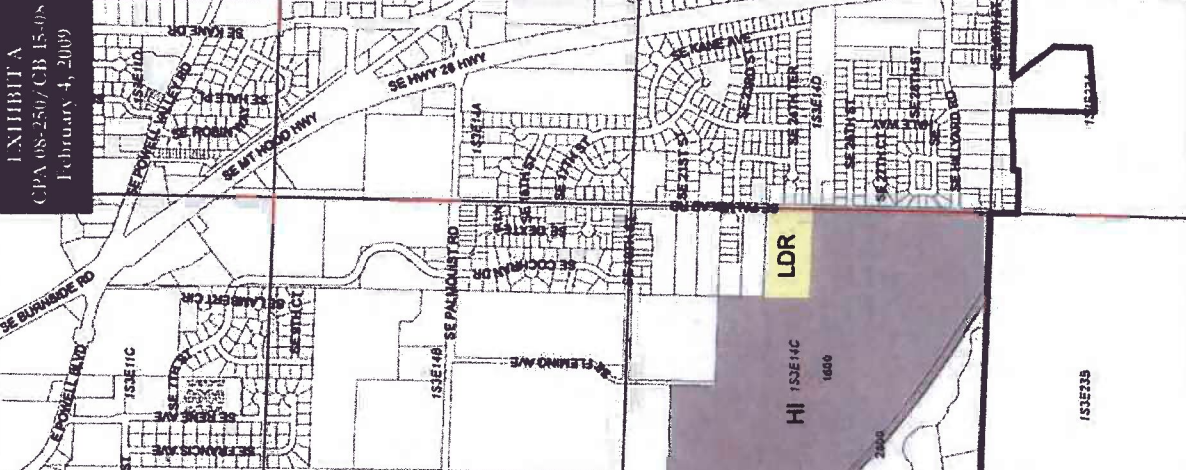
CURRENT
LAND USE DISTRICT
Map Four of Five:
MUTUAL MATERIALS

LEGEND

ZONING (Current Extent) **ACRES**
 HI - Heavy Industrial 87.1
 LDR - Low-Density Residential 5.2
 LI - Light Industrial 25.1

Scale: 0 250 500 Feet

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CITY OF GRESHAM, OREGON
INDUSTRIAL LAND USE ASSESSMENT

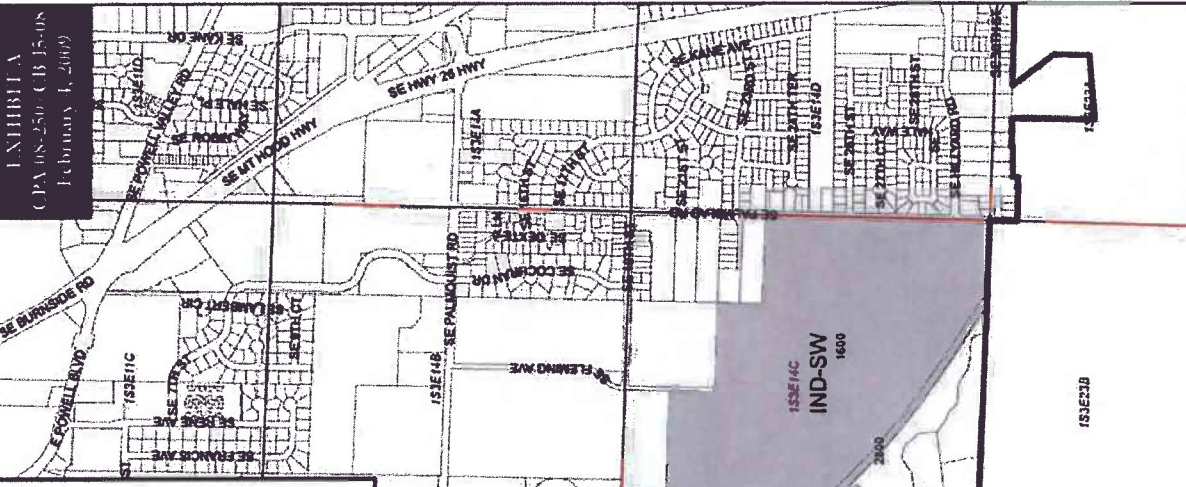
PROPOSED
LAND USE DISTRICT
Map Four of Five:
MUTUAL MATERIALS

LEGEND

ZONING (Current Extent) **ACRES**
 IND-SW - Sprungwater Industrial 82.3
 GI - General Industrial 25.1

Scale: 0 250 500 Feet

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CITY OF GRESHAM, OREGON
INDUSTRIAL LAND USE ASSESSMENT

CURRENT
LAND USE DISTRICT
Map Five of Five:
SOUTH GRESHAM

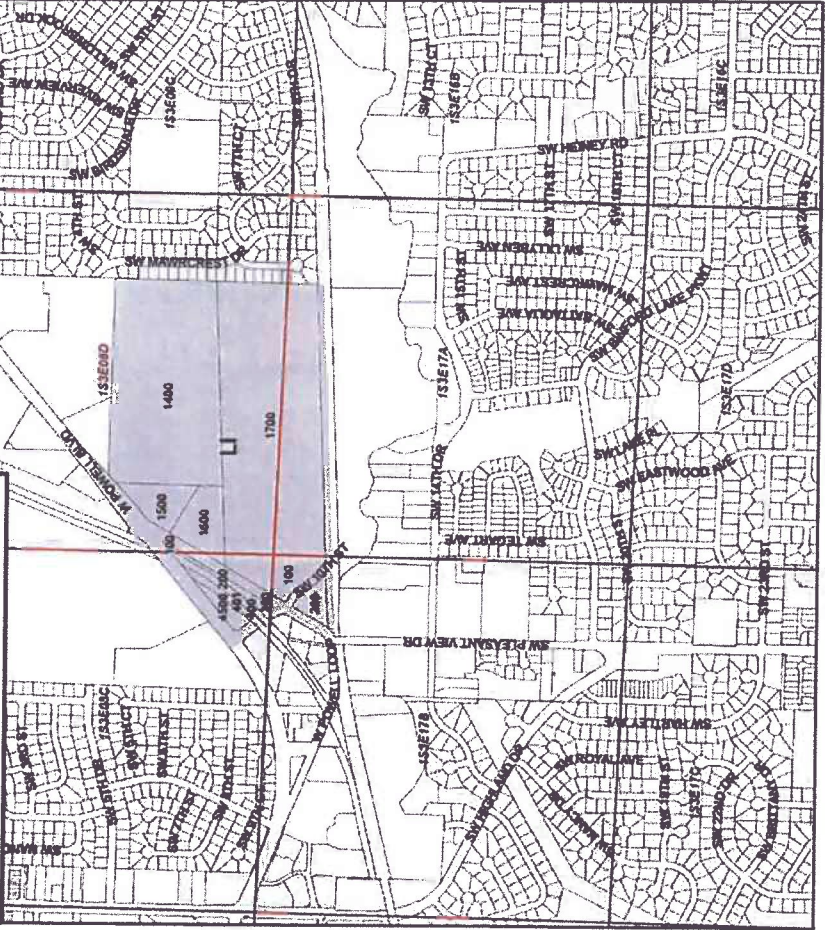
- LEGEND**
- Current Gresham City Limits
 - City Limits by Local ID
 - U - Light Industrial
 - PLS - Quarter Sections

ZONING (Current Extent) ACRES 87.6

U - Light Industrial



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CITY OF GRESHAM, OREGON
INDUSTRIAL LAND USE ASSESSMENT

PROPOSED
LAND USE DISTRICT
Map Five of Five:
SOUTH GRESHAM

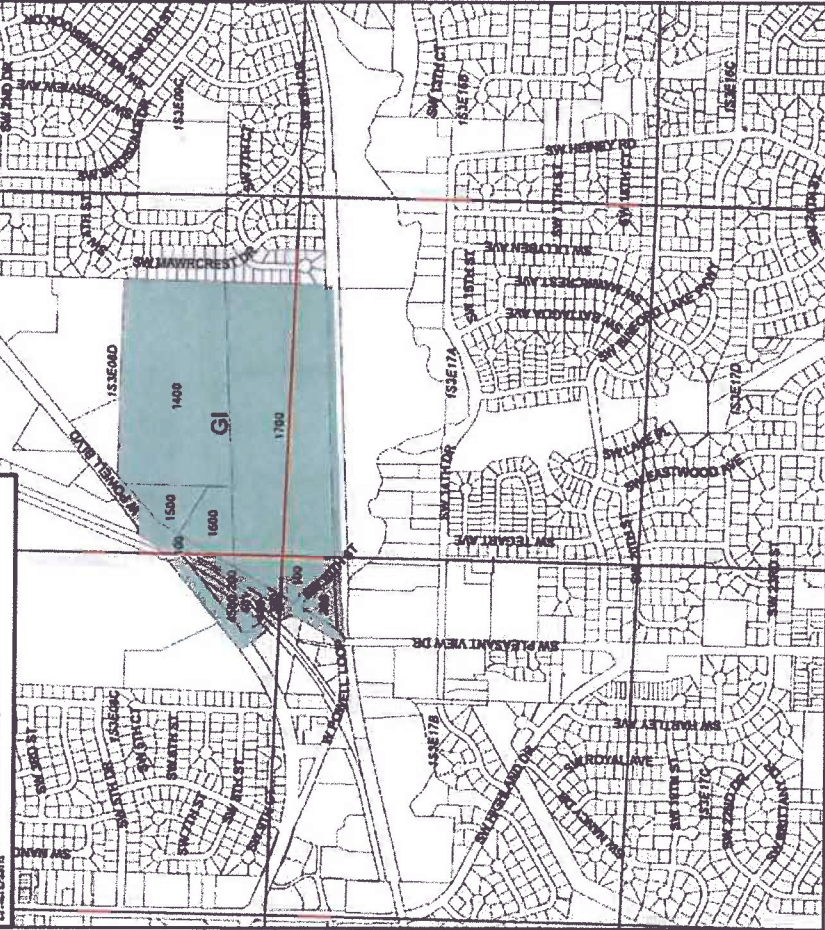
- LEGEND**
- Current Gresham City Limits
 - City Limits by Local ID
 - GI - General Industrial
 - PLS - Quarter Sections

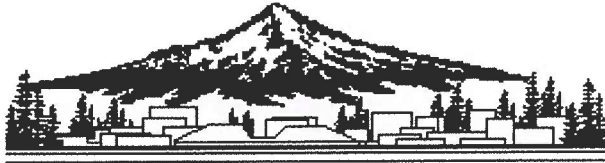
ZONING (Current Extent) ACRES 87.6

GI - General Industrial



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Urban Design & Planning Services
City of Gresham

CERTIFICATION OF MAILING

FILE NO.: CPA 08-250

PROJECT: City of Gresham-Industrial Lands
Assessment

I, TAMMY J. RICHARDSON, CERTIFY THAT I HAVE MAILED THE
ATTACHED NOTICE OF ADOPTION TO THE FOLLOWING PARTIES:

DLCD
Plan Amendment Specialist
635 Capitol Street, NE #150
Salem, OR 97301-2540

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Growth Management
600 NE Grand
Portland OR 97232-2736

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Ball Janik
101 SW Main #1100
Portland, OR 97204

Peter Fry
2153 SW Main #105
Portland, OR 97205

Douglas Lindholm/Joseph Weston
Weston Investments
P.O. Box 12127
Portland, OR 97212-0127

Todd Sheaffer/Brent Hedberg
Spect Development
15325 SW Beaverton Creek Ct.
Beaverton, OR 97006

Robert J. Kaiser
Kaiser Co.
10735 SE Stark #200
Portland, OR 97216

Kelly Niemeyer
1515 SE Water Avenue
Portland, OR 97293

Ham Southworth
Studley
577 College Ave. Suite C
Palo Alto, CA 94306

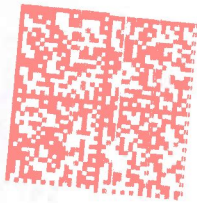
Thomas P. O'Hanlon, V.P.
McMorgan & Company
425 Market Street #1600
San Francisco, CA 94105-2498

SIGNATURE: Tammy J. Richardson

DATE OF MAILING: March 6, 2009

**CITY OF GRESHAM
DEVELOPMENT SERVICES
PLANNING SERVICES
1333 NW EASTMAN PARKWAY
GRESHAM, OR 97030**

**DLCD
Plan Amendment Specialist
635 Capitol Street, NE #150
Salem, OR 97301-2540**



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