



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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AMENDED NOTICE OF ADOPTED AMENDMENT

October 29, 2007

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 004-07



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: November 9, 2007

This amendment was submitted to DLCD for review 45 days 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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Marguerite Nabeta, DLCD Regional Representative
David Krogh, City of Gresham

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FORM 2

DEPT OF

OCT 21 2007

DLCD NOTICE OF ADOPTION LAND CONSERVATION AND DEVELOPMENT

This form **must be mailed** to DLCD **within 5 working days after the final decision** per ORS 197.610, OAR Chapter 660 - Division 18
(See reverse side for submittal requirements)

Jurisdiction: City of Gresham

Local File No.: CPA 06-311
(If no number, Use none)

Date of Adoption: 10/16/07

Date Mailed: 10/19/07
(Must be filled in)

Date the notice of Proposed Amendment was mailed to DLCD: 5/24/07
(Must be filled in)

- Comprehensive Plan Text Amendment
- Comprehensive Plan Map Amendment
- Land Use Regulation Amendment
- Zoning Map Amendment
- New Land Use regulation
- Other: _____

(Please Specify Type of Action)

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

Amends and updates the Community Development Plan (Goals and Policies and Development Code) to provide for new design and architectural standards for single family attached dwellings.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

Added additional definitions and standards related to courtyards, and minor changes to text grammar.

Plan Map Changed from: _____ to: _____
 Zone Map Changed from: _____ to _____
 Location: _____ Acres Involved: _____
 Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: 2 & 10

Was an Exception Adopted? Yes: ___ No: X

DLCD # 004-07
(16122)

Did the Department Land Conservation and Development receive a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: X No:

If no, do the Statewide Planning Goals apply Yes: No:

If no, did the emergency circumstances require immediate adoption Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: Metro

Local Contact: David Krogh, AICP, Senior Planner

Area Code + Phone Number: 503) 618-2610

Address: 1333 NW Eastman Parkway

City: Gresham, OR

Zip Code + 4: 97030-3825

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 (2) Copies 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. Submit **TWO (2) copies** of the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
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 copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or email your request to Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

Proposed new text is double-underlined.
Proposed deleted text is ~~stricken through~~.

CB 11-07

ORDINANCE NO. 1648

AMENDMENTS TO VOLUMES 2 (POLICIES) AND 3 (DEVELOPMENT CODE) OF THE
GRESHAM COMMUNITY DEVELOPMENT PLAN, REGARDING DESIGN STANDARDS FOR
SINGLE FAMILY ATTACHED DWELLINGS

THE CITY OF GRESHAM DOES ORDAIN AS FOLLOWS:

Section 1. Volume 2, Policies Document, is amended to add Section 10.413.1 as follows:

10.413.1 DESIGN STANDARDS FOR SINGLE FAMILY ATTACHED DWELLINGS

BACKGROUND

The popularity of single family attached dwellings (i.e. townhouse/rowhouse) has increased within recent years, offering a measure of affordable home ownership in a slightly higher density than exists for traditional single family detached housing. In the City of Gresham alone, 25 different developments in the 5 year period between 2002-2007 have created 438 single family attached units (per City of Gresham GIS data). This shows a growing demand for single family attached unit ownership. However, development standards for these unit types are currently minimal, focusing more on siting rather than architectural factors and appearances. The result has been a hodge-podge of designs which vary from very attractive to very simple.

Discussions by citizen groups, the Planning Commission and the City Council have determined that the quality of residential development directly affects livability and aesthetic values for Gresham residents. Improving the quality of single family attached dwelling development can be achieved through the introduction of site design and architectural standards. Since single family attached dwellings are one of the housing types identified as "needed housing" by the City of Gresham Comprehensive Plan (per ORS 197.303 and 197.307), design standards for these dwellings will need to be clear and objective. A discretionary review process (i.e. by a design review body) could be established for developer proposed deviations from clear and objective standards as part of a 2 tier review process.

As current standards for single family attached dwellings are different within the different residential and mixed-use districts, new architectural and design standards can also provide a measure of design consistency for single family attached housing projects throughout the City.

Although such standards should be applied in all land use districts where single family attached dwellings are allowed, they may be modified in the City's various Plan districts (Downtown, Civic Neighborhood, Pleasant Valley, and Springwater) in order to meet the purposes and objectives of those particular areas.

Design principles provide a connection between general planning goals and policies and implementing regulations and standards. The main purpose of design principles is to convey a sense of preferred quality for a place. The design principles are the basis for clear and objective design standards. If a 2 tier review process is ultimately established, the design principles would provide the decision body the direction to make determinations in regards to proposed developments that desire a discretionary review. Design principles set forth key issues which can sharpen the scopes and concentrate the attentions of reviewers, designers and decision makers. Design principles are normally described by several sentences. Written information is usually amplified with graphics such as diagrams, sketches, illustrations, photographs or combinations of these elements.

Staff, in working with citizen groups and the Planning Commission, has identified a number of design principles that are appropriate for single family attached dwellings. These include:

- **Relationship to Street System**
New single family attached dwellings should be accessible to the public street system. Public streets delineate individual lots and blocks in the City landscape. They provide a setting for social interaction and for public safety.
- **Common Setback Standards and Private Open Space**
Standards should be consistent for districts with similar densities. Each unit should have a private space such as a deck or patio so as to maintain feelings of individuality and home.
- **Shared Open Space Standards for Complexes**
Larger single family attached complexes are similar in scale and bulk to multi-family complexes and, therefore, should provide similar open space amenities. Open space areas promote a sense of place and tend to reduce the feel of density for residents.
- **Driveway Access**
Driveway access should be from alleys where feasible so as to reduce conflicts with the street. Driveway access points should be staggered to allow for on street parking.
- **Pedestrian Walkways**
Pedestrian walkways should provide on site access to open space areas and to the streetscape.
- **Building Design and Architectural Standards**
Building design and architectural standards shall provide for flexibility in design and improved quality. Standards applicable to all single family attached dwellings should provide measures of consistency and certainty to designers, developers and decision makers.
- **Landscaping**
Landscaping is to be provided to soften the bulk and scale of developments. Landscaping shall include the use and maintenance of living plant materials to add visual accents and color.
- **Service and Utility Areas**
Service and utility areas should be to the rear of the project and be screened from the street or other public view.
- **Building Heights and Grade**
Common building heights relative to allowed densities shall result in consistent application of height standards. Building heights shall consider site and street grades so as to maintain a relationship and similar scale to adjacent residential uses.
- **Light, View and Privacy**
Building separations shall consider height transitions and orientation so as to maintain unit privacy areas, access to sunlight, and reductions in the intensity of scale and density.

GOAL

Promote quality in designs for single family attached dwelling projects which benefits the physical environment and aesthetic values of Gresham residents.

POLICIES

1. Single family attached dwelling development should be designed and constructed to produce high quality living environments.
2. Single family attached dwellings should fit into the context of existing neighborhoods, especially in terms of scale and existing land use patterns; especially important is to create residential neighborhoods with multi-modal transportation connections and opportunities for social interaction.
3. New single family attached dwellings should appropriately relate to their surroundings especially public streets, open spaces and recreation areas.
4. New single family attached dwellings should minimize shadow, blocked views and the potential for "overlook" onto or from adjacent properties, especially existing neighborhoods.
5. New single family attached dwellings should protect and enhance natural features such as mature vegetation, watercourses and wetlands, and provide adequate, usable, safe and high quality common open space.
6. The design of new single family attached dwellings should minimize the impacts of service areas (parking, loading and garbage service) on public streets, residents and existing properties.
7. New single family attached dwellings should be thoughtfully and aesthetically designed both in terms of building architecture and site development and landscaping.
8. Larger sized single family attached dwelling complexes should provide like amenities to multi-family complexes due to their similarity in bulk, scale and utilization.

DESIGN PRINCIPLES

1. Relationship to the Street System

- a. Avoid developing single family attached (SFA) projects that are isolated and not connected to the community.
- b. Single family attached (SFA) development shall be accessible from the public street system.
- c. Within land use districts that allow SFA development, housing units should face the non-arterial public street system.
- d. Enhance and extend the local street network and pedestrian walkways to serve new SFA development.
- e. All streets fronting SFA development shall be designed to allow on-street parking and adequate emergency vehicle access while considering other public safety and access needs.
- f. Street design and site planning for new SFA development shall result in a logical and efficient development pattern that ensures resident privacy and public and private open space opportunities.

2. Common Setback Standards and Private Open Space

- a. Adequate building setbacks shall be provided to ensure light access and privacy. Minimum setbacks allow for the creation of private open spaces in the form of front, side and rear yards.
- b. Locate main facades of single family attached developments parallel to adjacent streets.
- c. Each unit of a single family attached development shall be provided with a useable private open space area, such as a rear patio or rear yard. It should offer seclusion, as much as possible, from other residents, common open space areas, street traffic and pedestrians.
- d. Each unit shall have adequate setback and space for landscaping between the public sidewalk and private home, a front porch or stoop, and an entryway.
- e. Provide adequate front yard space to allow an entry, front stoop or porch and landscaping between the public sidewalk and the private dwelling.
- f. Provide adequate separation between buildings both on the same site and in relation to those on adjacent properties so that crowding and shadowing do not occur. Unit privacy should not be negated by inadequate building separation.
- g. Consistent setbacks for single family attached dwellings should be allowed City-wide except in those areas where higher densities are permitted (such as the Downtown Plan Districts and Civic Neighborhood Plan Districts).

3. Shared Open Space Standards for Complexes

- a. Provide useable common open space to create accessible and safe on-site opportunities for passive and active recreation for all ages.
- b. Incorporate attractive landscaping and site amenities throughout the development site to enhance development quality and livability.
- c. Enhance opportunities for social interaction by providing opportunities for group gatherings and social recreation.
- d. Create open space areas and landscaping to soften the urban environment, provide shade, buffering and screening and create pleasant places to rest and recreate.
- e. Single family attached dwellings that are adjacent to public parks and open space areas may be planned to incorporate the use of and access to these public amenities into their design.
- f. For single family attached dwelling developments adjacent to public parks or public open space (i.e. school yards, public trails), where the adjacent streetscape will not be negatively impacted (i.e. units with their side or backs to the street), units may be oriented toward the park or open space to allow views from residential units and to promote informal surveillance of the open space. This should not be permitted if the backs or sides of units would face the street.
- g. Common Open Space Requirements should not be waived for protection of Water Quality Resource Areas or other Natural Areas. However, a reasonable amount of density may be transferred to the buildable portion of the project.

4. Driveway Access

- a. New single family attached dwellings shall create an attractive and pedestrian oriented streetscape.
- b. Garages and driveways shall not dominate the streetscape.
- c. If driveways are located at the front of dwelling units, enough space between individual driveways should be provided to allow for adequate on-street parking.
- d. If common, rather than individual parking areas are proposed, the General Design Standards for Surface Parking Lots (GDC Section 9.0800) shall be followed.
- e. Single alleyways and private drives shall be screened from adjacent properties.

5. Pedestrian Walkways

- a. Walkways need to provide residents with comfortable access to neighborhood streets and amenities. If a single family attached development is large enough to warrant common areas, a network of common walkways should link these areas.
- b. Walkways shall be provided throughout the development so that easy, barrier-free access is provided to adjacent public streets, adjacent public uses and parking areas.
- c. Walkways shall be designed to be easy to access, barrier-free, and with clear-sight lines.
- d. Walkways shall be designed to consider the pedestrian's safety.
- e. Walkways shall be visible from buildings to promote safety.
- f. Design and locate adjacent buildings so that sunlight can access pedestrian walkways during midday.
- g. Arcas adjacent to walkways should be landscaped where feasible.

6. Building Design and Architectural Standards

- a. Buildings should be architecturally interesting and attractive so as to create a sense of pride in ownership and provide a neighborhood identity.
- b. Basic architectural standards shall be provided to ensure that elements which generate visual interest will be incorporated into building design.
- c. A variety of architectural choices should be offered as a means to discourage dull and monotonous development while encouraging flexibility in design.
- d. Reinforce the human scale of development and avoid buildings with long, monotonous exterior walls.
- e. Accentuate the entryway of single family attached units to provide a transition zone from the private interior space to the exterior public streetscape and incorporate weather protection into its design.
- f. Unless an alternative roof design is shown to be compatible with the surrounding neighborhood, dwellings shall have sufficiently pitched roofs in order to convey a residential character.

- g. Balance expression of individuality of ownership with consistency along the streetscape
- h. Corner buildings that have a façade facing each street shall reinforce or architecturally emphasize the prominence of the corner.

7. Landscaping

- a. Provide adequate overall site landscaping to soften and balance the “hardscape” features of the development (streets, driveways, buildings, etc.).
- b. Provide enough landscaping to create an attractive and comfortable front yard. Front yards serve as a semi-public transition between the street right-of-way and the private residence.
- c. Use trees and other landscaping to provide shade and weather protection.
- d. Provide vertical and horizontal landscape elements along all exterior walls to soften the visual impact of the building and promote the residential character of the site.
- e. Coordinate space for tree planting with utility locations and other City infrastructure. Show utility locations on the landscape plan.
- f. Include landscaping in common open spaces and along walkways so as to make pleasant places for children to play and create opportunities for social interaction.
- g. Utilize landscaped yards, when feasible, to infiltrate stormwater, reducing the load on the public storm system during heavy storms and throughout the winter.

8. Service and Utility Areas

- a. Solid waste collection areas and heating, ventilation, air conditioning (HVAC) and other electro-mechanical equipment should be designed into the building or screened such that they are not visible from the street or adjacent development.
- b. Commonly shared loading, garbage/recycling and other services should be located so they do not negatively affect adjacent residences; screen with fencing and/or landscaping or integrate into the design of the building so they are not visible from the street, adjacent open spaces and neighboring residences.
- c. Locate transformers, and heating, ventilation and air conditioning (HVAC) equipment at the rear of buildings when possible or ensure they are not visible from the street or other public space.

9. Building Heights and Grade

- a. Building height and site grade should consider the relationship a development has with the street and adjoining property. High retaining walls should be avoided as they do not enhance the pedestrian environment.
- b. Doorways should not be excessively elevated above or below the adjacent street grade so they lose their relationship to the street.
- c. Buildings should attempt to use the existing or natural grade (ground level) in order to prevent them from being inordinately higher than adjacent dwellings.
- d. Building height should take the context of surrounding developments into consideration and be of a scale so they can fit within residential neighborhoods without imposing a feeling of crowding.

10. Light, View and Privacy

- a. Attention to the relationship between buildings that are situated on two sides of a street is important so that a long, tunnel-like streetscape isn't created.
- b. Where lines of townhouses face each other, ensure adequate distance between the front facades to allow sunlight, views and room for private open spaces.
- c. Orient and/or design buildings in a way that maintains the privacy of the rear yards of the units considering abutting residential properties, streets, alleys or open spaces.
- d. Ensure that there is an adequate height transition or separation between new townhouse dwellings and adjacent development that may be of a reduced scale or density.

ACTION MEASURES

1. Identify and assess methods that could be utilized to implement the design principles.
2. Provide an administrative development review process using clear and objective standards to implement the design principles identified above.
3. Create an illustrated design guide, to be used as a handout, to assist developers, designers, decision makers, and the general public, to understand the design review process and the architectural and design standards for single family attached dwelling development proposals.

Section 2. Volume 3, Development Code, Section 3.0010, is amended as follows:

Section 3.0010 - Definitions

Courtyard. An open and uncovered space that is typically landscaped and includes walkways and lawn or garden ornamentations, is pedestrian friendly, is either enclosed or bordered on at least 3 sides by a building or buildings, and is at grade with said building(s). Courtyards are generally larger and more multifunctional than courts. (See also "Court.")

Courtyard Development. A development consisting of a single building or multiple buildings that border an open area, court, or courtyard, on three or more sides. The courtyard area may or may not be open to the street and is generally landscaped and includes walkways, but does not include parking areas or vehicle access ways. Courtyard developments may contain attached housing (multi-family or condos), single family attached housing, community services, commercial or mixed uses.

Dwelling, Single Family, Attached. A single family dwelling unit, located on its own lot, that shares one or more common walls with one or more single family attached dwelling units. It does not share common floors or ceilings with other single family attached dwelling units and multiple single family attached units are typically constructed in a linear design. Townhouses and rowhouses that locate each dwelling unit on its own lot are also single family attached dwellings. (See definition of Rowhouse (Rowhome).)

Rowhouse (Rowhome). Also known as "townhouse," this building construction style is a single structure, usually two-story in construction, that provides vertical separation between multiple two-story units. Rowhouse units may be located: on individual lots via "0" lot line development, on a single lot with each unit rented, or as separate condominium units with the land area under common ownership. When

developed with each unit on its own separate lot, a rowhouse is also referred to in this code as “single-family attached dwelling units.” For purposes of addressing, this definition applies to attached single-family dwellings with private ownership of unit and land. (See also Dwelling, Single Family, Attached.)

Single Loaded Street. A street, alley, or accessway (either public or private) that is accessed only on one side. For example, a single loaded street is likely to be located at the rear of a development project and provide access to buildings within that project but not to buildings on adjoining properties.

Section 3. Volume 3, Development Code, Section 4.0120, is amended as follows:

Section 4.0100 - Residential Land Use Districts

Table 4.0120: Permitted Uses in the Residential Land Use Districts

USES	LDR	TLDR	MDR-12	MDR-24	OFR
(A) Detached dwellings	P	P	P (on a lot of record)	NP	P (on a lot of record)
(B) Manufactured homes	P	P	P (on lot of record)	NP	P (on lot of record)
(C) Manufactured dwelling parks	NP	P	P	NP	NP
(D) Attached dwellings on a single lot	NP	NP	P	P	P
(E) Single family attached dwellings	NP	P ²	P ⁵	P ⁵	P ⁵
(F) Two-unit attached dwellings	L ⁶	P	P	P	P
(G) Accessory dwellings	P ¹	P ¹	NP	NP	NP
(H) Community services	P	P	P	P	P
(I) Accessory structures	P	P	P	P	P
(J) Home occupations	P	P	P	P	P
(K) Existing grazing, agriculture or horticulture uses	P	P	P	P	P
(L) Poultry and livestock	P ²	P ²	P ²	P ²	NP
(M) Temporary uses	P	P	P	P	P
(N) Parking or storage of not more than five motor vehicles per dwelling unit	P	P	P	NP	NP
(O) Residential Facility	NP	NP	P	P	P
(P) Residential Home	P	P	P (On a lot of record)	NP	P (On a lot of record)
(Q) Temporary Health and Hardship Dwellings	NP	NP	P ³	L ³	P ³
(R) Interim office uses in existing detached dwelling structures	NP	NP	NP	P	NP
(S) Mini-Storage Facilities	NP	NP	NP	P	NP
(T) Retail trade establishments engaged in selling goods or merchandise to the general public for personal or household consumption such as clothing, computer, and telephone stores	NP	NP	NP	NP	L ⁴

(U) Retail service establishments providing services or entertainment to the general public such as eating and drinking places and banks	NP	NP	NP	NP	L ⁴
(V) Offices & Clinics	NP	NP	NP	NP	P
(W) Other retail trade and retail service uses which, in the determination of the Manager are pedestrian-oriented	NP	NP	NP	NP	L ⁴

Table 4.0120 Notes

- 1 See Section 4.0137
- 2 If kept over 100 feet from any residence other than the dwelling on the same lot except as provided by Section 10.0900.
- 3 See Section 10.1300.
- 4 Limited retail trade, retail services or business services when found to be consistent with the requirements of Section 4.0134.
- 5 Single-family attached dwellings are required to meet density standards of the underlying land use district and applicable site design review criteria of Section 7.0200.
- 6 See Section 4.0131(E).

Section 4. Volume 3, Development Code, Section 4.0130, is amended as follows:

4.0130 Residential Land Use District Standards

The development standards listed in Table 4.0130 are applicable to all development within the Residential Land Use Districts. Development within these districts shall also be consistent with all other applicable requirements of the Community Development Code.

Table 4.0130: Development Standards For Residential Land Use Districts, continued

	LDR ^{1,2}	TLDR	MDR-12	MDR-24	OFR
(I) Public Facilities, Site and Supplementary Requirements	See <u>Section 4.0132(F)</u>	See <u>Section 4.0132(F)</u>	See <u>Section 4.0134(F)</u>	See <u>Section 4.0134(F)</u>	See <u>Section 4.0134(F)</u>
(J) Commercial Development	Not Applicable	Not Applicable	Not Applicable	Not Applicable	See <u>Section 4.0134(B)</u>
(K) Limited retail trade, retail	Not Applicable	Not Applicable	Not Applicable	Not Applicable	See <u>Section 4.0134(B)</u>
(L) Mini-Storage Facilities	Not Applicable	Not Applicable	Not Applicable	See <u>Section 4.0138</u>	Not Applicable
(M) Off Street Parking	See <u>Section 9.0800</u>	See <u>Section 9.0800</u> ¹²	See <u>Section 9.0800</u>	See <u>Section 9.0800</u>	See <u>Section 9.0800</u>
(N) Safe Neighborhood Design Performance Standards	See <u>Section 4.0132(D)</u>	See <u>Section 4.0132(D)</u> ¹²	Not Applicable for single family attached units	Not Applicable for single family attached units	Not Applicable for single family attached units
(O) Buffers	See Buffer Matrix, <u>Section 9.0100</u>	See Buffer Matrix, <u>Sec. 9.0100</u> ¹²	See Buffer Matrix, <u>Section 9.0100</u>	See Buffer Matrix, <u>Section 9.0100</u>	See Buffer Matrix, <u>Section 9.0100</u>
(P) Infill Development Standards	See <u>Section 4.0139</u> .	See <u>Section 4.0139</u> .	Not Applicable	Not Applicable	Not Applicable

Table 4.0130(E) - Minimum Setbacks in Residential Districts [7]

Single Family Detached: [6]	FRONT			SIDE					REAR	
	Front Facade/ Wall	Front Porch	Garage	Interior Side (Not Zero or Common Wall)	Zero Lot Line Option	Street Side Wall	Street Side Porch	Street Side Garage Access	Rear/ No Alley	Rear/ With Alley
<u>LDR</u> [1]	10 feet	6 feet	18 feet	5 feet	6 inches on zero/ 6 feet on other side [8]	10 feet	6 feet	18 feet	15 feet	6 feet
<u>TLDR</u> [1]	10 feet	6 feet	18 feet	5 feet	6 inches on zero/ 6 feet on other side [8]	10 feet	6 feet	18 feet	15 feet	6 feet
<u>MDR-12</u>	10 feet	10 feet	18 feet	10 feet	NA	20 feet	20 feet	20 feet	15 feet	NA
<u>OFR</u>	10 feet	10 feet	18 feet	10 feet	NA	20 feet	20 feet	20 feet	15 feet	NA
<u>Single Family Attached: [6][9]</u>										
<u>TLDR</u>	10 feet	6 feet	18 feet	5 feet	NA	6 feet	6 feet	18 feet	10 feet	6 feet
<u>MDR-24, MDR-12, OFR</u> [2][3]	10 feet	6 feet	18 feet	5 feet	NA	6 feet	6 feet	18 feet	10 feet	6 feet
<u>Attached Dwellings: [6]</u>										
<u>MDR-12</u> [2][3][4]	10 feet [5]	NA [5]	NA [2] [5]	10 feet	NA	5 feet [5]	5 feet [5]	18 feet [5]	15 feet	15 feet
<u>MDR-24</u> [2][3][4]	10 feet [5]	6 feet [5]	NA [2] [5]	10 feet	NA	5 feet [5]	5 feet [5]	18 feet [5]	15 feet	15 feet
<u>OFR</u> [2][3][4]	10 feet [5]	NA [5]	NA [2] [5]	10 feet	NA	[5]	NA [5]	NA [5]	15 feet	15 feet

Table 4.0130(E) Notes:

- [1] See Section 10.0200 for setbacks of detached accessory structures and for setbacks of attached and detached patio covers in LDR and TLDR.
- [2] Buffering and Screening Standards of Section 9.0100 may apply.
- [3] Height Transition Standards of Section 9.0600 may apply.
- [4] 20 foot minimum distance between major structures on same lot, except for non-single family attached rowhouse style dwellings on the same lot where a minimum of 10 feet in between major structures (side to side) will be required. Detached carports and detached garages are not major structures. See Section 10.0200 for accessory structure setback standards.
- [5] Maximum front and street-side setbacks apply as provided for the Corridor Multi-Family District in Table 4.0430 and Section 4.0433(B).
- [6] For double-fronted lots, each street frontage shall be considered a front yard in terms of setback requirements (except when one of the frontages is an alley or private accessway, in which case that yard will be the rear).

- [7] In cases where sidewalk access is provided by easement, the setback shall be measured from the easement line closest to the house or garage per Table 4.0130(E).
- [8] The Zero Lot Line option may only be employed on a lot designated as a zero lot line lot through a land division approval. See Section 4.0132(3).
- [9] Setbacks for single family attached units are identified in Table 7.0201(M)(3)(a).

Section 5. Volume 3, Development Code, Section 4.0132, is amended as follows:

4.0132 Additional Standards for the Low Density Residential (LDR) and Transit Low Density Residential (TLDR) Districts

(A) Yard Setbacks for Detached Dwellings

- (1) Refer to Table 4.0130(E) on Page [4.01]-8 for setbacks of single-family detached dwellings.
- (2) See Section 10.0200 for yard setback requirements for detached accessory structures and for attached and detached patio and deck covers.
- (3) Zero lot line special side yard setback conditions:
 - (a) For an adjacent lot, the yard abutting the 6 inch side shall be a minimum of 6 feet.
 - (b) A zero lot line side yard setback shall not be employed where the abutting property is not part of a zero lot line development. When the zero lot line cannot be employed, the structure shall be a minimum of 5 feet from the interior side yard property boundary.
 - (c) All side yard setbacks in a zero lot line development shall be clearly indicated on each lot for both the tentative partition or subdivision plan and final partition or subdivision plat.
 - (d) A perpetual six foot maintenance and general utility easement shall be provided on the lot adjacent to the zero lot property line. This easement shall be kept clear of structures or any other object which could physically preclude access to areas within the easement for utilities access and for maintenance of the wall on the zero lot line side of the structure.

(B) Yard Setbacks for Single-Family Attached Dwellings

Refer to Table 4.0130(E) on Page [4.01]-8 and Table 7.0201(M)(3)(a) for setbacks of single-family attached dwellings.

(C) Maximum number of units per lot:

No more than one dwelling unit or two-unit attached dwelling may be located on a lot except as authorized through the Community Service provisions of Section 8.0100 and except as authorized through the Accessory Dwelling provisions of Section 10.0100 of the Community Development Code.

(D) Safe Neighborhood Design Performance Standards

These provisions are intended to help create safer neighborhoods and a high quality pedestrian environment by incorporating crime prevention design that emphasizes linkages and surveillance between the dwelling and the street. These provisions are encouraged for all new LDR and TLDR District dwelling construction but shall only be required for a lot in LDR and TLDR or lots proposed for single-family attached dwellings in other ~~residential~~ districts created under the standards in effect on or after December 19, 1996.

- (1) Visible Dwelling Front. The front door shall be oriented towards the street which the dwelling faces. At least 75% of that street frontage shall be visible from 1) the front door; or 2) a street facing ground floor window (except a garage window); or 3) a street facing second story, minimum four foot by four foot window, placed no higher than 3 feet 6 inches from the floor to the bottom of the window sill. This section allows portions of the front of a dwelling to protrude forward of other portions, as long as the visibility standard is satisfied. A dwelling on a lot created pursuant to Section 10.1520 may use a private drive or future street to comply with this provision.

- (2) Street Pedestrian Connection Options. At least one of the following shall be provided:
- (a) Separate Walkway. A separate, minimum three foot wide hard surfaced walkway directly from the public sidewalk to the front door; or
 - (b) Combined Walkway. A minimum three foot wide hard surfaced walkway directly from the public sidewalk to the front door combined at the edge of the driveway, as measured from the edge of the garage door.
- (3) Street Surveillance Options. At least one of the following shall be provided:
- (a) Ground Level Outdoor Surveillance Area. A minimum 40 square foot covered hard surfaced entry area is placed at or immediately adjacent to the front door; or
 - (b) Upper Level Outdoor Surveillance Area. A minimum 30 square foot second story covered or open porch, balcony or deck is placed on the front of the dwelling; or
 - (c) Dwelling Front Location. The front of the dwelling (not including the garage) or of a covered entry has maximum setback of 16 feet; or
 - (d) Dwelling and Garage Front Location. The front of the garage is flush with the front of the dwelling or is recessed back from the front of the dwelling.
- (4) Front Yard Fence Height. The maximum height of a fence forward of the minimum front yard setback shall be 4 feet.
- (5) Rear Yard Fence Height on Alley. The maximum height of a fence along an alley lot line shall be 6 feet ~~provided that the maximum height of sight-obscuring fencing shall be 4 feet and that above 4 feet, the fencing shall be at least 40% open.~~

Section 6. Volume 3, Development Code, Section 4.0133, is amended as follows:

4.0133 Single-Family Attached Dwelling Standards for Phasing and Site Design Review

- (A) If a phased development or subdivision is proposed for a development that includes single family attached dwellings, the first phase shall conform to density requirements without consideration of subsequent phases. Later phases shall conform to density requirements consistent with previous phases and density standards.
- (B) All developments that include single family attached dwellings shall receive both land division approval to create lots for the single family attached dwellings as required in Article VI, and site design review approval as required in Article VII. ~~Site design review approvals are not required for single family attached structures in the TLDR district.~~

Recording of the plat for the land division shall be a condition of approval of both site design review and the issuance of building permits for single family attached dwellings.

Section 7. Volume 3, Development Code, Section 4.0135, is amended as follows:

4.0135 Single Family and Two-Unit Attached Dwellings Construction on a Lot

- (A) The construction of a detached dwelling or manufactured home, two-unit attached dwelling in an LDR or TLDR District, or single family attached dwelling in the TLDR District on a lot within an approved land division where sewer lines, water lines, storm drainage facilities, and streets are constructed to the city standards that were in effect when the land division was approved, and (in the case of single family attached dwellings in TLDR) an active site design approval is in effect or the land division predated said requirement. shall be reviewed under the Type I procedure to determine if the proposal meets the site development requirements in Standards Section 4.0130 or in the Variation to Development Standards of Section 6.0321 (Planned Development) of the Gresham Community Development Code. The property owner shall still obtain all required permits.
- (B) The construction of a single family dwelling or manufactured dwelling or two-unit attached dwelling or single family attached dwelling that does not meet the requirements of Subsection (A) shall also be reviewed under the Type I procedure except that this review shall focus on street and utility requirements for new construction as per Section A5.000.
- (C) Except as provided by Section A4.003, the Manager may approve alterations to existing single family dwellings under the Type I procedure. The proposal need not comply with Section A5.000 of the Community Development Code. If the application for an alteration to a single family dwelling is processed with another development permit application, all the standards of the Community Development Code shall apply.

Section 8. Volume 3, Development Code, Section 4.0430, is amended as follows:

Section 4.0430 Corridor District Development Standards

Table 4.0430 Notes:

¹ Minimum setbacks for single-family attached dwellings are:

(a) Front Yard:

- (i) Front façade = 5 feet
- (ii) Front Porch = ~~5~~ 3 feet
- (iii) Garage = 18 feet

(iv) ~~As an alternative to the setbacks listed above, the setback for the entire front façade, including the garage, may be reduced to 5 feet. In no case shall the garage setback distance be between 5 feet and 18 feet, and the garage shall not be closer to the street property line than any other portion of the front façade of the building.~~

(b) Side Yard:

- (i) Interior = 5 feet for any side of a dwelling structure that is not a common wall with another dwelling structure;
- (ii) Street side (corner lot): Façade = ~~6~~ 5 feet; Porch = ~~6~~ 5 feet; Garage with access from street side = 18 feet.

(c) Rear Yard = 10 feet if there is no alley; ~~6~~ 5 feet if there is an alley.

(d) Additional setbacks = see Table 7.0201(M)(3)(a).

² A maximum front or streetside setback of up to 20 feet may be permitted when enhanced pedestrian spaces and amenities are provided.

³ The maximum front or streetside setback for a building containing dwelling units abutting a Principal Arterial, a Major Arterial, or a Minor Arterial street is 30 feet. The maximum front or streetside setback may be exceeded when enhanced pedestrian spaces and amenities are provided.

⁴ There is no maximum parking limitation for single-family attached dwelling units.

⁵ For commercial uses, when included in a mixed-use development, the maximum amount of off-street parking shall be as provided in Section 9.0850 for each commercial use.

⁶ Conformance with clear vision standards of Section 9.0200 shall be required only for developments with direct access to an arterial street.

⁷ Ground floor window standards for commercial buildings on transit streets (Section 7.0210) do not apply to residential developments.

Section 9. Volume 3, Development Code, Section 4.0433, is amended as follows:

4.0433 Setbacks

Required minimum and maximum setback standards are specified in Table 4.0430.

(A) Minimum setback distances shall be determined in conformance with the definition for "Setback" as specified in Section 3.0010.

(B) Conformance with maximum setback distance is achieved for a commercial or mixed-use building when at least one primary entrance located on the façade facing the street is placed no farther from the property line than the distance specified for Maximum Building Setback in Table 4.0430. For residential buildings, conformance is achieved when at least 50% of the façade facing the street is placed no farther from the property line than the distance specified for Maximum Building Setback in Table 4.0430. Maximum building setbacks may be exceeded when a development incorporates enhanced pedestrian spaces and amenities in the setback area. Enhanced pedestrian spaces and amenities consist of features such as plazas, arcades, courtyards, outdoor cafes, widened sidewalks, benches, shelters, street furniture, public art, or kiosks. In addition, on sites with more than one building, the maximum setback may be exceeded for commercial, mixed-use, and residential buildings containing three or more dwelling units, provided conformance is achieved with the maximum setback distance for at least one building. For residential buildings, conformance also must be achieved with building orientation standards of Section 7.0201(E) for attached dwellings.

(C) For community service uses, minimum and maximum setbacks shall conform with setback requirements for commercial uses, subject to modification as provided in Section 8.0122.

(D) Setback standards for single family attached dwellings are in Table 7.0201(M)(3)(a).

Section 10. Volume 3, Development Code, Section 4.0434, is amended as follows:

4.0434 Building Height

Minimum and maximum building heights are specified in Table 4.0430. Any required building story must contain a habitable floor.

(A) The minimum building height standard applies, with the following exceptions, to new commercial, residential, and mixed-use buildings. It does not apply to community service buildings, accessory structures, one-time additions or expansions of non-conforming buildings of no more than 25% and less than 1,000 square feet, or to buildings with less than 1,000 square feet of floor area.

(B) In addition to conforming with the Ground Floor Windows requirements of Section 7.0210, for any new commercial or mixed-use building subject to a 2-story height minimum, at least 20% of the upper facade area shall be made up of display areas or windows for all facades facing a street.

(C) The maximum building height for any building containing dwelling units shall be reduced when located adjacent to an LDR or TLDR district, as provided in Section 7.0201(K).

(D) Heights of single family attached dwelling buildings are identified in Table 7.0201(M)(3)(f).

Section 11. Volume 3, Development Code, Section 4.1130, is amended as follows:

Downtown Plan Subdistrict Standards

Table 4.1130 Notes

- 1 Minimum residential density applies to residential projects only. There is no minimum density for residential uses in a mixed-use development.
- 2 ~~For single family attached dwellings with direct auto access from the street, the garage entrance must be less than 5 feet from the street property line, or more than 18 feet from the street property line.~~ There is no maximum setback for attached dwellings on a single lot which are located behind commercial buildings. Specific setbacks for single family attached dwellings are identified in Table 7.0201(M)(3)(a).

Section 12. Volume 3, Development Code, Section 4.1133, is amended as follows:

4.1133 Building Height

(A) Purpose

The minimum and maximum building height standards are used to establish building scales in specific areas of the downtown, in order to achieve a pedestrian-friendly character which supports a wide variety of residential and commercial uses in combination. Buildings which are compatible in terms of scale help to create a harmonious visual setting which enhances the livability of a neighborhood and helps to bring about the successful mixing of diverse land uses and activities.

(B) Height Standards

Minimum and maximum building heights are specified in Table 4.1130(G) & (H). Any required building story must contain a habitable floor.

- (1) The minimum building height standard applies to new commercial, residential, and mixed-use buildings. It does not apply to community service buildings, accessory structures, one-time additions or expansions of non-conforming buildings of no more than 25% and less than 1,000 square feet, or to buildings with less than 1,000 square feet of floor area.
- (2) Where a minimum building height of two stories is required, a building containing only one habitable floor will be considered to be in compliance with this requirement when the Manager finds, under the Type I Procedure, that the building is designed and built, in accordance with applicable codes, to provide for later installation of a second floor within the building shell as originally constructed. An applicant for a development permit may be required to provide drawings demonstrating the feasibility of later installation of the second floor, although detailed construction plans for the second floor need not be submitted until the time it is proposed to be installed. When construction of the second floor is deferred under this subsection, only the actual floor area available at the time of initial occupancy shall be used in calculations to determine conformance with a minimum floor area ratio requirement.
- (3) When constructing or installing a required second story, the floor area of the second story shall comprise not less than 50% of the total ground floor area. When such a partial second story is constructed or installed, the second story floor space shall be located over that portion of the ground floor which is nearest the abutting street or streets.
- (4) In addition to conforming with the Ground Floor Windows requirements of Section 4.1135, for any new commercial or mixed-use building subject to a 2-story height minimum, at least 20% of the upper facade area shall be made up of display areas or windows for all facades facing a street.
- (5) Exceptions to the specified maximum height may be permitted as provided in Section 9.0901.
- (6) Height standards for single family attached dwelling buildings are in Table 7.0201(M)(3)(f).

Section 13. Volume 3, Development Code, Section 4.1134, is amended as follows:

4.1134 Setbacks

(A) Purpose

Required building setbacks work with standards for building height and size, and floor area ratios to ensure placement of buildings in a way which creates an attractive streetscape and pleasant pedestrian experience. These regulations also ensure compatibility of building scale, leading to a coherent design scheme appropriate for the various land use sub-districts of the Downtown PD.

(B) Building Setback Standard

Required minimum and maximum setback standards are specified in Table 4.1130 (E) & (F).

- (1) Minimum setback distances shall be determined in conformance with the definition for "Setback" as specified in Section 3.0010.
- (2) Conformance with maximum setback distance is achieved when no portion of a building facade is farther from the property line than the distance specified for Maximum Building Setback in Table 4.1130 (F). However, maximum building setbacks may be exceeded when a development incorporates enhanced pedestrian spaces and amenities in the setback area. Enhanced pedestrian spaces and amenities consist of features such as plazas, arcades, courtyards, outdoor cafes, widened sidewalks, benches, shelters, street furniture, public art, or kiosks.
- (3) For single-family attached dwellings with direct auto access from the street, garage entrances shall not be closer to the street property line than any other portion of the front facade of the building. Setbacks for single family attached dwellings are listed in Table 7.0201(M)(3)(a).
- (4) For community service uses in the CUC and DT sub-districts, minimum and maximum setbacks shall conform with setback requirements for commercial uses, subject to modification as provided in Section 8.0100.

Section 14. Volume 3, Development Code, Section 4.1142, is amended as follows:

4.1142 Residential Design and Open Space

(A) Purpose

These standards ensure good quality project design and a minimal amount of open space for occupants of residential developments, whether as attached dwellings on a single lot, or as single-family attached dwellings, or as part of a mixed-use development. Open space required by these standards increases the livability of neighborhoods within the Downtown PD, and provides outdoor living and recreational opportunities which are immediately available to residents.

(B) Site Design Criteria and Standards:

The site design criteria and standards of Section 7.0201 shall apply to all residential developments and to dwellings within a mixed-use development, except as provided below:

- (1) Attached dwellings on a single lot shall be exempt *only* from the following criteria and standards of Section 7.0201 (All other sections do apply):
 - (a) Section 7.0201 (D) (1) through (5).
- (2) Single-family attached dwellings are specifically required to meet the standards of Sections 7.0201(L) and (M) and shall be exempt only from the following criteria and standards of Section 7.0201(all other sections do apply):
 - (a) Section 7.0201 (D) (1) through (5);
 - (b) Section 7.0201 (F)(2) and (I)
 - (c) Section 7.0201 (J) (7) and (10)

(3) Dwellings in mixed-use developments shall be exempt only from the following criteria and standards of Section 7.0201 (all other sections do apply):

(a) Section 7.0201 (D) (1) through (5);

(b) Section 7.0201 (I) and (J)

Section 15. Volume 3, Development Code, Section 4.1233, is amended as follows:

4.1200 Civic Neighborhood Plan District

4.1233 Building Height

(A) Purpose:

The minimum and maximum building height standards are used to establish appropriate scales of buildings in specific areas of the Civic Neighborhood, to achieve a pedestrian-friendly character supportive of a dense mix of residential and commercial uses. Buildings which are compatible in scale help to create a harmonious visual setting which enhances the livability of a neighborhood.

(B) Minimum Height Standards

The minimum building height requirement of 22 feet is applicable to all street frontages in the Plan District, but is not applicable to parts of buildings which are not visible from streets adjacent to the building.

(1) Minimum building height standards apply to new commercial and residential buildings. They do not apply to accessory structures, one-time additions or expansions of non-conforming structures of no more than 25% and less than 1,000 square feet, or buildings of less than 1,000 square feet in area.

(2) Facades of at least two stories are required on designated Primary Pedestrian Streets.

(3) Where two stories are required, the second story shall be designed in conformance with Section 4.1235 (B)(1)(b) and (d) for any facade which faces a public street.

(C) Maximum Height Standards

Three stories or 40 feet unless equipped with built-in fire protection systems. When fire sprinklers, alarms, and when needed, enclosed, pressurized exit stairwell systems are provided, the building height may be increased to 80 feet. No increase in height above 40 feet is permitted in MDR-C subdistricts.

(D) Second Story Active Uses along Primary Pedestrian Streets

On Primary Pedestrian Streets north of the MAX line, the second story shall contain floor space suitable for occupancy by commercial, residential or community service use, or an atrium, and shall have a minimum depth from the Primary Pedestrian Street of 30 feet. Parking structures constructed per the requirements of Section 4.1235(B)(2) are exempt from this section. (See Section 4.1248 for mixed use requirements adjacent to the LRT station and public plaza.) Primary and Secondary Pedestrian Streets are shown on Map 4.1247A.

(E) Height standards for single family attached dwellings are identified in Table 7.0201(M)(3)(f).

Section 16. Volume 3, Development Code, Section 4.1234, is amended as follows:

4.1234 Setbacks

(A) Purpose

Required building setbacks are devised to complement applicable standards for building heights and floor area ratios to ensure placement of buildings in a way which creates an attractive streetscape and pleasant pedestrian environment. These regulations also assist compatibility of building scale, leading to coherent design schemes throughout the Civic Neighborhood Plan District.

(B) Building Setback Standard

Required minimum and maximum setback standards are stated in Table 4.1230. These setback standards apply to buildings only.

- (1) Minimum setback distances shall be determined in conformance with the definition for "Setback" as specified in Section 3.0010 - Definitions.
- (2) Conformance with maximum setback distance is achieved when no portion of a building's primary façade(s) is farther from the adjacent property line than the distance specified for Maximum Building Setback in Table 4.1230. However, maximum building setbacks may be exceeded when a development incorporates enhanced pedestrian spaces and amenities which occupy not less than 100% of the additional setback area. Enhanced pedestrian spaces and amenities consist of features such as plazas, arcades, courtyards, lawns, outdoor cafes, widened sidewalks, benches, shelters, street furniture, public art, or kiosks. In addition, the maximum setback distance may be exceeded for purposes of complying with Section 4.1235(B)(1)(c) and (e).
- (3) For single-family attached dwellings with direct auto access from the street, garage entrances shall not be closer to the street property line than any other portion of the front facade of the building. Setback standards for single family attached dwellings are specified in Table 7.0201(M)(3)(a).

Section 17, Volume 3, Development Code, Section 4.1241, is amended as follows:

4.1241 Residential Open Space and Design

(A) Purpose

These standards ensure a minimal amount of open space for residents of all new attached dwellings on a single lot, whether as part of a mixed-use development, or as a free-standing residential development. However, to encourage greater densities and maximize efficient use of site areas, shared open spaces are not required in residential developments. Outdoor private space required in Section 7.0201 increases the livability of neighborhoods within the Civic Neighborhood Plan District, and provides outdoor living and recreational opportunities which are immediately available to residents.

(B) Required Residential Open Space

The site design criteria and standards of Section 7.0201 shall apply to all residential developments and to dwellings within a mixed-use development, except as provided below:

- (1) Attached dwellings on a single lot shall be exempt from the following criteria and standards of Section 7.0201:
 - (a) Section 7.0201(D) (1) through (5).
- (2) Single-family attached dwellings are required to meet the standards of Sections 7.0201(M) and (L) and shall be exempt only from the following criteria and standards of Section 7.0201(all other sections do apply):
 - (a) Section 7.0201(D) (1) through (5);
 - (b) Section 7.0201(K) and (M);
 - (c) Section 7.0201(J) (7) and (10)
- (3) Dwellings in mixed-use developments shall be exempt only from the following criteria and standards of Section 7.0201(all other sections do apply):
 - (a) Section 7.0201(D) (1) through (5);
 - (b) Section 7.0201(I) and (J)

Section 18. Volume 3, Development Code, Section 6.0320, is amended as follows:

6.0320 Site Development Requirements

- (A) Site development standards of the underlying land use district, including maximum and minimum density standards, shall apply unless superseded by the standards of the PD Section or applicable Overlay District. The regulations of the PD Section shall prevail if there is a conflict.
- (B) The regulations of the PD Section shall apply unless superseded by the standards of the Overlay Districts in Article V. The regulations of the Overlay District(s) shall prevail if there is a conflict.
- (C) Community services developed in conjunction with a residential PD shall be subject to the provisions of Sections 8.0100 and 7.0000. Such reviews would occur concurrently with the PD.
- (D) Attached single-family dwellings (rowhouses or townhouses) and two-unit attached dwellings (duplexes) are not allowed in the LDR, Low Density Residential District.
- (E) Planned Developments within the LDR District are required to meet the Perimeter Lot Size Compatibility Standard of Section 6.0212.
- (F) Single family attached dwellings are required to comply with the site design review process and standards of Section 7.0201 at the same time (concurrently) as the PD review.

Section 19. Volume 3, Development Code, Section 7.0001, is amended as follows:

7.0001 Site Design Review Requirements

- (A) General Provision: Various degrees of site review are required by provisions of this code. Applications subject to site design review shall be considered by the Manager under the Type II procedure.
- (B) Applicability of Requirements: A development permit for multi-family residential development, single family attached dwelling units, manufactured dwelling park, commercial, or industrial development shall comply with the site design review requirements of the Community Development Code if the development permit is for initial construction or for alteration that affects the use or significant elements of the site plan or exterior building design. Information on the proposed development shall include sketches or other explanatory information required by the Community Development Code.

Two-unit attached dwellings permitted in the Low Density Residential District or in the Transit Low Density Residential District, or on individual lots in other residential districts (duplexes), ~~and single-family attached dwellings permitted in the Transit Low Density Residential District~~ are not subject to site design review.

Single family attached dwellings that are included in a mixed use project shall be reviewed following the standards within Section 7.0201. The commercial portion of the project shall be reviewed following the standards within Section 7.0202.

If a phased development or subdivision is proposed or developed for an MDR-24 development with single family attached dwellings, or for single family attached dwelling in the RTC, SC, CMF, or CMU districts, each phase shall comply with all applicable site design review requirements.
- (C) Site Design Review Time Limit: An approved site design review plan shall be valid for one year from the date of the notice of final decision. A building permit must be acquired within this time period or the design review approval shall terminate. However, the Manager under the Type I procedure may grant a one year extension if the applicant files a request in writing prior to the expiration of the approval and demonstrates compliance with the following:

- (1) The land use designation of the property has not been changed since the initial design review approval; and
 - (2) The significant standards in the Community Development Code which applied to the project have not changed.
- (D) Phased Design Review Approvals. When an applicant desires to develop a project in phases, the Manager under the Type II procedure may authorize a time schedule for developing the various phases in periods of time in excess of two years but in no case shall the total time period for all stages be greater than seven years. Each stage so developed shall conform to the applicable requirements of this code. The Manager may require modifications to portions developed after the passage of one year to avoid conflicts with a change in the Community Development Code.
- (E) Conformance with Standards. All site design review requests shall comply with all applicable Standards in the Community Development Code. Development which only affects a portion of a site shall conform with the applicable Standards for that portion of the site where development is proposed. Where Nonconforming development exists on part of a site (not being re-developed) compliance with the Standards applicable to Non-Conforming Developments is required. (See Section 8.0200)

Section 20. Volume 3, Development Code, Section 7.0101, is amended as follows:

7.0101 Dwelling Structures Containing Two or More Units, Single Family Attached Dwellings and for Elderly Housing

- (A) The applicant shall submit fifteen sets of the following individual diagrams, plans and drawings, including the information specified. One additional set is required which is a size that is conveniently reproducible and legible, not to exceed 8.5 inches by 11 inches. Plans shall be drawn to scale and fully dimensioned.

- (2) Site Development Plan - indicating the following information:
- (a) Legal description of the site;
 - (b) Dimensions and total area of the site, and for proposals that include single family attached dwellings, the dimensions and total areas of all lots proposed for single family attached dwellings;
 - (c) Location of all existing and proposed structures, including minimum distances from all structures to all lot lines;
 - (d) The total area in terms of percentages, devoted to the following:
 - (i) Structures
 - (ii) Parking
 - (iii) Landscaping
 - (iv) Shared Open Space
 - (v) Children's Play Area

Above items (iv) and (v) do not apply to single family attached dwellings projects of less than 20 units unless such elements are proposed.
 - (e) Rights-of-way of all abutting streets whether public or private and access to the site;
 - (f) Parking plan: submit information required by Section 9.0810. This requirement does not apply to single family attached dwellings;
 - (g) Locations and dimensions of all easements and nature of the easements;
 - (h) Location of any non-access strips;

- (i) Other site elements which will assist in the evaluation of site development; including (1) existing and proposed water, sewer and storm drain connections to the existing public utility systems, (2) final building, parking area, and lot corner elevations, (3) drainage patterns, storm drainage detention calculations and proposed location of stormwater detention facilities, and (4) domestic, irrigation and fire-flow demand calculations;
 - (j) Exterior lighting; the type, height and areas of illumination. This requirement does not apply to single family attached dwellings except where common area walkways and shared parking areas are provided;
 - (k) Except for single family attached dwellings projects of less than 20 units, shared open space and children's play areas. Include children's play area equipment and enclosure details;
 - (l) Service areas for uses such as collective mail delivery in a location as approved by the Postmaster and for trash disposal/recycling. This requirement applies to all mail delivery locations and other service areas. The designation of other service areas applies to single family attached dwellings only if common facilities are provided;
 - (m) Location, size, color and method of illumination of all signs;
 - (n) Utility Plan. A preliminary utility plan showing existing and proposed on and off-site utilities in sufficient detail to evaluate the intent and feasibility of the proposed method of service and to determine its impact on the public utility systems;
 - (o) On-site pedestrian circulation system;
 - (p) Addressing and building identification system consistent with the City of Gresham Street Naming and Property Addressing Guidelines;
 - (q) ESRA-PV and ESRA-SW: The location and dimensions of all ESRA-PV or ESRA-SW located on the site.
- (3) Landscape Plan - drawn to scale, indicating the following information:
- (a) Site dimensions, including the dimensions of all lots for single family attached dwellings; outline of structure(s); scaled location of windows and doors;
 - (b) The size, species (identifying both botanical and common names) and location of plant material and other landscaping materials, identifying those to be retained on the site and those proposed to be planted;
 - (c) Screening, buffer and noise reduction materials and details such as planting materials, berms, fences and walls (refer to Section 9.0100);
 - (d) Tree Staking Details;
 - (e) Location and dimensions of required landscaping areas, buffer areas, shared open space and children's play area, where required;
 - (f) Narrative describing in detail how any abutting existing buffer and screening or proposed alternative plan satisfies the buffer requirement;
 - (g) Irrigation Specifications - A statement that an automatic underground irrigation system shall be provided (unless a licensed landscape architect certifies that the landscaping will likely survive without irrigation). ~~This requirement does not apply to single family attached dwellings~~;
 - (h) Twenty or more dwelling units: landscaping plans shall be prepared and stamped by a licensed landscape architect.
- (4) Architectural Drawings - floor plans, elevations and details, to include the proposed location of unit numbers and/or any other identification proposed on a structure. Architectural features provided to meet design standards within Section 7.0201 shall be noted in the plans.
- (5) Neighborhood Circulation Plan pursuant to Section 9.0700 of the Community Development Code.

(6) The Erosion Prevention and Sediment Control Plan required by Section 9.0514 and the Stormwater Quality Control Plan required by Section 9.0521.

(7) Narrative – project description including discussion to show how approval criteria are being met and information to show how maintenance of shared spaces and easements will be provided.

- (B) Fifteen copies of any and all reports required by the Community Development Code such as an Overlay District specific report, ESRA-PV and ESRA-SW provisions, a traffic analysis, tree preservation plan, special reports or studies as required in Section 9.1100. If any maps are included with the report(s) there shall be one additional set submitted which is a size that is conveniently reproducible, not to exceed 8.5 inches by 11 inches. Plans shall be drawn to scale and fully dimensioned.

Section 21. Volume 3, Development Code, Section 7.0102, is amended as follows:

7.0102 Community Service (Except Elderly Housing), Commercial, Industrial and Mixed Use Developments

- (A) The applicant shall submit fifteen sets of the following individual diagrams, plans and drawings, including the information specified. One additional set is required which is a size that is conveniently reproducible and legible, not to exceed 8.5 inches by 11 inches. Plans shall be drawn to scale and fully dimensioned.

(7) Development Proposal - For industrial developments, when the intended use of the property is known, submit a narrative that details description of the use, approximate number of employees and estimated volume of truck traffic. For all developments, submit a narrative that describes the development proposal and proposed uses, discusses compliance with approval criteria, and provides information to show how maintenance of shared spaces and easements will be provided.

Section 22. Volume 3, Development Code, Section 7.0201, is amended as follows:

7.0201 Dwelling Structures Containing Two or More Units, Single Family Attached Dwelling Units and for Elderly Housing

- (A) Applicability

This section shall apply to attached dwellings containing two or more units, single family attached dwelling units and elderly housing in all residential, Downtown, Civic Neighborhood, Pleasant Valley, Springwater, and corridor districts, except as provided in Sec. 7.0001(B). In addition, Section 7.0210(B) shall apply to attached dwellings containing two or more units, single family attached dwelling units and elderly housing in Station Center and Rockwood Town Center Districts.

- (B) Purpose

The purposes of this section include promoting the livability, neighborhood compatibility and public safety of attached dwelling developments. Design standards are to ensure that individual developments contribute to a quality environment for people utilizing the development and the surrounding neighborhood.

- (C) Design Standards

In designing the site development plan and landscaping plan the following design criteria and standards shall apply: Landscaping; Building Orientation; Storage; Vehicular Circulation and Parking; Crime Prevention; Pedestrian Circulation; Architectural Design; Single Family Attached Standards; and Transition and Compatibility Between Attached Dwellings and LDR/TLDR Development; and other standards as applicable.

(D) Landscaping Standards

Areas to be Landscaped as defined in Section 3.0010:

- (1) Attached dwelling structure(s) containing two or three units, and all structures containing single-family attached dwellings: All areas of the lot not occupied by the structures or pavement. (Note: single family attached dwelling complexes of 20 units or more are also required to provide shared open space as per Section 7.0201(M).)
- (2) Dwelling Structure(s) containing four or more units, except single family attached dwellings (which have separate standards): a minimum of twenty percent (20%) of the gross site. Required buffer (Section 9.0100) landscaping shall be credited toward the minimum standard. A paved pedestrian walk, when integrated within the landscaped area, may satisfy up to 5% of this requirement. In addition, when public street dedications are required, those portions of the right-of-way lying between the curb and the abutting property line may be credited toward the minimum standard.
- (3) Dwelling Structure(s) containing four or more units, except single family attached dwellings which have separate standards: a minimum of 4% of the gross site area but not less than 1,000 square feet shall be shared open space for sites 20,000 square feet and above in gross site area. For sites under 20,000 square feet in gross site area, a minimum of 4% of the gross site area but not less than 500 square feet shall be shared open space. The minimum dimensions for any shared open space shall be 20 feet in length and width and be a minimum of 400 square feet in size.

A shared open space may be any of the following: recreational facilities such as tennis, racquetball and basketball courts, recreation building (not including office space), swimming pools and spas; gathering spaces such as gazebos, picnic and barbecue areas; gardens; preserved natural areas; lawn; dual use areas (such as a basketball court that doubles as a loading space); and children's play areas. Except for preserved natural areas, lawn area that is used as open space, and gardens, the shared open space may not be within any buffer or yard setback area.
- (4) Except for single-family attached dwellings (which have separate standards), a minimum of 50% of the above required shared open space shall be a children's play area. (An elderly adult complex need not comply with the children's play area requirement but shall provide the specified shared open space in (3) above.) Multiple children's play areas may be provided. However, the minimum dimensions for any children's play area shall be 20 feet in length and width and be a minimum of 400 square feet in size for sites with a gross site area of 20,000 square feet and greater. For sites with a gross site area of under 20,000 square feet, the children's play area must include a minimum length and width dimension of 12 feet with a minimum total area of 250 square feet. The children's play area shall have a minimum of three items of play equipment such as slides, swings, towers and jungle gyms.

The children's play area(s) shall be enclosed by any or a combination of any of the following: a 2.5 feet to 3 feet high wall or planter; or by benches or seats, or by other means acceptable to the Manager.
- (5) All yard setbacks shall be landscaped and shall have at least 5 deciduous shade trees per 100 lineal feet. Such trees shall be capable of at least 25 feet in height and spread at maturity and be not less than 10 feet in height and 1.5 inches in caliper size at the time of planting. Existing evergreen trees may substitute for the required deciduous shade trees on a one-for-one basis, provided the tree is capable of at least 25 feet in height and is at least 10 feet in height. Where the yard abuts a required buffer the trees may be credited towards any tree required for the buffer.
- (6) Newly planted trees shall be supported (by use of stakes and wire, or similar material) to prevent damage by the strong northeast wind.

- (7) All landscaped areas shall be irrigated by an underground system except for dwelling structures containing less than four units ~~and all structures containing single family attached dwellings.~~
- (8) The development is designed in such a manner that as many trees as possible can be preserved. Preserved trees and shrubs shall be protected during construction.
- (9) Outdoor Private Space
 - (a) Except for single-family attached dwelling units (which have separate standards), each ground level dwelling unit shall have an attached accessible outdoor private space of not less than 80 square feet in area. The minimum dimension of such space shall be as determined by the Manager to guarantee space functionality. The area shall be designed to provide privacy for unit residents with elements such as walls, fences or shrubs. Required outdoor private space may be located at the primary entrance for ground level units required in Section 7.0201(E)(1). Where this is the case, the outdoor private space shall not be screened with solid elements such as walls or fences. (Except for retirement housing, elderly housing assisted living developments need not comply with this requirement.)
 - (b) Except for single-family attached dwelling units (which have separate standards), dwelling units above ground level shall have attached an accessible outdoor private space of not less than 80 square feet in area. The area shall be enclosed, screened or otherwise designed to provide privacy for unit residents with elements such as vegetation planters, building off-sets and slatted fence screening.
- (10) The grading and contouring of the site takes place and on-site surface drainage and on site storage of surface water facilities are constructed, when necessary, so there is no adverse effect on neighboring properties, public rights-of-way or the public storm drainage system (refer to Section 9.0500 – Grading and Drainage Requirements, and Section A5.205 – Drainage Management Practices).
- ~~(11) Single family attached dwelling units have separate design standards for landscaping, shared open space, play areas and outdoor private spaces. Refer to Section 7.0201(M).~~

(E) Building Orientation

- (1) Any building abutting a public street right-of-way shall be oriented to the street. The street orientation standard is met when the following criterion is satisfied:
 The primary entry or entries for all ground-floor units abutting the street shall open directly onto the street right-of-way, not to the interior of the site or to a parking lot. Secondary entrances may face parking lots or other interior site areas. Non-residential buildings, such as recreation or community centers, which abut a public street right-of-way shall have at least 20% of the ground floor wall area facing the street in windows, doorways, or display areas, including an entry opening directly onto the abutting street. The primary entry for attached single-family dwellings with frontage on both a public street and an alley shall be oriented to the street, not to the alley.
- (2) At least 50% of the site's frontage (not including access driveways) on any street shall be occupied by buildings oriented to the abutting street (excepting courtyard style single family attached developments; see 7.0201(M)). Where a site has less than 70 feet of street frontage this standard may be modified as needed to accommodate a driveway meeting code standards.
- (3) Except for individual driveways which may include parking for single-family attached dwellings and two-unit attached dwellings, on-site surface parking areas, garages, and vehicular circulation areas shall not be located between a building and an abutting street right-of-way.

- (4) The Manager may require that a building that will abut a future street right-of-way, as shown on an approved future street plan or neighborhood circulation plan, be oriented to that future right-of-way.
- (5) Where a building is on a corner lot and fronts on two abutting streets, a dwelling unit at the corner of the building need be oriented to only one of the streets. However, if one of the abutting streets is a Transit Street, a corner dwelling unit shall be oriented to the Transit Street.

(F) Storage

Space shall be provided for garbage, recycling and storage in accordance with the following standards:

- (1) Exterior garbage collection and recycling areas shall be entirely screened by the employment of a vegetative screening and/or minimum 6-foot high sight-obscuring fence or wall. This requirement applies to single-family attached dwellings only if common garbage collection and recycling facilities are provided for the site.
- (2) Outdoor storage facilities shall be provided for articles such as barbecues, outdoor furniture, etc., ~~except for~~ including single-family attached dwellings. The storage facility shall be a minimum 6'-0" high and 24 square feet in area. The facility shall either be connected to each unit, within a garage that belongs with a unit, or easily accessible (such as in a central facility), be completely enclosed and capable of being locked. If located within a garage, the storage space must be separate from and in addition to the area required for vehicle parking so as to not impede vehicle parking. (Except for retirement housing, elderly housing assisted living developments need not comply with this requirement.)
- (3) Except for two-unit attached dwellings and attached single-family dwellings, no exterior garbage collection and recycling area shall be located within 25 feet of property lines abutting LDR or TLDR designated property.

(G) Vehicular Circulation and Parking

Vehicular circulation and parking shall be provided in accordance with the following standards:

(5) Private Driveway Accesses

When private driveway accesses are provided for multi-family developments such as condominiums and apartments, they shall be designed as follows:

- (a) Dead-end private driveway accesses shall not exceed 600 feet in length nor serve more than 25 dwelling units. Dead-end private driveway accesses that exceed 150 feet in length shall be provided with an approved turnaround.
- (b) For dead-end private driveway accesses, "PRIVATE ACCESS ONLY" signage and driveway approach shall be placed at the intersection with the public street to clearly identify the private driveway access.
- (c) Private maintenance of private driveway accesses shall be provided by a Homeowners' Association or other appropriate entity. Maintenance shall ensure continual emergency access at all times.
- (d) Location of private driveway accesses shall meet the Uniform Fire Code.
- (e) Shall be consistent with Section A5.501(G)(4) and A5.503.

This subsection does not apply to single-family attached dwelling structures, which shall have frontage on a public street or alley as required in Sections 4.0130 and 4.0430 Section 7.0201(M).

- (6) Except for single-family dwelling structures (which are subject to parking and access standards within Section 7.0201(M)), dwelling structures containing two or three dwelling units shall have additional off-street parking when the lot has limited frontage or where on-street parking is not allowed.
- (7) Complexes containing twelve or more units, ~~except for including~~ single-family dwellings, shall submit a Neighborhood Parking Analysis that identifies potential on-street parking conflicts on adjacent streets and recommends possible mitigation measures. The analysis shall include an assessment of the supply and demand for adjacent on-street parking and the estimated on-street parking demand created by the proposed development. Mitigation measures may include, but are not limited to, parking duration limitations, time of day limitations, or supplemental off-street parking.
- (8) Garages for attached dwellings ~~(five or more units)~~ shall only be used for the parking or storing of vehicles of residents.

(H) Crime Prevention

The site design shall promote crime prevention and public safety by meeting the following criteria:

- (1) For complexes of twenty or more units, except for single-family attached dwellings (which are subject to separate standards): All common areas shall be visible from at least three units. Common areas are shared open spaces, laundry, recreation, pool and similar common facilities, children's play areas, walkways and parking areas. A unit meets this criterion when at least one window of a frequently used room, to include kitchens, living rooms and dining rooms, but not bed or bath rooms, faces the common area.
- (2) For complexes of twenty or more units, except for single-family attached dwellings (which are subject to separate standards): At least four units shall have a unit entrance or at least one window of a frequently used room, to include kitchens, living rooms and dining rooms but not bed or bath rooms, facing each abutting street right-of-way. There shall be no intervening building between the units and the abutting street right-of-way.
- (3) An addressing system shall be provided and shall consist of the following:
 - (a) Individual multi-family building addresses shall be clearly visible (as determined by the Fire Marshal) from the abutting public street right-of-way or from the abutting driveway or private street, shall be at least 6 inches in height, shall be of a contrasting color to the background and shall be illuminated so as to be visible during the hours of darkness. Building addresses (including any building identification letters) shall be clearly visible on all sides of the buildings.
 - (b) For complexes of 12 or more units (except single-family attached dwellings), an illuminated representation of the complex showing the location of the visitor and the unit designations within the complex shall be positioned at each driveway. The directory sign(s) shall be free-standing, shall have a 3 foot to 5.5 foot height, a 7 to 32 square foot area, and shall be located at least 20 feet back from the property line at the street access point.
 - (c) Each individual unit within a multi-family complex shall display a unit number that shall be at least 4 inches in height and illuminated during the hours of darkness. Each breezeway shall also be posted with appropriate unit numbers and, when applicable, with appropriate building addresses or letters) for the breezeway.
- (4) Except for single-family attached dwelling structures, the following areas shall be illuminated during the hours of darkness: driveways; open parking lots and carports; on-site pedestrian circulation walks and walks that connect units to parking spaces, the public

street and shared common areas; and entry ways to units and recreation and laundry buildings. For single family attached dwelling complexes, shared parking areas and common walkways shall be similarly lit. Lighting shall be designed so as to not shine directly into residential units by the use of cut-off-features. Lighting devices shall be protected by weather- and vandalism-resistant covers.

(I) Pedestrian Circulation

The site design shall promote safe, attractive and usable pedestrian facilities and a direct pedestrian connection between the street and buildings on the site by providing an on-site, continuous pedestrian circulation system that meets the following criteria:

- (1) For all uses ~~except~~ including single-family attached dwellings:
 - (a) The on-site pedestrian circulation system shall consist of hard surfaced, minimum 5-foot wide walks. A 7-foot walk shall be provided when the walk abuts shared motor vehicle parking spaces unless wheel stops are used to ensure a minimum 5-foot wide, clear walk.
 - (b) Walks shall be separated from auto parking and maneuvering areas, except for individual unit driveways, through physical barrier features such as planter strips, raised curbs, or bollards.
 - (c) Where walks cross through driveway or parking areas except for individual unit driveways, they shall be paved with a material different and visually contrasting from the pavement material in the auto area.
 - (d) The on-site pedestrian circulation system shall be continuous and connect the following: streets abutting the site; ground level units entrances and common building entrances; common buildings such as laundry and recreation facilities; parking areas; shared open space and children playground areas; abutting transit facility; and any pedestrian amenities such as plazas, resting areas and viewpoints. Except for single family attached dwellings with direct street frontage, there shall be at least one walk connection to an abutting street frontage for each 200 linear feet or portion thereof of street frontage.
- (2) The on-site shared pedestrian circulation system for all developments, ~~except~~ including single-family attached dwellings, shall be designed to meet the accessibility standards of Chapter 11 of the International Building Code (IBC).

(J) Architectural Design

Architectural Design Standards for all uses except single-family attached dwellings (which are subject to the standards of subsection (L)):

- (1) Structures shall avoid long, monotonous, uninterrupted walls. Structural exterior wall offsets of a minimum two-foot horizontal variation, ~~including projections and/or recesses~~, shall be used at intervals of 50 feet or less along the structure's façade, to visually enhance long walls. Projections and/or recesses may be added to the wall offsets for additional façade variation.

(L) Architectural/Design Standards for Single Family Attached Dwelling Structures

The following structural and architectural design elements for single family attached dwelling structures are intended to help create a sense of individuality besides providing a measure of quality, and shall be provided for all proposals.

- (1) No building exterior wall dimension or row of contiguous dwellings (in one structure) shall exceed 100 feet in continuous building length. An exception to this are courtyards ("U" shaped) developments where no unbroken (i.e. continuous) section of the "U" shall exceed 100 feet. (Note: courtyard developments may also include multiple buildings that create a courtyard effect as long as individual building lengths do not exceed 100 feet.)
- (2) Offset every two dwelling units from the next dwelling unit by at least 4 feet in exterior wall offset for buildings 2 stories or taller and over 50 feet in length, or, at least 2 feet in offset for buildings 1 story in height or less than 50 feet in length.
- (3) For each entry, provide a covered porch or portico with a floor area of at least 40 square feet.
- (4) Roofs shall be pitched and have a minimum 3 to 12 slope.
- (5) Roof eaves shall be provided (minimum 12-inch projection).
- (6) Window trim shall be provided (minimum 3-inches wide).
- (7) Facade (wall) treatments (including exterior finish patterns, story lines/floor banding, window trim, corner trim/corner boards, and related items) shall be provided on all sides of the building.
- (8) Provide windows on building ends that front streets and where necessary to meet the safe neighborhood standards of Section 7.0201(N).
- (9) The applicant shall also provide a minimum of 4 of the following architectural elements in the building design:
 - (a) Dormers
 - (b) Gables
 - (c) Recessed entries
 - (d) Cupolas or towers
 - (e) Pillars or columns
 - (f) Additional offsets in building face or roof (minimum 16-inches)
 - (g) Bay windows
 - (h) Decorative and/or alternating patterns on the exterior finish (e.g. scales/shingles, trim boards, ornamentation or similar features)
 - (i) Decorative cornice or pediment
 - (j) For one story buildings, the use of at least 2 or more different exterior finishes and patterns including such types as masonry, stone, stucco, wood, terra cotta, and tile
 - (k) Where masonry is used for exterior finish, apply decorative bonds and a range of colors
 - (l) Cantilevers
 - (m) Energy Conservation features including non-window elements and other design features that channel natural light from exterior walls or roof (such as by the use of skylights, solar tubes, atriums, and related features)
 - (n) Windows on all non-street fronting building ends.
- (10) Provide at least 2 different exterior finish patterns for all multi-story buildings.

(11) The design of corner buildings that have facades facing both streets shall include a unique feature at the corner such as a tower, corner bay or gable, or a combination of architectural elements that visually enhance the building corner. As an alternative, a functional (i.e. usable) and decorative pedestrian or landscaping feature of not less than 300 square feet in ground area may be provided.

(12) Non lineal ("U" or other shaped) building footprints that create common area courtyards may be permitted if proper rear access is provided.

(13) Garage facades shall not be located closer to a street than facade portions of the structure facing said street containing living space (i.e. no "snout" units are permitted).

(M) Other standards for Single Family Attached Dwellings

(1) Street Frontage and Building Orientations

The following standards are intended to promote and maintain an orientation to the street for single family attached dwelling developments.

(a) Single family attached units are not allowed to be constructed on flag lots except in cases where minimum density standards would otherwise not be met. When located within LDR or TLDR, the standards of Section 4.0139 (Residential Infill Standards for LDR and TLDR) would be applicable. The end unit abutting the street (as applicable) must have its primary entrance oriented to the street.

(b) Where property configuration is such that development can not occur in standard row to row relationships, fronts of units shall not be permitted to face non-street fronting sides or rear of the site.

(c) Back to front facing relationships between groups of buildings (such as front doors facing rear yards or service areas) are not allowed.

(d) Projects that include a courtyard fronting a public street must provide a street fronting building orientation and doorway access for those portions of the project that directly face and abut a street and are not between the street and courtyard. Courtyard development building facades separated from a street by an approved courtyard are exempt from street orientation requirements.

(e) Where two groups of single family attached dwelling buildings in a complex face each other, a minimum separation of 30 feet shall be required between front building facades, inclusive of setbacks. If such a grouping is provided internally within a single family attached dwelling complex, the separation area shall include, at minimum, a shared pedestrian walkway.

(f) Buildings shall face one another with a front-to-front and a back-to-back relationship whether on either side of a street, alley or open space. An exception to this is with oddly configured properties where a partial building grouping accessed (for example) by a short section of public or private street or alley, might be located to a side in a side-to-rear relationship.

(g) Single family attached units are required to be located adjacent to public streets and alleys and oriented to public streets. Private streets or alleys may be utilized only in districts that permit these following adopted public street and public works standards and appropriate design modifications.

(h) In the case of single family attached complexes, private shared accesses to the rear or to common parking areas may be provided, subject to City circulation and parking standards. Such shared access and parking areas may be located in easements or tracts and shall not take the place of street orientation provisions.

(i) Garage facades shall not be closer to the street than portions of the unit containing living space.

(2) Driveways and Unit Access

The following standards are intended to promote access at the rear of the lots so as to limit the number of driveways to the street and to allow for availability of on street parking.

- (a) Single family attached lots shall be accessed from the rear by alleyway, rather than from a public street except as otherwise authorized within this section. Exceptions to this are: lots at least 30 feet wide may direct access a public street or a development of 5 or less lots may access the street directly. Private alleys or access drives may be substituted where allowed by the district, where extension potential is not feasible and if appropriate maintenance provisions are established. In addition, a private side access to a common parking area may also be permitted if parking section standards are met. (Note: Single family attached developments on large parcels are not permitted to avoid alleyway and rear access requirements by utilizing multiple structures of 5 or less units/lots or providing serial or by sequential land divisions from one "parent" parcel.)
- (b) Up to 20% of proposed lots less than 30 feet wide in a single family attached residential development, and, not covered by subsection (a) above, can be accessed from the front.
- (c) The maximum width for individual single garage driveways located at the front of a dwelling unit is 10 feet wide (excluding the driveway approach width). Alternately, a driveway may be wider to access a garage that has a width no larger than 50% of the total dwelling width.
- (d) The maximum width for a shared driveway that serves two units or a double car (side-by-side) garage is 20 feet (excluding the driveway approach width).
- (e) A minimum distance of 20 feet shall be between driveways, whether shared or individual, so as to allow for on street parking.
- (f) In the case of a single loaded public alleyway or private street or alley utilized for access, provide a 6 foot high sight obscuring fence or wall and a 5 foot wide landscape planting strip along the side of the alleyway/private street that abuts adjoining properties. Plant materials shall include a combination of ground cover, shrubs and trees and follow the same planting size requirements as for Shared Open Space Areas.
- (g) When common area courtyards are being provided that face the street, private rear access and parking may be established provided secondary access or adequate turnaround area is available and maintenance provisions are adopted.
- (h) When property configuration is such that rear access cannot be provided in consideration of setback and separation standards, parking to the side in a common parking area may be provided, or, shared driveway accesses to the street may be allowed up to the limit of minimum site density.
- (i) If common rather than individual (per unit) parking areas are proposed, the General Design Standards for Surface Parking Lots (Section 9.0820-9.0826) shall apply to the common parking areas. Such common parking areas may be within easements or on commonly owned tracts held and maintained by a homeowners association. Provide a 6 foot high sight obscuring fence or wall and a 5 foot wide landscaped planting strip along any side(s) of the common parking area that abuts adjoining properties. Plant materials shall include a combination of ground cover, shrubs and trees and follow the same planting size requirements as for Shared Open Space Areas.

(3) Setback, Separation and Height Standards for single family attached dwellings

(a) The minimum setback standards on the following table are required for single family attached dwellings in all districts where they are permitted excepting the Pleasant Valley (Table 4.1408) and Springwater Plan Districts (Table 4.1508);

Table 7.0201(M)(3)(a)

<u>Minimum Setback Standards for SFA Dwelling Units</u>	<u>Districts with Maximum Density generally at or less than 24 units per acre (TLDR, MDR-12, MDR-24, OFR, and DR-12 districts)</u>	<u>Districts with Maximum Density greater than 24 units per acre and the CMF and CMU Districts</u>
<u>Front facade</u>	<u>10 feet</u>	<u>5 feet</u>
<u>Front porch</u>	<u>6 feet</u>	<u>3 feet</u>
<u>Front face of garage</u>	<u>18 feet</u>	<u>18 feet</u>
<u>Interior side (not common wall)</u>	<u>5 feet</u>	<u>5 feet</u>
<u>Side (common wall)</u>	<u>0 feet</u>	<u>0 feet</u>
<u>Street side (façade)</u>	<u>6 feet</u>	<u>5 feet*</u>
<u>Street side (porch)</u>	<u>6 feet</u>	<u>5 feet*</u>
<u>Street side (garage face)</u>	<u>18 feet</u>	<u>18 feet*</u>
<u>Rear (no alley)</u>	<u>10 feet</u>	<u>10 feet</u>
<u>Rear (alley)</u>	<u>6 feet</u>	<u>5 feet</u>

*For street side in MDR-C, see Table 4.1230(E).

(b) Maximum setbacks are as provided by the individual districts with the exception that courtyard type developments are exempted from maximum setbacks for that portion of a building or buildings having a courtyard area between it and the street.

(c) Where the rear of a dwelling unit(s) faces the side of another (within the same development project), provide a minimum separation of 20 feet between the building walls of both structures (i.e. side to rear).

(d) Where the front, rear or side of a dwelling unit(s) faces the rear or side of an existing structure on adjoining property, provide adequate setback so that there is at least 20 feet of separation between the adjoining building structures. This separation distance may include required setbacks and is not intended to be in addition to required setbacks (such as with buffer calculations) except where setback distance is added in to obtain the 20 feet separation. Screening (which may consist of fencing and/or hedge plantings) shall be provided along the property line with the adjoining structure(s).

(e) Referring to (d) above, if the structure on the adjacent property has an adjacent setback of 5 feet or less, the proposed dwelling unit(s) must provide a rear setback of at least 15 feet plus screening along the common property line so as to provide as close to the required 20 feet separation as is capable.

(f) To ensure rear yard privacy, second story and higher rear decks or balconies may not be permitted when the separation between the dwelling unit(s) and a structure on adjoining property is less than 20 feet, or, the structure on the adjoining property is residential, is a rear yard, and is shorter in height (as measured by the # of stories) than the proposed dwelling unit(s). This standard does not apply if the structure on the adjoining property is not residential, is a residential structure of the same height (in stories) as that proposed, is a residential yard other than the rear, or, a proposed deck or balcony would not be any higher in elevation than an

existing deck or balcony on the abutting residential structure, or can be recessed or designed so that the deck or balcony will not directly overlook yard areas of abutting residential units.

(g) Except for the Pleasant Valley (4.1400) and Springwater (4.1500) Plan Districts, heights for single family attached dwellings are as identified in the following table:

Table 7.0201(M)(3)(f)

<u>Building Heights for SFA Dwelling Units</u>	<u>TLDR, MDR-12, MDR-24, OFR, and DR-12 districts</u>	<u>All other districts where SFAs are permitted</u>
<u>Minimum building height</u>	<u>1 story</u>	<u>1 story in CMF and CMU; all others 2 stories</u>
<u>Maximum building height</u>	<u>35 feet*</u>	<u>45 feet*</u>

*See Building Height and Grade definitions from Section 3.0000.

(4) Private Open Space

Each unit needs its own private space so as to maintain a feeling of livability and to not encourage crowding. The following options are offered:

(a) Each single family attached unit shall have an attached private open space area located at the rear of the unit of at least 120 square feet in size. The area shall be enclosed, screened or otherwise designed to provide privacy with elements such as 6 feet high sight-obscuring fencing, building offsets, and/or vegetative screening. The combined total area of a deck or balcony and patio/rear yard area may be used to obtain the required private area square footage.

(b) Where it is not possible to locate the private open space entirely at the rear of the unit, a private open space may be located on the front facade in the form of an upper story balcony and the square footage counted towards the 120 square feet requirement.

(c) No dimension of private open space area shall be less than a minimum of 6 feet.

(5) Shared Open Space Standards for Complexes

Large single family attached complexes are similar in scale and operation to multi-family and condominium complexes and should, therefore, provide similar amenities on the property of the project including common open space, play areas, and a mechanism for maintenance of such areas. The following standards are provided for those purposes:

(a) For attached single family developments of 20 or more units (including elderly housing single family attached complexes of 20 or more units), provide one or more common (shared) open spaces with a minimum combined total area of 1,000 square feet. For developments over 20 units, add an additional 250 square feet of open space for every additional 10 units. For phased developments open space requirements shall be met per phase.

(b) No common open space area is to be less than 400 square feet in area nor have a horizontal distance less than an average of 20 feet.

(c) Common open space areas shall primarily be planted in lawn unless the open space area comprises a natural area (such as a wetland feature or habitat area or a stormwater detention area). Up to 40% of the common open space area may be hard surfaced, improved and dedicated for a specific use (barbecue areas, tennis court, recreation building, community garden, playground, etc.), subject to approval by the City. Where feasible, the surface of open space areas shall be pervious, allowing infiltration of storm water.

- (d) If a hard surfaced area is provided, the perimeter shall be landscaped with a combination of evergreen groundcover, shrubs and trees, with the trees spaced 20 feet on center.
- (e) Required open space area landscaping shall include lawn, groundcover, shrubs and trees. Non-lawn groundcovers shall be a minimum of 4 inch pots spaced 2 feet on center. Shrubs shall be a minimum one gallon size at the time of planting. Trees shall be at least 1.5 inch caliper minimum size at the time of planting. Mulch materials are only permitted as a filler until living plant materials mature and spread.
- (f) For single family attached developments adjacent to public parks or public open spaces (such as schoolyards, public trails, natural areas, etc.):
1. Parking, loading and service areas may not be located between the residences and the public areas. Parking may be located under a building provided access to the parking is not from the park or open space side of the development.
 2. A minimum of 10% of the building facade facing the park or open space shall be comprised of windows.
 3. Sight obscuring fences greater than 6 feet in height are not permitted between single family attached developments and the park or open space.
- (g) Children's play areas shall be provided for developments of 20 or more units following the dimensional, equipment and perimeter standards of Section 7.0201(D)(4), except if the development is for elderly housing. Elderly housing single family attached complexes (subject to Community Service requirements per Section 8.0112) are not required to provide children's play areas but are required to provide required open space area if 20 units or more in complex size. In addition, the following are required for children's play areas:
1. Shall be located outside of required yard setbacks and buffer areas.
 2. Must be located so as to be visible from living area windows of at least 3 dwelling units.
- Alternatives to children's play areas may be provided in an equivalent square footage as long as at least one play area is still provided within complexes that are family oriented. Suitable alternatives include shared picnic facilities, gazeboes, gardens, exercise facilities, basketball area, and other related shared open space type uses.
- (h) Pedestrian access to common open space and children's play areas shall be provided by 5 foot wide, all weather hard surface walkways that connect to the overall site pedestrian walkway system and ultimately to public sidewalk.
- (i) If a private open space (in a front, rear or side yard) is adjacent to common or public open space, parking, or a property line at the perimeter of the development, provide a visual separation consisting of at minimum a 3 foot high fence, wall, or landscaping capable of growing to a 3 foot height between the private open space and the adjacent element.
- (j) Homeowners associations, site management offices, or other acceptable means shall be established for purposes of maintaining all common areas. An ongoing financial mechanism and oversight functions to provide for maintenance shall be established prior to occupancy of any unit.
- (k) Open space and other common or shared use areas may be established as tracts or as easements over portions of platted lots.

(l) Landscaped areas within public right-of-way shall not be counted as project open space.

(6) Pedestrian Walkways

Pedestrian walkways are required to provide access to the street(s) and within the site to common areas.

(a) Walkways shall connect each unit's front entry to the public street and other features such as common parking areas, common open space areas, children's play areas, adjacent public uses or public parks/open space as applicable.

(b) Walkways shall be barrier-free and unblocked at all times, and be an all weather hard surface.

(c) Walkways in common areas shall measure a minimum of 5 feet wide.

(d) Walkways in common areas (including shared parking areas) shall be illuminated to at least a 2 foot candle level during the hours of darkness. Lighting shall be designed so as to not shine directly into residential units by the use of cut-off or directional features.

(e) All pedestrian walkways shall be in view of at least one unit's living area windows.

(f) When pedestrian walkways are located between two buildings, a minimum 10 foot wide corridor shall be provided between the buildings. Such walkways are permitted within setback areas.

(g) Front entry stoops shall not be elevated more than 6 feet above the grade of the sidewalk.

(h) Walkways adjacent to or within a parking area are subject to standards of Section 9.0824.

(7) Landscaping

Landscaping is intended to enhance the visible appearance and livability of single family attached dwelling projects and preventing building footprints from dominating available lot areas.

(a) At least 20% of the gross site area of a single family attached development must be landscaped.

(b) All landscaped front, side, and rear yard areas, landscaped common open space, preserved natural areas, planter areas, landscaped screening and separation area, as well as landscaped strips located between the curb and sidewalk, can be included to meet the 20% landscaping requirement. In addition, shared walkways within landscaped areas may count for up to 10% of the total landscaping requirement (i.e. 10% of the 20% of gross area total).

(c) Of the 20 % landscape requirement in (a) above, a portion of the landscaping total shall be located in rear yard areas of lots that are not rear accessed.

(d) At least 80% of the front yard setback area must be landscaped when the driveway is at the rear of the unit or when a shared parking area is provided.

(e) At least 25% of the front yard setback area must be landscaped when the driveway is at the front of the unit.

(f) Of the required front yard landscaping as stated above, up to 20% of that area may be walkways or stoops associated with unit access and at least 80% of those areas must consist of a continuous ground cover of lawn and/or low growing evergreen shrubs, or other evergreen ground cover. Trees and larger shrubs may also be added to the landscaped area. Planting sizes are as follows:

1. Groundcovers, other than lawn, must be a minimum of 4 inch pots spaced 2 feet on center.
 2. Trees shall have a minimum caliper of 1 ½ inches at planting and must be staked for at least one year.
 3. Evergreen shrubs must be at least 24 inches high at finished grade and a minimum one gallon size at planting.
 4. Mulches and barkchips are only allowed as a filler, until required groundcover and shrub materials mature and spread. Mulches and barkchips are not permitted as a substitute for living plant materials.
- (g) All landscaped areas shall be irrigated with an in-ground irrigation system, unless a licensed landscape architect submits written verification that the proposed planting materials do not require irrigation.
- (h) In addition to street trees as required by Sections 9.1020-9.1022, site trees shall be required at the rate of one tree per 2,000 square feet of gross site area. On site trees that are preserved may count at a 1 to 1 ratio for purposes of meeting site tree requirements.
1. New site trees must be capable of growing to a height of 25 feet. However, when accompanied by an arborist's report, ornamental, dwarf, and other smaller species may be permitted in locations where larger sized trees are not appropriate.
 2. New deciduous site trees shall be a minimum of 1.5 inch caliper at the time of planting.
 3. Evergreen trees shall be a minimum 6 foot height at time of planting.
 4. As much as possible, new site trees shall be distributed throughout the project rather than clumping them in one location.
 5. New site trees shall be staked for support for at least one year.
- (i) All plantings shall be maintained and dead or diseased plants replaced within 3 months of removal.
- (8) Miscellaneous Standards for Single Family Attached Dwellings
- (a) A minimum 6 foot high sight obscuring fence or wall shall screen common loading, garbage/recycling, and other service areas that are shared by two or more single family attached dwelling units within a development.
 - (b) Screen transformers and heating, ventilation and air conditioning (HVAC) equipment.
 - (c) Screen freestanding HVAC units with a sight obscuring fence, wall or evergreen landscaping if located adjacent to a property line shared with another residential unit/building or adjacent to open space.
 - (d) Provide utility meter/box screening from the street or from public view.
 - (e) Private storage areas are required for each unit. Each storage space shall consist of an enclosed closet type space at least 6 feet in height with at least 24 square feet of floor area. Optionally, the storage space may be in a central storage facility close to the unit or as designated storage area within a garage dedicated to said unit. If garage located, the storage unit shall be separate from and not impede parking within the garage.
- (9) The single family attached dwelling standards in these sections shall take precedence over individual plan district standards in case of conflict except as otherwise stated.

(N) Safe Neighborhood Design Performance Standards

These provisions, which are repeated in Section 4.0132(D), are intended to help create safer neighborhoods and a high quality pedestrian environment by incorporating crime prevention design that emphasize linkages and surveillance between the dwelling and the street. These provisions are required for single family attached dwellings proposed in all districts that permit single family attached dwellings as specified in Section 4.0132(D).

- (1) Visible Dwelling Front. The front door shall be oriented towards the street which the dwelling faces. At least 75% of that street frontage shall be visible from 1) the front door; or 2) a street facing ground floor window (except a garage window); or 3) a street facing second story, minimum four foot by four foot window, placed no higher than 3 feet 6 inches from the floor to the bottom of the window sill. This section allows portions of the front of a dwelling to protrude forward of other portions, as long as the visibility standard is satisfied. A dwelling on a lot created pursuant to Section 10.1520 may use a private drive or future street to comply with this provision.
- (2) Street Pedestrian Connection Options. At least one of the following shall be provided:
 - (a) Separate Walkway. A separate, minimum three foot wide hard surfaced walkway directly from the public sidewalk to the front door; or
 - (b) Combined Walkway. A minimum three foot wide hard surfaced walkway directly from the public sidewalk to the front door combined at the edge of the driveway, as measured from the edge of the garage door.
- (3) Street Surveillance Options. At least one of the following shall be provided:
 - (a) Ground Level Outdoor Surveillance Area. A minimum 40 square foot covered hard surfaced entry area is placed at or immediately adjacent to the front door; or
 - (b) Upper Level Outdoor Surveillance Area. A minimum 30 square foot second story covered or open porch, balcony or deck is placed on the front of the dwelling; or
 - (c) Dwelling Front Location. The front of the dwelling (not including the garage) or of a covered entry has maximum setback of 16 feet; or
 - (d) Dwelling and Garage Front Location. The front of the garage is flush with the front of the dwelling or is recessed back from the front of the dwelling.
- (4) Front Yard Fence Height. The maximum height of a fence forward of the minimum front yard setback shall be 4 feet.
- (5) Rear Yard Fence Height on Alley. The maximum height of a fence along an alley lot line shall be 6 feet.

Section 23. Volume 3, Development Code, Section 7.0202, is amended as follows:

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

The following site design criteria and standards shall apply to Community Service (except elderly housing), Commercial, Industrial, and Mixed Use Developments (with exception that single family attached units in a mixed use development shall be reviewed per the standards of 7.0201):

In designing the site development plan and landscaping plan the following design criteria and standards shall apply:

- (Q) All mechanical equipment on roofs shall be screened when abutting a residentially designated property or an arterial street. Screening shall obscure mechanical equipment at elevation. Solar collecting panels are exempt from this requirement.

(R) For mixed use developments including single family attached housing, the single family housing shall address the standards within Section 7.0201 while the commercial component shall address the standards of 7.0202.

Section 24. Volume 3, Development Code, Section 7.0223, is amended as follows:

7.0223 Maintenance Responsibility

The property owner is responsible for the maintenance of the site improvements including plant material, re-stripping parking stalls, posting of the correct address as determined by the Manager, and ensuring the preservation of the Clear Vision area and the visibility of addresses and street signage.

For the purpose of this subsection, maintenance also includes the replacement of landscaping and street trees that are dead or damaged for various reasons.

For complexes, homeowner associations, site management offices, or such other system (including financial assurances) for maintenance management shall be established for purposes of maintenance responsibilities. Where private easements are established (such as with single family attached complexes) to meet open space requirements, property owners will be held responsible for maintenance responsibilities via easement language and deed covenants and restrictions. Maintenance systems shall be established prior to occupancy and appropriate documentation provided to the City for verification.

Failure to maintain site improvements and landscaping may be determined to be a violation of this section.

Section 25. Volume 3, Development Code, Section 7.0224, is amended as follows:

7.0224 Site Lighting

On-site lighting for all developments subject to site design review shall be hooded or directional so as to reduce the lighting of adjacent properties. The Manager may require reduced lighting intensities or special fixtures to accomplish this provision. Lighting plans addressing this requirement are required to be submitted as part of the site design review application package.

Section 26. Volume 3, Development Code, Section 9.0111, is amended as follows:

Table 9.0111A - Buffer Matrix

PROPOSED USE	ABUTTING USE													
	Single Family Dwellings* Five or More Attached Dwellings	Office Use	Neighborhood Commercial Use	General Commercial Use	Outdoor Commercial Use	Business Park Use	Light 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

Five 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 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 4 2 attached single-family dwellings or duplex.

(Buffer codes correspond to Buffer Combination Chart)

Section 27. Volume 3, Development Code, Section 9.0600 – Height Transition, is amended as follows:

9.0602 Applicability

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

Section 28. Volume 3, Development Code, Height Transition - Section 9.0610, is amended as follows:

9.0610 Height Transition Standards

(A) For every one foot of height of a proposed building one foot of horizontal distance between the building to the abutting LDR or TLDR property line is required. However, buildings containing attached dwelling units not exceeding 35 feet in height may be located within 50 feet horizontal distance of an abutting LDR or TLDR district property line. Measurement of the height transition area shall be made between the foundation of the proposed building and the property line of the abutting residential district. When the proposed structure is designed such that different sections will have different heights, the height transition area shall be measured for each vertical surface as if it were freestanding. The building then must be located on the site so that no section is closer to the abutting residential property line than it would be if the section were freestanding.

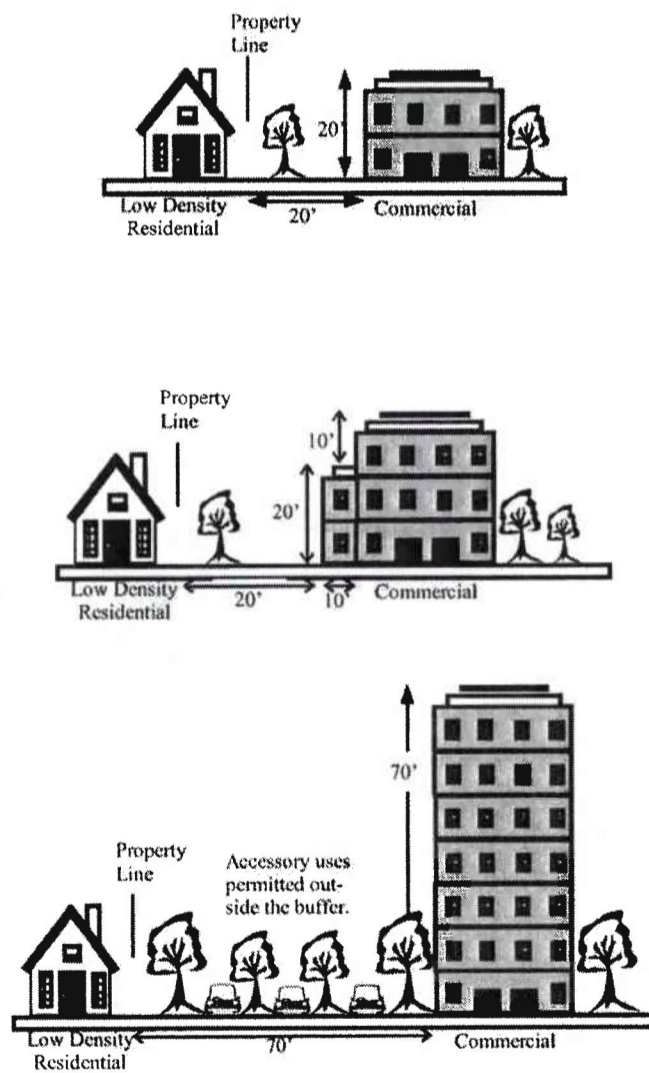
- (B) Commercial and Industrial Districts: The standard under 9.0610(A) applies to all buildings to be built on lots in the NC, GC, BP, LI and HI Districts when those lots abut any ~~residential~~ district allowing residential development except TLDR.
- (C) Height transition standards will apply to developments of community services, single family attached housing, and duplexes within the LDR and TLDR districts and for these uses within other districts that are adjacent to single family detached housing located in LDR and TLDR.

Section 29. Volume 3, Development Code, Height Transition - Section 9.0611, is amended as follows:

9.0611 Elements Allowed Within the Height Transition Area

The required buffering and screening as well as utilities and open space areas (except that childrens play areas may not be located within setbacks and buffer areas) may be located within the height transition area. Off-street parking, accessory structures and incidental development may be located within the height transition area. See Section 9.0100 for buffering and screening requirements.

Figure 9.0611A



Section 30. Volume 3, Development Code, Section 11.0207, is amended as follows:

11.0207 Determination of Proper Procedure Type [~~GRC Section 11.02.070~~]

- (A) The Manager shall determine the proper procedure for all development actions. If there is a question as to the appropriate type of procedure, the Manager shall resolve it in favor of the higher procedure type number.
- (B) An application that involves two or more procedures may be processed collectively under the highest numbered procedure required for any part of the application or processed individually under each of the procedures identified by the code. The applicant may determine whether the application shall be processed collectively or individually with the exception of single family attached dwellings which require a combined (concurrent) review consisting of site design review and land division. If the application is processed under the individual procedure option, the highest numbered type procedure must be processed prior to subsequent lower numbered procedure.
- (C) The following rules apply to applications processed in accordance with subsection (B) of this section which have the same highest numbered procedure but are assigned different hearing bodies. Applications processed collectively shall be heard only by the highest hearing body, the planning commission being the highest, followed by the hearings officer and then the Manager. Applications processed under the individual procedure option may, at the option of the Manager, be processed simultaneously with a joint hearing before the assigned hearing bodies or by holding consecutive hearings at the same location.

First reading: October 2, 2007

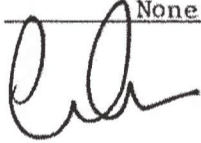
Second reading and passed: October 16, 2007

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

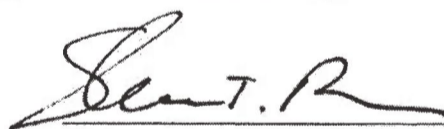
No: None

Absent: Widmark

Abstain: None

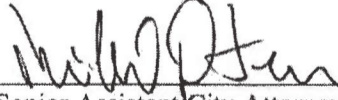


City Manager



Mayor

Approved as to Form:



Senior Assistant City Attorney

BEFORE THE CITY COUNCIL OF THE
CITY OF GRESHAM

IN THE MATTER OF AMENDMENTS TO VOLUMES) Order No. 601
2 (POLICIES) AND 3 (DEVELOPMENT CODE) OF)
THE GRESHAM COMMUNITY DEVELOPMENT) CPA 06-311
PLAN, REGARDING DESIGN STANDARDS FOR)
SINGLE FAMILY ATTACHED DWELLINGS)
)

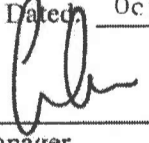
On October 2, 2007, the City Council held a public hearing to take testimony on amendments to Volumes 2, Policies, and 3, Development Code, of the Gresham Community Development Plan regarding the establishment of policies and design standards for proposed new single family attached dwelling development projects.

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

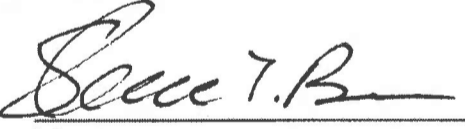
The Council closed the public hearing and approved the proposed amendments at the October 2, 2007 meeting, and a decision was made at the October 16, 2007 meeting.

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 and staff report.

Dated: October 16, 2007


City Manager



Mayor

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

TYPE IV RECOMMENDATION ORDER

CPA 06-311

A public hearing was held on August 27, 2007, upon an application to consider proposed amendments to Volumes 2, Policies and 3, Development Code, of the Gresham Community Development Plan regarding single family attached dwelling design standards.

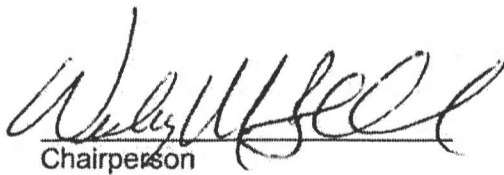
The Commission closed the public hearing at the August 27, 2007 meeting, and a final recommendation to Council was made at the August 27, 2007 meeting.

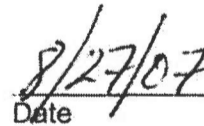
Wes Bell, Chairperson, presided at the hearing.

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 amendments to the City Council, and adopts the findings, conclusions and recommendations contained in the August 15, 2007 staff report with the following exceptions, additions and/or changes:

See pages 2 through 4 of this Recommendation Order


Chairperson


Date

The Planning Commission recommends **ADOPTION** of the proposed Gresham Community Development Plan amendments to the City Council with the following changes:

VOLUME 2 – POLICIES

Section 10.413.1 Design Standards for Single Family Attached Dwellings

Driveway Access

"Driveway access should be ~~to~~ **from** alleys where feasible.."

Service and Utility Areas

"Service and utility areas should be to the rear of the project and be screened **when feasible from the street or other public view.**"

Goal

"Promote quality in designs for single family attached dwelling projects which benefits the physical environment and **aesthetic values** of Gresham residents."

Policies

4. "New single family attached dwellings should minimize shadow, blocked views and **the potential for "overlook"** onto **or from** adjacent properties, especially existing neighborhoods."

Design Principles

3 f. "..... impacted (**i.e.** units with their side or backs to the street), units may be oriented toward the park or open space to allow views from residential units and to promote informal surveillance of the open space. **This should not be permitted if the backs or sides of units would face the street.**"

9 a. "...has with the street and adjoining developments **property**. High retaining walls....."

VOLUME 3 DEVELOPMENT CODE

3.0010 – Definitions - Change "Single Aspect Street: to "Single Loaded Street".

Table 4.1030(E) Note [4] - Change to say that "...a minimum of 10 feet in between major structures **(side to side)** will be required."

Section 7.0101 (A)(4) - amend to read:“shall be ~~called out~~ noted in the plans.”

Section 7.0201 (index title) - amend to read: “Single Family Attached Dwelling Units.”

7.0201 (D)(1) – change reference of Section 2.0201(M) to 7.0201(M)(1)

7.0201 (L)(9)(l) – move (l) “Corner trim/corner boards” to incorporate into 7.0201 (7) where corner trim is listed, and re-letter remaining items.

7.0201 (L)(9)(i) – Add “For one story buildings,” to the beginning of the sentence.

7.0201 (L)(11) – Change “draw attention to” to “visually enhance”.

7.0201 (L)(13) – Remove the words “designed to be” from the sentence.

7.0201 (M)(1)(d) – Amend to read: “Developments that provide street fronting courtyards are exempt from full frontage street orientation requirements provided the end units of the project have front doorways facing the street(s) and project access is rear loaded.”

7.0201 (M)(1)(f) – Remove “, for example,” from last sentence.

7.0201 (M)(1)(g) – Amend the first sentence as follows: “Single family attached units are required to be located adjacent ~~and oriented~~ to public streets and alleys and oriented to public streets.”

7.0201 (M)(2)(f) – Move the entire subsection (f) to the end of the section and reletter (f) through (i) accordingly.

Table 7.0201 (M)(3)(a) – Add asterisks to last table column for: Street side (façade), Street side (porch), and Street side (garage face), and add an asterisk note at the end of the table as follows: “**For street side in MDR-C, see Table 4.1230(E)”.

7.0201 (M)(3)(d) – Add “front” in the first sentence as follows: “Where the front, rear or side of a dwelling unit(s) faces the rear or side of an existing structure or.....”.

7.0201 (M)(4)(b) – Remove the last sentence. Make a new (4)(c) as follows: “No dimension of private open space area shall be less than a minimum of 6 feet.”

7.0201 (M)(5) – Amend the first paragraph as follows: “.....provide similar amenities on the property of the project including common open space, play areas, and...”

7.0201 (M)(5)(c) – Amend first sentence as follows: “Common open space areas shall primarily be planted in lawn unless the open space area comprises a natural area (such as a wetland feature or habitat area) or a stormwater detention area.”

Type IV Planning Commission Recommendation Order
CPA 06-311
Page -4-

7.0201 (M)(5) – Add subsection (l) as follows: “Landscaped areas within public right-of-way shall not be counted as project open space.”

7.0201 (M)(8)(d) – Amend sentence as follows: “Provide utility meter/box screening ~~where permitted by the applicable utility~~ from the street or from public view.”

9.0611 – Amend as follows: “.....and open space areas (except that children’s play areas may not be located within setbacks and buffer areas) may be located.....”

Additionally, the Planning Commission directed staff to include other minor consensus items within the discussion.

End of Type IV Recommendation Order



MEMORANDUM

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
COMPREHENSIVE PLANNING

STAFF REPORT

TYPE IV HEARING—COMPREHENSIVE PLAN AMENDMENT
SINGLE FAMILY ATTACHED DWELLING DESIGN STANDARDS AMENDMENTS

To: Gresham Planning Commission

From: David Krogh, AICP, Senior Planner, Comprehensive Planning

Hearing Date: August 27, 2007

Report Date: August 15, 2007

File: CPA 06-311

Proposal: To adopt comprehensive plan amendments to Volumes 2 (Policies) and 3 (Code) of the Community Development Plan relating to single family attached (SFA) dwelling design standards including provisions that create a new goal, policies, design principles and action measures and establish new clear and objective design standards code.

Exhibits: "A" -- Draft Amendments to Volume 2 of the Gresham Community Development Plan
"B" -- Draft Amendments to Volume 3 of the Gresham Development Code
"C" -- Summary of July 23 Open House Meeting

Recommendation: Staff recommends the Planning Commission recommend **adoption** of the proposed Comprehensive Plan amendments to the City Council.

SECTION I BACKGROUND INFORMATION

Purpose

Single family attached (SFA) dwellings for the City of Gresham are defined as a single family dwelling unit, located on its own lot, that shares one or more common walls with one or more single family attached dwelling units. It does not share common floors or ceilings with other single family attached dwellings. The common walls coincide with lot lines. A rowhouse (also known as a townhouse) can be developed as a SFA dwelling.

The popularity of SFA dwellings has increased within the past 10 years, offering a measure of affordable home ownership in a slightly higher density than exists for traditional single family detached housing. In the past 5 years (since 2002) 438 SFA dwellings (City of Gresham GIS data) have been permitted. About 22% of the units were permitted in the Low Density Residential (LDR) and Transit Low Density Residential (TLDR) Districts. A recent code change deleted SFA dwellings as a permitted use in the LDR. A majority (50%) of the SFA dwelling permits were issued in the medium density residential districts of Corridor Multi-family (CMF), Corridor Mixed-Use (CMU) and Moderate Density Residential-24 (MDR-24). The rest were distributed in the Downtown, Civic Neighborhood and Station Center residential districts. This shows a growing demand for SFA dwelling ownership. However, development design standards for these dwelling types are currently minimal, focusing more on siting rather than on architectural factors and appearances. The result has been a mixture of designs which vary from very attractive to very simple.

The purpose of this project is to improve the quality of SFA dwelling development through the introduction of clear and objective site design and architectural standards. These standards are also intended to provide a measure of design consistency.

Amendments to both Volume 2 (Goals and Policies) and Volume 3 (Development Code) of the Comprehensive Plan will be necessary to carry out the purpose of this project.

Background

On February 3, 2004, the Council approved the formation of a Community Land Use Task Force (CLUTF). The purpose of this group was to address specific land use issues of community concern. Specific issues noted included land use and fiscal sustainability, housing design and densities, and jobs/housing ratios. On March 2, 2004, the Council appointed three Planning Commissioners, one Citizen Involvement Committee member, one developer, one Neighborhood Coalition member, one Finance Committee member, one Community Development and Housing Committee member and one Transportation Advisory Committee member.

Beginning in April of 2004, CLUTF members (supported by City Comprehensive Planning staff) initiated discussions relating to the issue of quality development. Discussed at length was the need for architectural and site design standards for SFA dwellings (especially in the Low Density Residential and Transit Low Density Residential Districts) as a way to address architectural quality, interest and variety and the transition of density and land use intensity. The reasoning for this was that without design standards SFA dwellings can compromise livability and be incompatible with existing residential neighborhoods. The project was recommended by the CLUTF to the Planning Commission in December of 2005.

In January of 2006, the Planning Commission provided the Council a memorandum listing its recommendations for CLUTF suggested projects and suggested a priority for those projects. At a joint meeting with the Planning Commission on May 9, 2006, the Council reviewed a proposed Comprehensive Planning list of work projects and directed staff to proceed with the work program. The SFA dwelling design standards project was included in the work program as a high priority project and a project in progress. Due to a lack of staff resources the project was carried over into 2007 and identified as an on-

going Tier 1 project when the Council directed Comprehensive Planning staff to proceed with a work program at a joint meeting with the Planning Commission on January 9, 2007.

This project was intended to create a set of clear and objective design standards. This is consistent with State regulation (ORS 197.303 and 197.307) that states needed housing (i.e. all housing that fulfills Gresham's Comprehensive Plan housing needs) shall be permitted via clear and objective standards. Clear and objective standards may include regulations pertaining to "appearance or aesthetics."

The project is also presenting a new Comprehensive Plan goal, policies, and a series of design principles and action measures. Design principles provide a connection between general planning goals and policies and implementing regulations and standards. The main purpose of design principles is to convey a sense of preferred quality. The design principles are the basis for clear and objective design standards.

In 2007 the Planning Commission had three work sessions on the SFA dwelling design draft standards and plan policy text and discussed modifications and issues. The dates of the workshops were January 8, May 14, and June 11. Additionally, the Planning Commission held a combined open house and work session on July 23. A summary of the July 23 open house meeting is attached as Exhibit C. Input from these work sessions and open house have been appropriately incorporated into the proposal.

As part of this project staff also held a Focus Group meeting on April 18 with members of the Downtown/Civic Neighborhood Architectural Review Committee (D/CNARC), developers and designers of single family attached dwelling projects, representatives from the Portland Homebuilders Association (PHA) and the Gresham Downtown Development Association (GDDA) to discuss the project and solicit input and questions on the standards that came out of the January 8 Planning Commission work session. Several issues were identified from the Focus Group meeting. Those issues were reviewed by the Planning Commission at a work session and have been appropriately incorporated into the proposal.

The proposed plan amendments along with the hearing schedule were reviewed with the City Council on June 12, 2007, as well as the Neighborhood Coalition (June 13, 2007), the City's Contractor's Forum (June 27, 2007), and the Development Advisory Group (July 26, 2007).

Adoption of these amendments will result in clear and objective design standards for SFA dwelling proposals. These standards are based on appropriate new and existing goals and policies, and design principles. The adoption of these Goals and Policies (Volume 2 of the Comprehensive Plan) and Development Code standards (Volume 3 of the Comprehensive Plan) amendments require a legislative (Type IV) review process. As such, this project required public notification, notification to DLCD and Metro, and public hearings with both the Planning Commission and City Council.

Overview of Proposed Amendments

Text changes to Volumes 2 (Community Development Plan Goals and Policies) and 3 (Development Code) are proposed. The format of the attached Exhibits "A" and "B" are ~~strikeout~~ /underline versions with comments inserted into the documents to help explain the relevance for each proposed change. The overview below provides a summary of some of the key proposed amendments and additional rationale for the change.

Volume 2

Goal 10.413.1 -- Design Standards for Single Family Attached Dwellings

This is a new goal that adds to and supports Goal 10.413 -- Community Design which is to support and encourage efficient and effective development designs to maintain and improve the qualities of the relationships among buildings and surrounding neighborhoods and to ensure that individual developments contribute to a quality environment.

The proposed new Goal 10.413.1 establishes the goal of promoting design quality of SFA projects that benefit the physical environment and aesthetics of Gresham residents. It establishes a series of policies that will further describe how the goal can be achieved. It also established design principles. Design principles provide a connection between general planning goals and policies and implementing regulations

and standards. The main purpose of design principles is to convey a sense of preferred quality for a place. The design principles are the basis for clear and objective design standards.

It also establishes a set of action measures. Action measures are specific actions to implement the goals and policies that can be taken as time and resources allow. One action measure is to implement a process of clear and objective design standards for SFA dwellings. This action measure is being done with the Volume 3 code amendments. Other action measures such as creating an illustrated design guidebook would be done at a later date.

Volume 3

Section 7.0201(L) Architectural/Design Standards for Single Family Attached Dwellings

This new subsection within the Site Design Review section of the Development Code establishes clear and objective standards for architectural and design criteria review of SFA dwelling projects. Some of the proposed standards will be mandatory for all projects. Other proposed architectural/design criteria will allow the proposed SFA dwelling development to pick and choose from a list of design elements requiring a minimum number of design features to be utilized. These new architectural and design criteria are intended to promote increased building design and aesthetic quality. They are based on the proposed design principle (6) for building design and architectural standards.

Section 7.0201(M) Other Standards for Single Family Attached Dwellings

This is a new subsection within the Site Design Review section of the Development Code intended to cover site design related elements as part of the review of single family attached dwelling projects. Based on the proposed design principles these new criteria focus on elements such as creating a good relationship to the street system; using common and appropriate setbacks; having private open space; having shared open space for complexes; minimizing the impact of street front loaded driveways; ensuring comfortable and safe pedestrian circulation; ensuring adequate and appropriate site landscaping; addressing service and utility areas; and considering privacy and natural light.

Other Sections throughout the Development Code

Several modifications are proposed throughout the Development Code for purposes of consistency and clarification for single family attached dwelling reviews. For example, three new definitions related to SFA dwellings are provided, minor modifications related to SFA standards are provided in all of the residential districts, buffer standards have been adjusted for single family and attached dwellings, height transition standards have been updated, maintenance provisions for common/shared spaces have been bolstered, setbacks and building heights for SFA dwellings have been made more consistent, SFA dwelling projects in TLDR will now require site design review just like SFA dwelling projects in all other districts allowing SFA dwellings.

Staff Report Organization and Contents

- Section II provides an overview of proposed Community Development Plan and Code changes anticipated as part of this project.
- Section III identifies applicable Development Code procedures that apply to the proposal.
- Section IV identifies those current Community Development Plan Goals and Policies 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 Statewide Planning Goals applicable to this proposal.
- Section VII contains findings of fact that indicate how the proposal is consistent with Sections III through VI:
 - Subsection A is findings of fact for the Community Development Code procedures.
 - Subsection B is findings of fact for the Community Development Plan goals and policies.
 - Subsection C is findings of fact for the Metro Functional Plan titles.
 - Subsection D is findings of fact for the Statewide Planning Goals.

- Sections VIII and IX summarize staff conclusions and recommendations.
- Exhibit "A" includes proposed amendments to Volume 2, Community Development Plan Goals and Policies as well as commentary. The commentary provides additional discussion and findings for this proposal.
- Exhibit "B" includes proposed amendments to Volume 3, Community Development Code as well as commentary. The commentary provides additional discussion and findings for this proposal.
- Exhibit "C" includes a summary of the July 23 SFA Open House Meeting.

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
Section 10.100	Citizen Involvement
Section 10.413	Community Design
Section 10.600	Housing

SECTION IV

APPLICABLE PROPOSED COMMUNITY DEVELOPMENT PLAN GOALS & POLICIES

Section 10.413.1	Design Standards for Single Family Attached Dwellings
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SECTION V

APPLICABLE METRO URBAN GROWTH FUNCTIONAL PLAN TITLES

Title 8	Compliance Procedures
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SECTION VI

APPLICABLE STATEWIDE PLANNING GOALS

Goal 2	Land Use Planning
Goal 10	Housing

SECTION VII
FINDINGS OF FACT

The proposed Community Development Plan amendments attached as Exhibits "A" and "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.

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. The City Council authorized initiation of this project in May 2006.
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. The Planning Commission public hearing is August 27, 2007, and the tentative City Council hearing will be October 2, 2007. 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. 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 2)

This section identifies the applicable Community Development Plan goals and policies. 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 12: The City shall establish design standards to assure quality development and enhance the community's attractiveness and livability.

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.

Findings

These general goals and 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.

On February 3, 2004, the Council approved the formation of a Community Land Use Task Force (CLUTF). The purpose of this group was to address specific land use issues of community concern. Beginning in April of 2004 CLUTF members initiated discussions relating to the issue of quality development. Discussed at length was the need for architectural and site design standards for attached single family dwellings (especially in the Low Density Residential and Transit Low Density Residential Districts) as a way to address architectural quality, interest and variety and the transition of density and land use intensity. The Planning Commission subsequently analyzed the CLUTF recommendations and prioritized them for Council consideration in memorandum in January of 2006. At a Policy Development Meeting with the Planning Commission on May 9, 2006, the Council revisited the CLUTF list and reaffirmed this project (to create design and performance standards for attached single family development) and others.

The proposed code and policy amendments address the design and quality issues raised by the CLUTF, proposing to expand goal and policy provisions based on Community Design policies in the plan, and adding provisions that will facilitate implementation of the Plan policies. The proposal is consistent with state and regional provisions and is intended to meet interests of the public for quality designs. The design standards provided are clear and objective in conformance with ORS 197.303 and 197.307 governing local government reviews for needed housing. Density and residential use provisions are not being changed, in conformance with Metro housing standards.

Conclusion

Policy 1 is addressed because the proposed amendments are consistent with state and regional regulations and are intended to meet the interests of citizens of Gresham.

Policy 2 is addressed by the proposed amendments that ensure the proposed new plan policies and design principles, and, code standards, implement the Comprehensive Plan.

Policy 12 is addressed because the proposed amendments include design standards intended to promote quality design.

Policy 21 is addressed by the Council affirmation of the CLUTF and Planning Commission project priorities list.

Goal 10.014 is addressed by these proposed amendments that clarify and revise regulations so the new design standards for single family attached dwellings are consistent with relevant Plan and Code sections.

The proposal is, therefore, consistent with the applicable general goals and policies 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.

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.

The issues they have led to the proposed code amendments were identified during City-initiated CLUTF and Planning Commission meetings over a 2+ year period. In addition, multiple meetings with stakeholders and a public open house were also provided for input.

The City's Comprehensive Planning project web page has been kept up to date with schedules and drafts of the proposal. Public notice was also provided to the Gresham Outlook and notice was also sent to the State Department of Land and Conservation Development (DLCD). Public comments, in general, have been supportive for this project and its intended results. Public input has also been incorporated into the proposed plan and code revisions, where appropriate and applicable.

Conclusion

Policy 1 is addressed by the work sessions and open house attended by property owners and developers during the City-initiated review process, by staff presentations at neighborhood coalition and other meetings, and, by both CLUTF and Planning Commission public meetings and work sessions.

Policy 6 is addressed by posting of materials on website and by making materials available through City staff in the Comprehensive Planning Section within City Planning Services.

The *Citizen Involvement Goal (10.100)* is met by the combination of work shops, open house, mailings, and meetings as well as providing information about the proposal and schedules on the City web site and at City Hall.

Therefore, the proposal is consistent with the applicable citizen involvement goals and policies.

3. Community Design Goals & Policies

10.413 Community Design

Applicable Policies

It is the City's policy to establish a community design process which:

- 1. Evaluates and locates development proposals in terms of scale and related community impacts with overall purpose being a complementary land use pattern and long term stability.*
- 2. Evaluates individual developments from a functional design perspective, considering such factors as privacy, noise, lights, signing, access, circulation, parking provisions for the handicapped, and crime prevention techniques.*

Applicable Implementation Strategies

- 1. The Community Development Code will establish an expeditious design process:*
 - a. Based on design criteria;*
 - b. As an administrative procedure with an appeals process;*
 - c. Applicable to attached residential structures, moderate density development, commercial and industrial uses and community services.*

2. *The Community Development Standards document will include design criteria which:*
b. *Maintain and improve the qualities of the relationships among buildings and surrounding neighborhoods;*
c. *Ensure that individual developments contribute to a quality environment for people utilizing the development and the surrounding neighborhood.*

3. *The Community Development Standards will prescribe design requirements related to:*
b. *Site layout;*
c. *Private outdoors spaces;*
d. *Parking;*
e. *Circulation;*
g. *Entry areas;*
i. *Landscaping and buffering;*
j. *Building orientation.*

Findings

The Community Design policies and implementation strategies establish the City's intent that developments include design considerations that consider street and building orientations, impacts to neighboring uses, and creation of design standards that address quality.

As part of the early design quality discussion between the CLUTF and Planning Commission members, it was established that single family attached dwelling design standards were lacking although this type of housing has been gaining popularity to where it has occupied 13% of all housing development within Gresham in the past 5 years (per Gresham GIS and Permit information).

The Community Design policies of Section 10.413 lay the groundwork for providing both Plan policies and Code standards to address design issues for single family attached dwellings.

The proposed amendments have addressed these issues by creating policies and design principles to serve as a basis for implementation standards in the Development Code. Such standards are intended to be clear and objective and focus on improving the quality of both architectural and site design for the benefit of residents and the surrounding population.

Conclusion

Policies 1 and 2 and the applicable implementation strategies included are addressed by creating a new policy section "10.413.1 Design Standards For Single Family Attached Dwellings" that further defines design quality issues for 10.413 Community Design, and, provides a basis for the proposed code amendments that create clear and objective architectural and site design standards for single family attached dwellings.

The proposal is consistent, therefore, with applicable Community Design policies and implementation strategies.

4. *Design Standards Goal & Policies (Proposed)*

Section 10.413.1 Design Standards for Single Family Attached Dwellings

Goal: Promote quality in designs for single family attached dwelling projects which benefits the physical environment and aesthetics of Gresham residents.

Policies:

1. *Single family attached dwelling development should be designed and constructed to produce high quality living environments.*

2. *Single family attached dwellings should fit into the context of existing neighborhoods, especially in terms of scale and existing land use patterns; especially important is to create residential neighborhoods with multi-modal transportation connections and opportunities for social interaction.*
3. *New single family attached dwellings should appropriately relate to their surroundings especially public streets, open spaces and recreation areas.*
4. *New single family attached dwellings should minimize shadow, blocked views and "overlook" onto adjacent properties, especially existing neighborhoods.*
5. *New single family attached dwellings should protect and enhance natural features such as mature vegetation, watercourses and wetlands, and provide adequate, usable, safe and high quality common open space.*
6. *The design of new single family attached dwellings should minimize the impacts of service areas (parking, loading and garbage service) on public streets, residents and existing properties.*
7. *New single family attached dwellings should be thoughtfully and aesthetically designed both in terms of building architecture and site development and landscaping.*
8. *Larger sized single family attached dwelling complexes should provide like amenities to multi-family complexes due to their similarity in bulk, scale and utilization.*

Findings

This is a proposed subsection for Volume 2 as part of and subordinate to the Community Design Goals and Policies Section (10.314). Findings within other portions of this staff report show how this new goal and policies complies with and supports applicable Volume 2 goals and policies. Findings here also show the proposed Volume 3 (Development Code) revisions support the proposed (subsection 10.314.1) goal and policies.

Proposed 10.413.1 lays out a basic goal and several policies (see above) that suggest improvements for single family attached dwelling projects. Several Design Principles are also included that provide more specific guidance for implementation purposes. The areas covered by the Design Principles (see Exhibit "A") are listed as follows. These Design Principles are further defined and implemented by specific review standards proposed in Volume 3 (Development Code)(see Exhibit "B"). The following list identifies all of the proposed Design Principle guidance areas (see Exhibit "A") and the corresponding proposed Development Code implementation standard sections (see Exhibit "B"):

- Relationship to the Street System **(7.0201(M)(1))**
- Common Setback Standards and Private Open Space **(7.0201(M)(3) and (4))**
- Shared Open Space Standards for Complexes **(7.0201(M)(5))**
- Driveway Access **(7.0201(M)(2))**
- Pedestrian Walkways **(7.0201(M)(6))**
- Building Design and Architectural Standards **(7.0201(L))**
- Landscaping **(7.0201(M)(7))**
- Service and Utility Areas **(7.0201(M)(8))**
- Building Heights and Grade **(7.0201(M)(3))**
- Light, View and Privacy **(7.0201(M)(3) and (4))**

As can be seen, the implementation standards directly relate and correspond to respective Design Principles.

Conclusion

The goal, policies and design principles provided in 10.314.1 are implemented by and supportive of the new single family attached dwelling design standards in Exhibit "B".

5. Housing Goal & Policies

10.600 Housing

Goal: Ensure adequate quality housing for existing and future Gresham residents

Policy 1: The City shall protect and enhance the quality and integrity of its residential neighborhoods.

Policy 4: The City shall promote housing development and design innovation and quality through methods such as planned residential development and master planning standards.

Action Measure 8: Reduce compatibility problems between different residential densities by utilizing methods such as buffering and screening, increased setbacks, landscaping and modulating building bulk and scale.

Findings

The proposed plan and code revisions support the Housing section by providing clear and objective architectural design standards for single family attached dwellings which will help to improve the quality of design for these types of units. In addition, specific site design standards will be provided that will ensure consistent landscaping and maintenance, and, adequate building separation. Height transition standards and consistent setbacks will also address building separation and transition of building bulks. Buffering section adjustments are also being provided so that single family detached housing will be afforded buffers and screening when adjacent to proposed single family attached projects.

Conclusion

The Housing goal, policies and action measure referenced all focus on a common theme, housing quality. They are met in that housing quality will be encouraged through the adoption and implementation of clear and objective design standards that address design elements, landscaping, setbacks, building separation, buffering, and height transition. Compliance with these standards will provide a measure of quality that current housing standards don't provide.

The proposal is consistent, therefore, with the applicable Housing goal, policies and action measure.

C. Metro Urban Growth Management Functional Plan (UGMFP)

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 both DLCD and Metro on May 24, 2007, which was at least 45 day prior to the first evidentiary hearing of August 27, 2007. Metro has submitted no comments or request for an analysis.

City staff did not find that any other titles of the Functional Plan were affected by the proposed amendments.

Conclusion

The City has submitted the proposed amendments to Metro at least 45 day prior to the first evidentiary hearing and Metro has made no comments or request on the proposal.

The proposal is consistent with Title 8.

D. Statewide Planning Goals

1. Goal 2 – Land Use Planning

Goal 2: Land Use Planning. To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Findings

Goal 2 requires the actions of jurisdictions and government agencies (in regards to land use) to be consistent with comprehensive plans adopted by cities, counties and regional governments. The goal also describes considerations to be made as part of the development and adoption of comprehensive plans.

Gresham already has a State acknowledged comprehensive plan. The proposal here is a modification of that plan and its implementation policies. Prior findings (above) have been provided to illustrate how the proposed modifications comply with the City's comprehensive plan.

Conclusion

Goal 2 is met by showing conformance of the proposed provisions with the City's acknowledged comprehensive plan.

2. Goal 10 – Housing

To provide for the housing needs of the citizens of the state.

Findings

Goal 10 requires the actions of jurisdictions to provide for the housing needs of citizens of the state. As part of this, buildable lands inventorying (including a determination of what housing is needed) is required. Jurisdictions also need to determine how housing development will be facilitated (including the development and revision of implementation codes). In this case, single family attached dwellings are identified as a needed housing and the proposed code revisions help to provide improved implementation and review through the use of clear and objective standards. These revisions also are consistent with the requirements of ORS 197.303 and 197.307, which require clear and objective standards for administrative reviews of needed housing.

Conclusion

Goal 10 is complied with because single family attached housing is a "needed housing" and the proposed code amendments help to improve the development review process for this housing type through the use of clear and objective administrative standards.

SECTION VIII

CONCLUSION

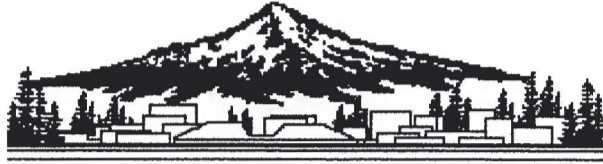
The proposed comprehensive plan amendments attached as Exhibit "A" and "B" are consistent with applicable goals and policies of the Community Development Plan, the applicable development code procedures of the Community Development Plan; and applicable Metro UGMFP code; as indicated by findings contained or referenced in Section VI of this report.

SECTION IX

RECOMMENDATION

Staff recommends the Planning Commission recommend **adoption** of the proposed comprehensive plan policy and code amendments as contained in the attached Exhibits "A" and "B" to the City Council.

End of Staff Report



*Community Development Department
City of Gresham*

CERTIFICATION OF MAILING

FILE NO.: CPA 06-311

PROJECT: City of Gresham – SFA Dwelling Design Stds

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

Metro
Attn: Paul Ketchum
600 NE Grand
Portland OR 97232-2736

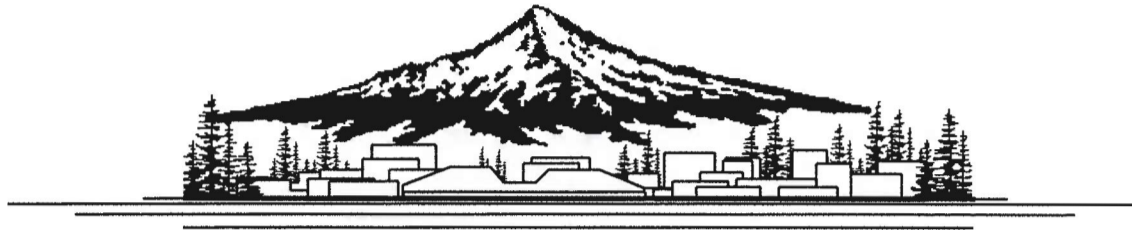
Carol Rulla
5162 SE 28th Drive
Gresham, OR 97080

Sue Ruonala
4619 SE 5th
Gresham, OR 97080

Roger N. Meyer
18162 E. Burnside
Portland, OR 97233

Julie Smith
1187 SE Eagle Lane
Gresham, OR 97080

SIGNATURE: Tammy J. Richardson
DATE OF MAILING: October 19, 2007



CITY OF GRESHAM
Planning Services Office
1333 NW Eastman Parkway
Gresham, Oregon 97030
(503) 618-2779

NOTICE OF FINAL DECISION

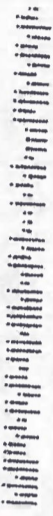
October 19, 2007

On October 16, 2007, the Gresham City Council Approved the application of **City of Gresham (Council Order No. 601 and Ordinance No. 1648)** contained in **City Application No. CPA 06-311** regarding amendments to the Gresham Community Development Plan related to Single Family Attached Dwelling Design Standards.

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

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