



# Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



## NOTICE OF ADOPTED AMENDMENT

07/28/2014

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Gresham Plan Amendment  
DLCD File Number 008-13

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: Monday, August 11, 2014

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

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

\*NOTE: The Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Stacy Humphrey, City of Gresham  
Gordon Howard, DLCD Urban Planning Specialist  
Jennifer Donnelly, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

# Notice of Adoption

In person  electronic  mailed

DATE STAMP

DEPT OF LAND CONSERVATION AND DEVELOPMENT

008-13  
(20113)  
[17946]

JUL 22 2014

For Office Use Only

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Gresham**

Local file number: **CPA 13-232**

Date of Adoption: **7/15/2014**

Date Mailed: **7/21/2014**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 11/27/2013

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

Development Code amendments that streamline the review for industrial land uses by tightening up review times and updating review standards to be more clear and objective.

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

1) Allow strictly commercial developments in the CMU district to have max. building footprint of 20,000 sf (up from 10,000 sf); 2) Allow Civic Uses through Special Use Review in comm. & ind. zoned lands regardless of street classification; 3) Remove the requirement for neighborhood meeting for industries that are part of the Traded Sector Strategy.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

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**DLCD file No.** \_\_\_\_\_

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

Metro

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Local Contact: **Stacy Humphrey**

Phone: **(503) 618-2202** Extension:

Address: **1333 NW Eastman Parkway**

Fax Number: - -

City: **Gresham**

Zip: **97030-**

E-mail Address:

**Stacy.Humphrey@GreshamOregon.gov**

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## **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18**

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615 ).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845 ).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615 ).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

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

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

BEFORE THE CITY COUNCIL OF THE  
CITY OF GRESHAM

IN THE MATTER OF AMENDMENTS TO VOLUME ) Order No. 651  
3 DEVELOPMENT CODE OF THE GRESHAM )  
COMMUNITY DEVELOPMENT PLAN, REGARDING ) CPA 13-232  
THE GRESHAM COMPETITIVENESS PROJECT )

On July 1, 2014, the City Council held a public hearing to take testimony on amendments to Volume 3, Development Code, of the Gresham Community Development Plan as it relates to the Gresham Competitiveness Project.

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

The Council closed the public hearing at the July 1, 2014 meeting, and a final decision was made at the July 15, 2014 meeting.

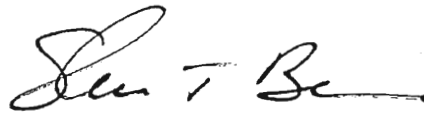
A permanent record of this proceeding is to be kept on file in the Gresham City Hall, along with the original of the Order.

The Council orders that these amendments are approved, and adopts the standards, findings, conclusions and recommendations as stated in the attached Planning Commission Recommendation Order, staff report, and staff recommended changes that were approved by Council at the public hearing on July 1, 2014.

Dated: July 15, 2015



Erik Kvarsten  
City Manager



Shane T. Bemis  
Mayor

BEFORE THE PLANNING COMMISSION OF THE  
CITY OF GRESHAM

TYPE IV RECOMMENDATION ORDER

CPA 13-232

A Type IV Legislative Public Hearing was held on June 9, 2014, to consider proposed amendments to the Volume 3, Development Code, of the Gresham Community Development Plan related to Gresham Competitiveness.

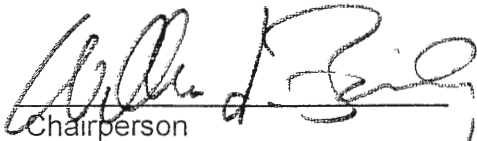
The Planning Commission closed the public hearing and made a final recommendation at the June 9, 2014 meeting.

William Bailey, Chair, 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 Development Code amendments regarding Gresham Competitiveness to the City Council based on the findings, conclusions and recommendations of the Staff Report with the following changes:

No Changes

  
Chairperson

June 9, 2014  
Date

CITY OF  
GRESHAM

MEMORANDUM

URBAN DESIGN & PLANNING

STAFF REPORT  
TYPE IV HEARING — COMPREHENSIVE PLAN AMENDMENT

**GRESHAM COMPETITIVENESS**

To: Gresham Planning Commission

From: Stacy Humphrey, AICP, Senior Planner

Hearing Date: June 9, 2014

Report Date: May 28, 2014

File: CPA 13-232

Proposal: To adopt comprehensive plan amendments to Volume 3 (Development Code) of the Community Development Plan with text amendments relating to the Gresham Competitiveness project that would streamline the review process and update review standards to be more clear and objective for industrial land uses. Additional items examine where Civic Uses are permitted through the Special Use Review, and increase the maximum building footprint for commercial uses in the Corridor Mixed-Use (CMU) district.

Exhibits: 'A' – Draft Amendments to Volume 3, Gresham Community Development Code

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

# EXECUTIVE SUMMARY

## Background

The Gresham Competitiveness project, which is on the 2012 and 2013 Council Work Plans and anticipated to be complete in 2014, seeks to make Gresham the most competitive location possible for industrial development by providing more certainty in the review process, reducing the time for review, and ensuring that review standards are appropriate and relevant. This is achieved by:

- Assessing how industrial developments are reviewed to ensure that all the steps involved add benefit and value to the review and are done in an expeditious fashion while maintaining an opportunity for public notice and comment.
- Assessing the review standards to ensure they are as clear and objective as possible, are relevant for industrial developments, and are reflective of current industrial land use practices.
- Making sure the reuse of existing industrial sites by new uses may be easier than under current Code.

This project was on the 2012 Council Work Plan as the Industrial Competitiveness project and carried forward to the 2013 Work Plan. Initial study of the issues was done in 2012 with a detailed work plan crafted in 2013 as part of the Gresham Competitiveness project. The planning process followed the following steps:

- Developing a work plan and public participation plan.
- Conducting research and analysis to identify issues, opportunities, and preferred approaches.
- Refining a preferred approach.
- Drafting amendments to the Comprehensive Plan for the legislative adoption process.

Public input was sought at each stage of the process. This included community forums, open houses, Development Group meetings, meetings with the Neighborhood Coalition, meetings with industrial stakeholders, and meetings with the Planning Commission and City Council.

## Proposed Comprehensive Plan Amendment Overview

Text changes to the Community Development Plan are proposed. The format of the attached Exhibit 'A' is a ~~strikeout~~/underline version with comments inserted into the document to help explain the rationale for each proposed change. The overview provided below summarizes the changes.

The proposed amendments:

- **Prioritize and streamline the review of industrial land uses that are part of the City's Traded Sector Strategy.** This is achieved by adopting shorter timeframes for scheduling a pre-application conference, determining if an application is complete, and preparing a decision on a design review. Further, these industrial uses will no longer be required to hold a Neighborhood Meeting prior to application submittal. In lieu of that meeting, pre-application materials will be sent to the President and Land Use Chair of potentially affected Neighborhood Associations, and the property will be posted when an application is submitted with a poster indicating the file number, information and who to contact for more information.
- **Clarify development standards for industrial uses.** This is achieved by removing redundant or out-of-date standards, and grouping similar standards together.
- **Clarify design standards for industrial uses.** This is achieved by creating a unique section for design standards applicable for industrial uses. This section tailors the current set of design

standards to ensure design standards are applicable to industrial uses and integrates transit design standards as applicable in the industrial context.

- **Remove the Non-Conforming Development Standards from applying to the reuse of an industrial space through interior tenant improvements.** This amendment makes sure that the reuse of an industrial space by a new industrial user that only needs to submit a building permit (interior tenant improvements) may be done without looking at broader site issues or non-conforming development standards.
- **Update industrial vehicular parking requirements.** Standards are expanded to align with minimum and maximum parking ratios allowed by Metro and state requirements.
- **Update industrial bicycle parking requirements.** Standards are updated to include short term (visitor) and long term (employee) bicycle parking requirements that better align with what industrial companies are seeing in terms of bicycle usage.
- **Increase the maximum building footprint for a commercial use from 10,000 square feet to 20,000 square feet in the Corridor Mixed Use (CMU) district.** This allows for a broader range of commercial uses to locate in this district.
- **Permit the proposal of Civic Uses (fire stations, city halls, police stations, court buildings, libraries, post offices) in Commercial and Industrial areas through the Special Use Review process regardless of street classification.** This proposal broadens where these uses may be proposed. The current standard for residentially designated lands – that these uses can only be proposed if they have frontage on a street with a classification of Minor Arterial or greater – remains unchanged.
- **Clarify that a land use approval runs with the land, not the person.** This modification provides clarity on what happens when property changes hands.

## STAFF REPORT ORGANIZATION

- Sections I and II identify those current Community Development Plan procedures and policies that apply to the proposal.
- Section III identifies the applicable Metro Urban Growth Management Functional Plan (UGMFP) titles that apply to the proposal.
- Section IV identifies applicable Statewide Planning Goals that apply to the proposal.
- Section V contains specific findings of fact that detail how the proposal is consistent with Sections I through III:
  - Subsection A is findings of fact for the Community Development Plan procedures.
  - Subsection B is findings of fact for the Community Development Plan policies.
  - Subsection C is findings of fact for the Urban Growth Management Functional Plan Titles.
  - Subsection D is findings of fact for the Statewide Planning Goals.
- Sections VI and VII summarize staff conclusions and recommendations.
- Exhibit 'A' includes proposed amendments to Volume 3, Development Code, as well as commentary. The commentary provides additional findings for this proposal.



## SECTION I APPLICABLE COMMUNITY DEVELOPMENT CODE PROCEDURES

- Section 11.0201 Initiation of an Application
- Section 11.0203 Classification of Applications by Procedure
- Section 11.0204 Review Authorities
- Section 11.0600 Type IV Procedure – Legislative
- Section 11.1000 Public Hearings

## SECTION II APPLICABLE COMMUNITY DEVELOPMENT PLAN GOALS & POLICIES

- Section 10.014 Land Use Policies and Regulations
- Section 10.100 Citizen Involvement
- Section 10.313 Industrial Land Use
- Section 10.319.1 Transit Corridor Plan Area

## SECTION III APPLICABLE METRO URBAN GROWTH FUNCTIONAL PLAN TITLES

- Title 8 Compliance Procedures

## SECTION IV STATEWIDE PLANNING GOALS

- Goal 1 Citizen Involvement
- Goal 2 Land Use Planning

## SECTION V FINDINGS OF FACT

The proposed Community Development Plan amendments attached as Exhibit 'A' are consistent with all applicable procedures, goals and policies of the Community Development Plan and applicable titles of the Metro Urban Growth Management Functional Plan as indicated in the following findings.

### A. Community Development Code Procedures

#### 1. *Section 11.0201 – Initiation of an Application*

This section provides that only the City Council may initiate a Type IV legislative application to amend the Map or Code of the Gresham Community Development Plan. This project was initiated by the City Council when it adopted the 2013 Council Work Plan on March 5, 2013, which included the Gresham Competitiveness project.

#### 2. *Sections 11.0203 and 11.0204 – Classification of Applications and Review Authorities*

These sections provide that Type IV procedures are legislative and typically involve the adoption, implementation or amendment of policy by ordinance and that they generally apply to a relatively

large geographic area containing many property owners. They also provide that the Planning Commission provide a recommendation on the amendments and the City Council be the decision-making authority regarding the amendments. This project meets those conditions, is being processed under the Type IV procedures and will be heard by the City Council.

### **3. Section 11.0600 – Type IV Legislative Procedures**

For a Type IV Comprehensive Plan Amendment, this section requires a submittal to the Department of Land Conservation and Development (DLCD) at least 45 days prior to the Planning Commission hearing. This references a former DLCDC requirement. The Department of Land Conservation and Development, in Section 660-018-0020(1), currently requires that a local government submit changes at least 35 days prior to an evidentiary hearing. The notice was sent November 26, 2013, which meets the 35-day requirement. This section also 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. Notice of public hearing for these proposed text amendments has been published in the Gresham Outlook as required by this section.

This section also requires that the Planning Commission hold a public hearing and make a recommendation to the Council for an amendment to the Community Development Code and the Community Development Plan. 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 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 hearing record. A decision will be sent to those who participated in the hearings. A decision shall be made accompanied by findings and an order.

### **4. Section 11.1000 - Public Hearings**

This section provides for a hearing process consistent with Section 11.1000. Both the Planning Commission and the City Council, at public hearings in conformance with provisions of this section, will consider this proposal.

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

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.

### Section 10.014 - Land Use Planning

*Section 1: 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 9: The City shall require new development to address the need for compatibility between itself and adjacent land uses to minimize conflicts between differing uses and building types.*

*Policy 10: The City shall require all development to conform to site design/development standards including those necessary to accomplish the objectives of specific sub-area plans.*

*Policy 20: The City shall periodically review and update the Comprehensive Plan text and the Community Development Plan Map(s) to ensure they remain current and responsive to community needs; provide reliable information and dependable, factually based policy direction, and conform to applicable state law, administrative rules and regional requirements.*

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

*Policy 25: Gresham shall adopt measures to ensure the geographic dispersal of special use housing, community services, and multi-family housing to avoid the concentration of these uses and their impacts in specific locales.*

## Findings

These general Goals and Policies establish the City's intent to use its Comprehensive Plan (Gresham Community Development Plan) as the basis for appropriate planning processes and resulting land use plans.

The proposed amendments are part of the Gresham Competitiveness project, which was initiated by the Council by its inclusion in the 2013 Council Work Plan. The 2013 Council Work Plan was adopted on March 5, 2013. The project began as part of the 2012 Council Work Plan and called Industrial Competitiveness.

Gresham's Comprehensive Plan has been found in compliance with state and regional requirements, and the proposed amendments are also in compliance with Gresham's code and state and regional requirements, as described in Sections I, II, III, IV and V of this staff report.

The proposed amendments were sent to the state Department of Land Conservation and Development (DLCD) and Metro for review. The City received no comments from either DLCD or Metro.

The proposed amendments provide clear development and design standards for industrial uses. These standards include provisions that address compatibility between industrial uses and adjacent uses such as buffering requirements. They also provide a modified timeline for the review of industrial land use proposals that are part of the City's Traded Sector Strategy. The modified timeline balances time for review with the opportunity for public comment.

The proposed amendments were created during a planning process that involved residents, property owners, industrial representatives, elected and appointed officials and other interested parties.

One of the modifications provides a broader geography where Civic Uses (formerly a type of community service use) may locate. This use is proposed to be allowed through a Special Use Review in Commercial and Industrial areas on any street classification; the use will continue to be permitted by a Special Use Review in Residentially designated land on a street with a classification of Minor Arterial or greater. This modification continues to provide for the geographic dispersal of Civic Uses throughout the city and allows them to be proposed throughout commercial and industrial areas. This modification opens up areas such as Downtown Gresham and Rockwood Town Center to Civic Uses, regardless of street classification.

## Conclusions

Goal 10.014 is addressed by these proposed amendments that clarify and revise regulations so the Development Code is up to date and consistent with the Comprehensive Plan.

Policy 1, 2, and 21: The proposed amendments are part of the Gresham Competitiveness project, which was requested by the Gresham City Council to make Gresham more competitive for industrial development. The City Council initiated the project by adopting it in its 2013 Work Plan. Gresham's Comprehensive Plan has been found in compliance with state and regional requirements, and the

proposed amendments also are in compliance with Gresham's code and state and regional requirements, as described in Sections I, II, III, IV and V of this staff report. The proposed amendments were created during a planning process that involved residents, property owners, industrial representatives, elected and appointed officials and other interested parties.

Policy 9 and 10: The proposed amendments include clear development and design standards for industrial uses. Amendments make standards clearer, remove redundant or out-of-date standards, and ensure standards are applicable within the industrial context. The proposed amendments provide a modified timeline for review of industrial uses that are part of the City's Traded Sector Strategy, balancing duration of review with the opportunity for public comment.

Policy 20: The Gresham Competitiveness project responds to current expectations for the review of industrial land use proposals by reducing the timeline for review while maintaining the opportunity for public comment. Additionally, the proposal updates development and design standards for industrial uses to ensure they remain current. The City's outreach included community forums, stakeholder group meetings, interviews and meetings with the Planning Commission.

Policy 25: The proposed amendments broaden the geography in which Civic Uses may be proposed through a Special Use Review to include all industrial and commercial areas, regardless of street classification.

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

### 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 4: The city shall provide opportunities for meaningful citizen involvement on site development proposals.*

*Policy 5: The City shall keep citizens informed of issues confronting the City.*

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

*Policy 8: The City shall ensure that citizen concerns are considered in land use decisions and shall provide feedback to the public regarding how these concerns have impacted decisions.*

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

*Policy 11: The City shall ensure that the public has complete and timely access to all public information concerning land use projects and issues. This includes private development proposals once they are in the formal application process.*

### Findings

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

The issues that led to the proposed code amendments were identified in consultation with staff, the Planning Commission, potential developers, industrial representatives and City residents.

City staff members conducted public outreach, including the following meetings:

<b>Venue</b>	<b>Public forum or open house</b>	<b>Planning Commission</b>	<b>City Council</b>
<b>Dates</b>	June 19, 2013	April 9, 2012	Mar. 13, 2012
	Sept. 5, 2013	July 8, 2013	July 17, 2012
	Dec. 2, 2013	Sept. 23, 2013	Oct. 8, 2013
	April 16, 2014	May 12, 2014	

These meetings occurred throughout the project duration.

In addition, email updates were sent to people on an interested parties list. The emails referenced the latest documents available, which were posted on the City's website and made available at City Hall. Presentations of the project were made to the Development Group and the Neighborhood Coalition.

The proposed amendments include a revised timeline for the review of industrial uses that are part of the City's Traded Sector Strategy. This approach balances duration of review with the opportunity for public comment. While the requirement for a Neighborhood Meeting prior to application submittal is removed, early notice of a pending submittal will be required to be shared with potentially affected Neighborhood Associations. Notice of application submittal will also be shared with potentially affected Neighborhood Associations and with the general public through posting a sign on the subject site. The public comment period as part of the application review remains. This approach ensures public notice and opportunity to comment.

#### Conclusion

The Citizen Involvement Goal (10.100) and its policies are met by the combination of workshops, e-mails, and meetings as well as providing information on the proposal on the City website. Policy 4 and 11 are met by providing procedures with public notice and input provisions.

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

#### Section 10.313 Industrial Land Use

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

*Policy 1: The City shall acquire a share of the region's jobs at least proportionate to its population growth. The City shall focus on economic sectors and targeted industries that hold the most promise for the creation of a diverse economic base, family wage job growth and career opportunities.*

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

#### Findings

The amendments focus on streamlining the review process for industrial uses that are part of the City's Traded Sector Strategy. This strategy focuses the work of the City's Economic Development Department with a vision of the city as an economic engine and key partner in regional growth. It focuses on three goals – manufacturing, clean technologies, and professional services. Industrial sector jobs generally have greater pay than retail sector jobs, prompt the creation of other jobs to help support industrial

workers, and diversify the city's economic base. The modified timelines and clearer development and design standards help to make locating a business in Gresham easier.

### Conclusion

The Industrial Land Use goal (10.313) and its policies are met by streamlining the review process for industrial uses that are part of the City's Traded Sector Strategy, thus making the city more attractive for new and expanding industrial users. This also provides the opportunity to diversify the city's economic base and provide for a diversity of jobs in the industrial sector and in support services.

The proposal is consistent with the applicable Industrial Land Use goals and policies listed in this section.

### Section 10.319.1 Transit Corridor Plan Area

*Policy 1: The City will permit and encourage land use types and intensities of use which support creation of transit supportive development along the city's transit streets, accommodate forecast growth and are otherwise consistent with the Urban Growth Management Functional Plan and the 2040 Growth Concept Map.*

*Policy 2: The City will seek to create a mix of complementary land uses within easy walking distance of mixed use districts and neighborhoods along the city's transit streets.*

### Findings

The amendments increase the maximum building footprint for a commercial use in the Corridor Mixed Use (CMU) district from 10,000 square feet to 20,000 square feet. This allows a slightly broader variety of uses to locate in this district, including stores like pharmacies, book stores, and small hardware stores. With the existing Commercial Design Standards, these uses will be developed in a manner that is compatible with surrounding neighborhoods regardless of size and in a manner that supports pedestrian activity and transition streets. The CMU district is often located between a transit corridor and a lower density residential neighborhood.

### Conclusion

The Transit Corridor Plan Area policies continue to be met with the modification to maximum building footprint because the land use types and design standards that apply to them continue to support transit supportive development. The Corridor Mixed Use district is located near existing neighborhoods, and provides for a mix of complementary land uses within walking distance.

The proposal is consistent with the applicable Transit Corridor Plan Area policies listed in this section.

## **C. Metro Urban Growth Management Functional Plan**

### **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 submit the proposed amendments to Metro. Metro may review the amendments and can request that the City provide an analysis of compliance with the Functional Plan.

The City submitted the proposed amendments to Metro at the same time as the notice was submitted to the state Department of Land Conservation and Development. Metro has not contacted the city regarding the proposed amendments or requested an analysis.

## Conclusion

The City submitted the proposed amendments to the state and Metro. Because Metro has not requested an analysis of compliance, it is assumed the proposed amendments are consistent with the Functional Plan.

## **D. Statewide Planning Goals**

### Findings

Statewide Planning Goal 1 requires that cities “provide the opportunity for citizens to be involved in all phases of the planning process.”

Statewide Planning Goal 2 requires cities 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. This shall result in land use plans and implementation measures that are consistent with the land use plans.”

A thorough public input process was conducted in the creation of the proposed amendments, as noted in Section V.B.2 of this report.

The City has a state-acknowledged Comprehensive Plan. Section V of this report describes findings and conclusions that the proposed Comprehensive Plan Amendments are consistent with applicable procedures and applicable goals and policies of the City’s Comprehensive Plan.

### Conclusion

The proposed amendments comply with Statewide Planning Goals 1 and 2.

## **SECTION VI CONCLUSION**

The proposed Comprehensive Plan amendments attached as Exhibit ‘A’ are consistent with applicable Goals and Policies of the Community Development Plan, the applicable Development Code procedures of the Community Development Plan; applicable Metro Urban Growth Management Functional Plan Code; and Statewide Planning Goals as indicated by findings contained or referenced in Section V of this report.

## **SECTION VII RECOMMENDATION**

Staff recommends **adoption** of the proposed comprehensive plan amendments to the City Council as contained in the attached Exhibit ‘A’.

*End of Staff Report*

# ATTACHMENT C: STAFF RECOMMENDED CHANGES

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Meeting Date: July 1, 2014

Application No. CPA 13-232

## I. CODE CHANGES

### A. NET DENSITY

Proposed section 7.0203(A) proposes that no less than 15 percent of the net site area shall be landscaped. During the Planning Commission hearing, the Commission asked how net site area is calculated, and to confirm that this is clear. The Commission offered a suggestion that staff review and offer a clarification for the City Council hearing.

**Staff recommends** the changes shown below to provide clarification on how net site area is calculated for purposes on industrial landscaping. This modification clarifies that land dedicated to public right-of-way (street, bike lanes, public sidewalks) and land in easements for public access (i.e. a regional trail such as the Gresham Fairview Trail) are not part of net site area.

All language below is proposed new Code language. The modifications associated with this modification are shown as double underline.

#### **7.0203 Industrial Developments**

The following design review criteria and standards shall apply to Industrial developments, unless stated elsewhere in the Development Code. Industrial developments in the Downtown Plan District are exempt.

- A. No less than 15 percent of the net site area shall be landscaping, as defined in **Section 3.0100**. For purposes of this subsection, net site area is the gross site area minus area dedicated to public right-of-way and area in an easement used for public multi-use paths, public trails, or other similar public sidewalk. Decorative walkways, when integrated within the landscaped area, may not contribute more than 5 percent of the overall required landscaping area. Landscaping, except for buffer and screening landscaping, shall allow for visibility between 3 and 6 feet to allow for natural surveillance. Up to 75 percent of the required landscaping may include preserved natural areas and vegetated stormwater detention/retention facilities.



Proposed new language is double-underlined;  
Proposed deleted language is ~~stricken~~.

CB 07-14

**ORDINANCE NO.**

**AMENDMENTS TO VOLUME 3 DEVELOPMENT CODE OF THE GRESHAM COMMUNITY  
DEVELOPMENT PLAN, REGARDING THE GRESHAM COMPETITIVENESS PROJECT**

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

**Section 1. Volume 3 Development Code, Section 2.0000 is amended as follows:**

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**2.0004 Scope and Compliance**

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

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**Section 2. Volume 3 Development Code, Section 3.0200 is included for ease of reference only and is not proposed for amendment:**

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**3.0250 INDUSTRIAL CLASSIFICATIONS**

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**3.0251 Construction**

- A. Characteristics. Construction is characterized by businesses whose primary activity is performing specific building or other construction-related work. These uses may have outdoor storage of their professional equipment.
- B. Example Uses. Residential and non-residential building construction company or contractor, utility/civil engineering construction; architectural services; surveying services; specialty trade contractors, and moving companies.
- C. Accessory Uses. On-site material storage and incidental retail.
- D. Exceptions.

### **3.0252 Exclusive Heavy Industrial**

- A. Characteristics. Exclusive Heavy Industrial uses typically work with aggregate, stone, concrete or asphalt. These operations extract mineral resources from the ground for off-site use. These industries typically have commonly recognized offensive conditions and adverse impacts.
- B. Example Uses. Rock crushing, aggregate storage and distribution, and concrete and/or asphalt batch plants.
- C. Accessory Uses. Sorting, storage, and transfer facilities.
- D. Exceptions.

### **3.0253 Industrial Office**

- A. Characteristics. Industrial Offices typically service other industrial uses and do not generate a significant number of daily public customer visits. The use is typically in an office-type building that is accessory to an industrial use.
- B. Example Uses. Laboratories and testing facilities; industry-related health services; industrial support services such as document preparation; corporate offices; company business offices; and call centers. Uses may include establishments which administer, oversee, and manage companies, and those which manage financial assets and securities.
- C. Accessory Uses. Equipment storage and amenities for employees of the building such as a small health club facility and cafeteria.
- D. Exceptions.

### **3.0254 Information Services**

- A. Characteristics. Information Services are establishments engaged in the producing and distributing of information and cultural products. They may provide a means to process, transmit or distribute these products as well as data or communications. Information Services primarily service other industrial uses and generate few general public customer visits per day.
- B. Example Uses. Book, periodical, and software publishing industries; computer system design; internet web search services; internet service providers; video and motion picture industries; computer data storage services; optical scanning and imaging services; process of financial transactions such as credit card transactions and payroll processing services.
- C. Accessory Uses. Amenities for employees of the building such as a small health club facility and cafeteria.
- D. Exceptions.

### **3.0255 Manufacturing**

- A. Characteristics. Manufacturing businesses are engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products including the assembly of components parts. Products are generally not displayed or sold on site, but if so, they are a subordinate part of the operation. Relatively few customers come to the manufacturing site.
- B. Example Uses. Renewable energy development; biosciences; food and beverage processing; software and electronics production; fabrication of products made from metal, manufactured glass, rubber, plastic or resin; conversion of paper and cardboard products; and microchip fabrication.

- C. Accessory Uses. Offices, warehouses, storage yards, rail spur lines, docks, repair facilities, fleet parking, and amenities for employees of the building such as a small health club facility and cafeteria.
- D. Exceptions.
  1. Manufacture and production of goods from composting organic material is classified as Waste Management.
  2. Manufacturing of goods to be sold primarily on-site and to the general public are classified as Business and Retail Service and Trade.

### **3.0256 Miscellaneous Industrial**

- A. Characteristics. This use includes firms involved in large scale repair and servicing of industrial, business or consumer electronic equipment, machinery or related equipment, products, or by-products. Few customers, particularly not general public daily customers, come to the site.
- B. Example Uses. Welding shops; machine shops; tool, electric motor, industrial instruments repair; sales, repair, storage, salvage or wrecking of heavy machinery, metal and building materials; towing and vehicle storage; auto and truck salvage and wrecking; heavy truck servicing and repair; tire retreading or recapping; exterminators including chemical mixing or storage and fleet storage and maintenance; janitorial and building maintenance services that include storage of materials and fleet storage and maintenance; fuel oil distributors; solid fuel yards; and large scale laundry, dry-cleaning and carpet cleaning plants.
- C. Accessory Uses. Offices, warehouses, fleet parking, storage yards, and amenities for employees of the building such as a small health club facility and cafeteria.
- D. Exceptions.

### **3.0257 Trade Schools**

- A. Characteristics. This use is an establishment whose primary purpose is to provide training to meet industrial needs and often leads to job-specific certification. These schools typically operate on a for-profit basis and the schools' programming is focused on a particular industrial profession rather than providing a complete educational curriculum.
- B. Example Uses. Electronic equipment repair training; truck driving school; welding; operation and repair of industrial machinery; and other industrial skills training.
- C. Accessory Uses. Offices, food service, laboratories, meeting areas, maintenance facilities, and incidental retail trade (i.e. bookstore).
- D. Exceptions.
  1. Universities and colleges are considered Schools.
  2. Schools for martial arts or dancing are considered Business and Retail Service and Trade.
  3. Trade schools for non-industrial professions such as a beauty school are considered Business and Retail Service and Trade.

### **3.0258 Transportation/Distribution**

- A. Characteristics. These uses provide for transportation of cargo using motor vehicles or rail spurs. Goods are generally distributed to other firms or the final customer and are often associated with warehousing and storage facilities.
- B. Example Uses. Parcel services and distribution centers.

- C. Accessory Uses. Loading docks, temporary outdoor storage, fleet parking, will call window, offices, and maintenance areas.
- D. Exceptions.
  1. Uses that involve the transfer or storage of solid or liquid wastes are classified as Waste Management.

**3.0259 Warehousing/Storage**

- A. Characteristics. These industries are primarily engaged in operating warehousing and storage facilities for general merchandise, refrigerated goods, and other products and materials that have been manufactured and are generally being stored in anticipation for delivery to a final customer. This use may provide a range of logistical services including labeling, packaging, price marking, ticketing, and transportation arrangement.
- B. Example Uses. Cold storage facilities, retail store warehouses.
- C. Accessory Uses. Offices and maintenance areas, recycling drop box.
- D. Exceptions.
  1. Mini-Storage Facilities.

**3.0260 Waste Management**

- A. Characteristics. This includes businesses that provide garbage and recycling hauling, sorting, and transferring. These uses receive solid or liquid waste from others for disposal on the site or for transfer to another location.
- B. Example Uses. Recycling facilities, drop box transfer stations, recycling collection sites, recyclable and recyclables recovery facilities.  
Example uses subject to a Special Use Review include solid waste transfer station, composting facilities, and landfills.
- C. Accessory Uses. Fleet parking and maintenance, energy generation through recovery, offices, and materials recycling.
- D. Exceptions.

**3.0261 Wholesale Trade**

- A. Characteristics. This use comprises establishments engaged in selling, renting, and/or distributing merchandise to: retailers; industrial, commercial, or professional business users; or other wholesalers generally without transformation and rendering services incidental to the sale of the merchandise. Wholesale Trade normally operates from a warehouse or office and is not intended for general public walk-in traffic.
- B. Example Uses. Wholesale or rental of machinery, equipment, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures.
- C. Accessory Uses. Offices, product repair, warehouses, minor fabrication services, and repackaging of goods.
- D. Exceptions.
  1. Businesses that sell or rent primarily to the general public are Business and Retail Service and Trade.
  2. Businesses that are primarily storing goods with little on-site business activity are considered Warehousing/Storage.

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**Section 3. Volume 3 Development Code, Section 4.0300 is amended as follows:**

## **General Provisions**

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### **4.0301 Purpose**

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

## **Characteristics**

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### **4.0310 Heavy Industrial (HI)**

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

### **4.0311 General Industrial (GI)**

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

## **Permitted Uses**

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### **4.0320 Permitted Uses**

Table 4.0320 lists those uses that are permitted in each Industrial District.

- P = Permitted use
- L = Use is permitted, but is limited in the extent to which it may be permitted
- NP = Use not permitted
- SUR = Use permitted subject to a Special Use Review

Each of these uses must comply with the land use district standards of this section and all other applicable requirements of the Community Development Code.

**Table 4.0320: Permitted Uses in the Industrial Land Use Districts**

USES	HI	GI
<b>RESIDENTIAL</b>		
Single-Family Detached Dwelling	NP	NP
Duplex	NP	NP
Single-Family Attached Dwellings	NP	NP

Attached Dwellings on a Single Lot	NP	NP
Elderly Housing	NP	NP
Manufactured Dwelling Park	NP	NP
Residential Facility	NP	NP
Residential Home	NP	NP
<b>COMMERCIAL</b>		
Auto-Dependent Use	NP	NP
Business and Retail Service and Trade	L <sup>1</sup>	L <sup>1</sup>
Clinics	L <sup>1</sup>	L <sup>1</sup>
Commercial Parking	NP	NP
Daycare Facilities	SUR	SUR
Live-Work	NP	NP
Major Event Entertainment	SUR	SUR
Mini-Storage Facilities	NP	NP
Outdoor Commercial	NP	NP
<b>INDUSTRIAL</b>		
Construction	P	P
Exclusive Heavy Industrial Uses	P	NP
Industrial Office	L <sup>2</sup>	P
Information Services	NP	P
Manufacturing	P	P
Miscellaneous Industrial	P	L <sup>3</sup>
Trade Schools	NP	P
Transportation/Distribution	P	P
Warehousing/Storage	P	P
Waste Management	P/SUR <sup>4</sup>	P/SUR <sup>4</sup>
Wholesale Trade	NP	P
<b>INSTITUTIONAL USES</b>		
Civic Uses	SUR	SUR
Community Services	L/SUR <sup>5</sup>	L/SUR <sup>5</sup>
Medical	NP	NP
Parks, Open Spaces and Trails	L/SUR <sup>6</sup>	L/SUR <sup>6</sup>
Religious Institutions	L/SUR <sup>7</sup>	L/SUR <sup>7</sup>
Schools	L/SUR <sup>7</sup>	L/SUR <sup>7</sup>
<b>RENEABLE ENERGY<sup>8</sup></b>		
Solar Energy Systems	P <sup>9</sup>	P <sup>9</sup>
Wind Energy Systems	L/SUR <sup>10</sup>	L/SUR <sup>10</sup>
Biomass Energy Systems	L/SUR <sup>11</sup>	L/SUR <sup>11</sup>
Geothermal Energy Systems	P <sup>12</sup>	P <sup>12</sup>
Hydro-Micro Energy Systems	L <sup>13</sup>	L <sup>13</sup>
<b>OTHER</b>		
Basic Utilities		
Minor basic utilities	P	P

Major basic utilities	SUR	SUR
Heliports	SUR	SUR
Wireless Communication Facilities	SUR	SUR
Temporary, Intermittent & Interim Uses	P	P

Notes:

<sup>1</sup> This includes the sale of goods and materials and of professional services to the general public. Examples include restaurants, stores, mini-marts, factory outlet stores and office supplies. Examples of professional services that cater to daily general public customers include bank branches, financial, insurance, real estate, legal, medical and dental offices.

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

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

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

<sup>2</sup> Only administrative offices which are related to the operation of the industrial use of the property are permitted in the HI. Up to 20% of the total floor area may consist of these administrative offices. Multiple tenant office buildings are prohibited.

<sup>3</sup> Auto and truck salvaging and wrecking are not permitted in GI. All other miscellaneous industrial uses located adjacent to properties that are residentially designated land shall be located at least 100 feet from the residential property.

<sup>4</sup> Waste Management uses are permitted uses, except for solid waste transfer station, composting facilities, and landfills, which are subject to a Special Use Review. When located in the GI, waste management uses adjacent to residentially designated land shall be located at least 100 feet from the residential property.

<sup>5</sup> The following Community Service Uses are not permitted in the HI and GI districts: adult or senior centers, drug and alcohol treatment facilities, cemeteries, and mausoleums.

<sup>6</sup> The following Parks, Open Spaces, and Trails are not permitted in the HI and GI districts: public urban plazas, public neighborhood parks, public community parks, and golf courses. However, public urban plazas, public neighborhood parks, and public community parks are permitted in the HI and GI districts when an applicant demonstrates that title for the parcel(s) where the facility is to be developed was held by the governing body for the applicant as of April 2, 2009.

<sup>7</sup> Religious institutions, elementary schools, middle schools and high schools are permitted in the HI and GI districts when an applicant demonstrates that title for the parcel(s) where the facility is to be developed was held by the governing body for the applicant as of April 2, 2009.

<sup>8</sup> See **Section 10.900** for additional standards that apply.

<sup>9</sup> For limitations, see **Section 4.0332** Solar Energy System Standards for Industrial Districts.

<sup>10</sup> For limitations, see **Section 4.0333** Wind Energy System Standards for Industrial Districts.

<sup>11</sup> For limitations, see **Section 4.0334** Biomass Energy System Standards for Industrial Districts.

<sup>12</sup> For limitations, see **Section 4.0335** Geothermal Energy System Standards for Industrial Districts.

<sup>13</sup> For limitations, see **Section 4.0336** Micro-Hydro Energy System Standards for Industrial Districts.

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## Development Standards

### 4.0330 Development Standards Table

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

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

	HI	GI
A. Minimum Lot Size	None: See <b>Section 4.0331(A)</b>	None: See <b>Section 4.0331(A)</b>
B. Minimum Average Floor Area Ratio (FAR)	None	None
C. Minimum Building Setbacks	20 feet front & street side; 0 feet for interior side and rear	20 feet front & street side; 0 feet for interior side and rear
D. Minimum Building Height	None	None
E. Maximum Building Height	None; see <b>Section 4.0331(B)</b>	None; see <b>Section 4.0331(B)</b>
<u>F. Height Transition Standards</u>	<u>See Section 9.0600</u>	<u>See Section 9.0600</u>
<u>GF. Minimum Off-Street Parking Required</u>	<u>See As provided in Section 9.0851</u>	<u>See As provided in Section 9.0851</u>
<u>HG. Maximum Off-Street Parking</u>	<u>See As provided in Section 9.0851</u>	<u>See As provided in Section 9.0851</u>
<u>IH. Pedestrian Circulation and Standards Apply</u>	<u>See Section 7.0203 9.0824</u>	<u>See Section 7.0203 9.0824</u>
<u>JJ. Screening &amp; Buffering Required</u>	<u>See Section 9.0100</u>	<u>See Section 9.0100</u>
<u>KJ. Landscaping (Section 7.0202)</u>	Yes; See <b>Section 4.0331 (C)</b> <u>See Section 7.0203</u>	Yes; See <b>Section 4.0331 (C)</b> <u>See Section 7.0203</u>
<u>LK. Outdoor Uses and Outdoor Storage Uses</u>	Yes; 100% of the site area may include outdoor uses and outdoor storage associated with industrial uses Screening required, see <b>Sections 4.0331(BD) and 9.0100</b>	Yes; no more than 50% of the site area may include outdoor uses and storage associated with industrial uses Screening required, see <b>Sections 4.0331(BD) and 9.0100</b>



<u>ML</u> . Parking, Loading and Unloading Area Standards	See Section 4.0331( <u>CE</u> ) and 9.0800	See Section 4.0331( <u>CE</u> ) and 9.0800
<u>NM</u> . External Effects	See Section 4.0331( <u>DF</u> )	See Section 4.0331( <u>DF</u> )
<u>ON</u> . Mechanical Equipment Screening	Yes; <del>s</del> See Section 4.0331( <u>EG</u> )	Yes; <del>s</del> See Section 4.0331( <u>EG</u> )
<u>PO</u> . Exterior Building Treatment	See Section 4.0331( <u>FH</u> )	See Section 4.0331( <u>FH</u> )
<u>QP</u> . Wellhead Well Field Protection	See Section 4.0331( <u>GI</u> )	See Section 4.0331( <u>GI</u> )
<u>RQ</u> . Public Facility Site and Supplementary Requirements	See Section 4.0331( <u>HJ</u> )	See Section 4.0331( <u>HJ</u> )
<u>SR</u> . Stormwater Management	Yes; See Section 4.0341	Yes; <del>s</del> See Section 4.0341

#### 4.0331 Additional Industrial Land Use District Standards

- A.** Lot Area. Division of lots or parcels are permitted as follows:
1. Lots or parcels 50 acres or smaller may be divided into any number of smaller lots or parcels.
  2. Undeveloped lots, parcels, or tracts larger than 50 acres in size may be divided into smaller lots, parcels, or tracts so long as the resulting land division yields at least one lot, parcel, or tract of at least 50 acres in size. If a land division results in more than one lot, parcel, or tract of 50 acres or greater in size, only one of those 50+ acre lots, parcels, or tracts, if further divided, must yield a lot, parcel, or tract of at least 50 acres in size.
  3. Development lots or parcels 50 acres or larger in size may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city so long as at least 40 percent of the net area or the lot or parcel has already been developed with industrial uses or uses accessory to industrial uses, and no portion of the lot is developed, or proposed to be developed, with uses considered Business and Retail Service and Trade.
  4. Notwithstanding parts (2) and (3) of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to right-of-ways for the following purposes:
    - a. To provide public facilities and services;
    - b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;
    - c. To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or
    - d. To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.
- ~~**B.** Maximum Building Height in all Industrial Land Use Districts  
There is no maximum building height except when abutting a residential district the height transition standards of Section 9.0600 shall apply.~~

~~C.~~ Landscaping

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

**BD.** Outdoor Uses to be Screened

1. All outdoor storage uses shall be screened from adjacent properties by a six foot high sight-obscuring fence or wall.
2. All screened or walled outdoor use and storage areas which abut a public street shall be set back a minimum of 25 feet from the property line(s). Within that setback area trees and evergreen shrubs shall be planted. The plants shall be of such a variety and arranged so as to allow only minimum gaps between foliage of mature trees and plants within four years of planting.
3. Alternate plan: an applicant may propose a reduction in the minimum setback required in (2) above to a minimum of at least 20 feet by providing a detailed plan with specifications for landscaping and screening, including plantings, fences, walls, walks, berms and other features designed to afford the degree of the desired screening. The manager may approve an alternative plan if proposed buffering and screening makes up for the lack of horizontal distance and the result minimizes any impact that the storage has to the public street.

**CE.** Parking, Loading and Unloading Areas ~~in Industrial Land Use Districts~~

1. Parking, loading and unloading areas shall not be located within the required setback.
2. No loading or unloading facilities shall be located adjacent to lands designated for residential uses or parks if there is an alternative location of adequate size adjacent to commercial, industrial or other institutional uses.
- ~~3. Standards for parking are located in Section 9.0800.~~

**DF.** External Effects

1. In the GI district, the emission of air pollutants or odorous gasses and changes in temperature detectable by the human senses without the aid of instruments at any point beyond the property line is prohibited.
2. In both the HI and GI districts, electrical disturbances which interfere with the normal operation of equipment or instruments on adjacent properties are prohibited.
3. In the GI district, except for exterior lighting, operations producing heat or glare shall be conducted entirely within an enclosed building.
4. In the GI district, loud, unnecessary, or unusual noise which endangers health, peace or safety is prohibited.
5. Prior to the City taking any action on a Type I, Type II or Type III land use application or on issuance of certificate of occupancy information sufficient to determine the degree of compliance shall be furnished by the applicant. Such request may include continuous records of operations, for periodic checks to ensure maintenance of standards, or for special surveys.

**EG.** Mechanical Equipment in the GI and HI Land Use Districts  
Roof mounted mechanical equipment such as ventilators and ducts for buildings located adjacent to residential districts, arterial streets or transit streets shall be contained within a completely enclosed structure that may include louvers, latticework, etc. Screening shall obscure mechanical equipment at elevation.

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

**GI.** ~~Wellhead~~ Well Field Protection  
Industrial and commercial development may be subject to the provisions of Gresham Revised Code Article ~~3.65~~ 5.75 Well Field Protection ~~Wellhead Protection.~~

**HJ.** Public Facility Site and Supplementary Requirements ~~for all Industrial Land Use Districts~~  
All developments shall also be subject to the applicable requirements of **Sections 4.0320 and 4.0341; Article 9** – Common Requirements and **Appendix 5.000** - Public Facilities.

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#### **4.0332 Solar Energy Standards for Industrial Districts**

Solar energy systems are limited in all industrial districts as follows:

- A. Scale. Small, medium and large scale solar energy systems are permitted.
- B. Type. Roof-top, flat-roof, integrated and ground-mounted solar energy systems are permitted.
- C. Height. The following limitations on maximum height apply to all solar energy systems:
  - 1. Roof-top, Flat-roof and Integrated. The solar energy systems on frames shall not exceed 10 feet above the roof height on which the system is installed.
  - 2. Ground-mounted. Ground-mounted solar energy systems shall not exceed 20 feet in height.
- D. Setbacks and Yards. Solar energy systems are not allowed in the required front or street-side setbacks.

#### **4.0333 Wind Energy Standards for Industrial Districts**

Wind energy systems are limited in all industrial districts as follows:

- A. Scale. Small, medium and large scale wind energy systems are permitted. Large scale systems require a Special Use Review when the system is:
  - 1. Located on a building or on a site that is a historic, cultural or archeological resource; or
  - 2. Located adjacent to residentially designated lands.
- B. Type. Roof-top and ground-mounted wind energy systems are permitted.
- C. Height. The following limitations on maximum height apply to all wind energy systems:
  - 1. Roof-top. Wind energy system height shall not exceed a value equal to 45 feet above the roof top.
  - 2. Ground-mounted. Ground-mounted wind energy systems shall not exceed 110 feet in height.
- D. Setbacks and Yards. Wind energy systems are not allowed in the required front, street-side, side or rear setbacks.

#### **4.0334 Biomass Energy Standards for Industrial Districts**

Biomass energy systems are limited in all industrial districts as follows:

- A. Scale. Small scale biomass energy systems are permitted. Large scale systems are permitted with a Special Use Review.
- B. Type. Non-hazardous biomass systems are permitted.
- C. Height. Biomass energy systems shall not exceed the maximum district height limits.
- D. Setbacks and Yards. Biomass energy systems are not allowed in the required front, street-side, side or rear setbacks.

#### **4.0335 Geothermal Energy Standards for Industrial Districts**

Geothermal energy systems are limited in all ~~industrial commercial~~ districts as follows:

- A. Scale. Small or large scale geothermal energy systems are permitted.
- B. Type. Closed-loop geothermal energy systems that are not in any well field protection areas are permitted.
- C. Height. Geothermal energy systems shall not exceed the maximum district height limits.
- D. Setbacks and Yards. Geothermal energy systems are not allowed in the required front, street-side, side or rear setbacks, except that small geothermal heating and cooling units like heat pumps can project into the setbacks per **Section 9.0900** Projections.

#### **4.0336 Micro-Hydro Energy Standards for Industrial Districts**

Micro-hydro energy systems are limited in all industrial districts as follows:

- A. Scale. Small scale micro-hydro energy systems are permitted.
- B. Type. In-pipe micro-hydro energy systems such as systems within water, stormwater or wastewater pipe are permitted.
- C. Height. Generally the district height limits apply. However, in-pipe systems may exceed the district height limit as allowed for mechanical equipment. If supplemental equipment structures accompany the in-pipe systems, then the district height limit would apply.
- D. Setbacks and Yards. Micro-hydro energy systems contained within piping are allowed and pipe can run within the required setbacks. However, if supplemental equipment structures accompany the in-pipe systems, then the district setback limits apply.

#### **4.0341 Green Development Practices for Stormwater Management**

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

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

- A. Definitions
  - 1. Green Development Practices. Green Development Practices are defined as stormwater management techniques that utilize the processes of retention, infiltration, and

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

2. Appropriate designs are contained in the Gresham Water Quality Manual.
  3. Landscaping for stormwater management within parking lots will count towards total percentage of landscaping required on site.
- F. After management in Green Development Practices, excess stormwater from private property must be discharged into an approved conveyance facility.
- G. A grading or building permit may not be issued for a property unless a stormwater management plan has been approved that is consistent with this chapter.
- H. Operations and maintenance requirements. The property owner, its successors or assigns, including any homeowner association, shall adequately maintain the on-site Green Development Practices according to the recorded operations and maintenance agreement.
- I. Landscaping
1. This section is enacted with the goal of utilizing required landscaping for the purpose of protecting and enhancing water quality and aquatic habitat by providing for the infiltration, storage, and treatment of surface water runoff.
  2. Landscaping for stormwater management will count towards total percentage of landscaping required on site.
  3. Detailed landscaping requirements for Green Development Practices are included in the Gresham Water Quality Manual.

**Section 4. Volume 3 Development Code, Section 4.0400 is amended as follows:**

**Table 4.0420: Permitted Uses in the Corridor Land Use Districts**

USES	RTC	SC	SC-RJ	CMF	CMU	CC	MC
***							
<b>COMMERCIAL</b>							
Auto-Dependent Use	L <sup>8</sup>	NP	P	NP	L <sup>9</sup>	L <sup>6a, 6b</sup>	L <sup>7a, 7b</sup>
Business and Retail Service and Trade	P	L <sup>10</sup>	P	NP	L <sup>9</sup>	L <sup>6a, 6b</sup>	L <sup>7a, 7b</sup>
Clinics	P	L <sup>10</sup>	P	NP	L <sup>9</sup>	L <sup>6a, 6b</sup>	L <sup>7a, 7b</sup>
Commercial Parking	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Daycare Facilities	P	L <sup>10</sup>	SUR	SUR	P	P	P
Live-Work	P	P	P	NP	P	P	P
Major Event Entertainment	SUR	SUR	SUR	NP	SUR	SUR	SUR
Mini-Storage Facilities	NP	NP	NP	NP	NP	NP	NP
Outdoor Commercial	NP	NP	L <sup>11</sup>	NP	L <sup>11</sup>	L <sup>6a, 6b</sup>	L <sup>7a, 7b</sup>
<b>INDUSTRIAL</b>							
Construction	NP	NP	L <sup>12</sup>	NP	NP	NP	<u>NP</u> L <sup>7a-13</sup>
Exclusive Heavy Industrial Uses	NP	NP	NP	NP	NP	NP	NP
Industrial Office	NP	NP	NP	NP	NP	NP	<u>NP</u> L <sup>7a-13</sup>
Information Services	NP	NP	NP	NP	NP	NP	<u>NP</u> L <sup>7a-13</sup>
Manufacturing	NP	NP	NP	NP	NP	NP	<u>NP</u> L <sup>7a-13</sup>
Miscellaneous Industrial	NP	NP	NP	NP	NP	NP	<u>NP</u> L <sup>7a-13</sup>
Trade Schools	NP	NP	NP	NP	NP	NP	<u>NP</u> L <sup>7a-13</sup>

Transportation/Distribution	NP	NP	NP	NP	NP	NP	NP
Warehousing/Storage	NP	NP	NP	NP	NP	NP	<u>NP</u> L7a-13
Waste Management	NP	NP	NP	NP	L/SU R <sup>14</sup>	L/SU R <sup>14</sup>	L/SUR <sup>14</sup>
Wholesale Trade	NP	NP	NP	NP	NP	NP	<u>NP</u> L7a-13

\*\*\*

**Table 4.0420 Notes**

<sup>9</sup> The maximum building footprint size permitted for any building occupied entirely by a commercial use or uses shall be 20,000-40,000 square feet. For mixed use buildings, the residential and commercial components shall comply with the standards of **Section 7.0103(B)(1)(d)(2)**.

\*\*\*

<sup>12</sup> Any industrial use shall be limited to a maximum of 45,000 square feet of gross floor area. In addition, any new industrial use shall employ at least one person per 500 square feet of gross floor area. An applicant for design review for a new industrial use shall submit documentation as part of the application demonstrating conformance with this employee density requirement. Industrial developments are subject to standards pertaining to GI in **Sections 4.0330(A)** and **4.0331**.

~~<sup>13</sup> The following General Industrial Uses are permitted only in conjunction with and accessory to a primary allowed use: Construction, Manufacturing, Wholesale Trade, and Warehousing and Storage. Information Services, Trade Schools, Industrial Office, Manufacturing and Miscellaneous Industrial are permitted uses for structure existing on Lot 1 of the Gresham Crossing Subdivision (1N3E34C TL 1001) that were approved through City file DR/MP 06-26000379 for a 5-year period, ending April 1, 2014. No outdoor use (storage or business activity) is permitted in association with these General Industrial uses. Any such General Industrial use still present beginning on April 2, 2014 will be considered a non-conforming use and subject to the provisions of **Section 8.0200**.~~

\*\*\*

**Table 4.0430 Development Requirements For Corridor Districts**

	RTC	SC	SCRJ	CMF	CMU	CC	MC
***							
<b>G. Minimum Building Setbacks (Section 4.0433 and Section 7.0500)</b>	0 feet front, side and rear for commercial, mixed-use, and institutional uses; 5 feet front and street-side, 0 feet interior side, 15 feet rear for residential <sup>1, 16</sup>	0 feet front, side and rear for commercial, mixed-use, and institutional uses; 5 feet front and street-side, 0 feet interior side, 15 feet rear for residential <sup>1, 16</sup>	0 feet front, side and rear for commercial, mixed-use, and Institutional uses; 5 feet front and street-side, 0 feet interior side, 15 feet rear for residential <sup>1, 16</sup> . For industrial uses, see <b>Table 4.0330 (C)</b> <sup>1</sup>	5 feet front; 15 feet rear; 0 feet interior side; 5 feet streetside <sup>1</sup>	5 feet front; 15 feet rear; 0 feet interior side; 5 feet streetside <sup>1</sup>	0 feet front, side and rear, including streetside	0 feet front, side and rear, including streetside

\*\*\*

**4.0435 Transit Design Criteria and Standards in Central Rockwood and Corridor Districts**

The Central Rockwood Plan and Corridor districts are pedestrian districts. As such, new development must have a strong orientation to the pedestrian and be transit-supportive, as well as enhance the appearance and functioning of these districts. In order to achieve these purposes, the provisions of

Section 7.0500 apply to development within the Rockwood Design District. Additionally, the provisions of Section 7.0210(B)(8) and 7.0210(B)(10)(b) apply to new development requiring design review approval in the Rockwood Design District. Section 7.0103 and 7.0201 apply to new residential and mixed-use (residential) development. Section 7.0202 applies to new commercial, ~~industrial~~ and mixed-use (commercial) development requiring design review approval that is not in the Corridor Design District. Section 7.0203 applies to new industrial development requiring design review approval. Section 7.0600 Corridor District Commercial Design Guidelines and Standards applies to all commercial development in the Corridor Design District. Section 7.0210(A) applies in addition to other applicable standards and criteria to all developments except to those commercial developments in the Corridor Design District. Additionally, the provisions of Section 7.0210(B) apply to new development requiring design review approval in the Station Center outside the Rockwood Design District.

\*\*\*

**Section 5. Volume 3 Development Code, Section 4.1100 is amended as follows:**

**4.1101 Purpose**

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**B. How to use this Code**

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**7. Downtown developments are exempt from the following standards, unless otherwise specified within Section 4.1100:**

- a. Section 7.0100 Multi-Family Design Guidelines and Standards; and
- b. Section 7.0210 Transit Design Standards; and
- c. Section 7.0201 Single-Family Attached Dwelling Units standards; and
- d. Section 7.0202 Commercial, ~~Industrial~~, Institutional and Mixed-Use Developments
- e. Section 7.0203 Industrial Developments

\*\*\*

**Section 6. Volume 3 Development Code, Section 4.1500 is amended as follows:**

\*\*\*

**4.1526 Landscaping**

- A. Section 7.0202(A) and Section 7.0203 regarding design review landscaping criteria and standards for permitted development is amended as follows:
  1. A minimum of 15% of the gross site area: RTI-SW
  2. A minimum of 10% of the gross site area: IND-SW

\*\*\*

**Section 7. Volume 3 Development Code, Section 6.0000 is amended as follows:**

**6.0001 Purpose and Authority**

No land may be divided without first obtaining a development permit.

- A. No land or ownerships may be divided prior to approval of a partition or subdivision in accordance with this code. Except as provided for in 6.0001(B), if a development permit application to divide land is submitted that does not involve other proposed development, the



application shall state an intended form of future development for the resulting land parcels. This intended future development will then be processed along with the land division processing just as though the applicant were intending to proceed with the further development.

**B.** For non-residential land divisions where it is more practical to determine how public facilities will be provided in a required subsequent development permit application, the proposed land division may be approved if:

1. It is feasible to provide public facilities to each lot; and
2. Adequate public facilities are provided with further development.

**CB.** A land division is processed by approving a tentative plan prior to approval of the final plat. If there is compliance with the approved tentative plan, the Manager may approve final plats for land divisions under the Type I procedure.

**DC.** An application for an expedited land division will be processed in accordance with the provisions of ORS 197.360 through 197.380.

**ED.** In addition to meeting applicable land division application requirements, a subdivision proposal within the LDR-5 District that includes one or more lots of less than 6,000 square feet shall be applied for and processed as a Planned Development (PD), pursuant to **Section 6.0300**.

\*\*\*

#### **6.0403 Partitions and Subdivisions - Final Plat**

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**C.** The Manager shall approve a final subdivision or partition plat when the plat conforms with the approved tentative plan, other applicable requirements of this code and the following are submitted:

1. Lands to be deeded or dedicated for public use are provided for on the final plat or on separate documents.
2. An approved guarantee of completion for required public improvements that have not been completed and accepted by the City.
3. An approved grading and drainage plan if grading is required.
4. Approved ~~public facility~~ construction drawings for required public improvements.

**D.** When the Manager determines that the plat conforms, the Manager shall sign and date the plat if the other requirements for a development permit have been fulfilled.

**E.** A final condominium plat may be approved by the Manager when all criteria of **subsection (C)** are met and when the condominium plat meets applicable ORS provisions for Condominium Platting.

**F.** Prior to City signature, all street names on the Final Plat shall conform to the City of Gresham Street Naming and Property Addressing Guidelines and the City of Gresham Development Code.

\*\*\*

**Section 8. Volume 3 Development Code, Section 7.0000 is amended as follows:**

\*\*\*

**7.0002 General**

- B. All Design Review requests shall comply with all applicable standards in the Community Development Code. Development which only affects a portion of a site shall conform with the applicable standards for that portion of the site where development is proposed. Where Nonconforming development exists on part of a site (not being re-developed) compliance with the Standards applicable to Non-Conforming Developments in **Section 8.0200** is required unless otherwise noted.

\*\*\*

**7.0003 Applications**

\*\*\*

- D. Design Review D. Design Review D is a Type II review and is subject to a pre-application conference. Design Review D is a review by the Manager. The following are Design Review D, when they are greater than the thresholds in **7.0003(A)-(C)** and not subject to Design Review E.

\*\*\*

- 6. Industrial use construction;
  - a. A neighborhood meeting as described in Section 11.0800 is not required for the following industrial land uses when they are the primary land use and when located in an industrial land use district:
    - i. Industrial Office
    - ii. Information Services
    - iii. Manufacturing
    - iv. Trade Schools
    - v. Transportation/Distribution
    - vi. Warehousing/Storage
  - b. A neighborhood meeting as described in Section 11.0800 is required for the following industrial land uses when they are the primary land use:
    - i. Construction
    - ii. Exclusive Heavy Industrial
    - iii. Miscellaneous Industrial
    - iv. Waste Management
    - v. Wholesale Trade

\*\*\*

**Section 9. Volume 3 Development Code, Section 7.0200 is amended as follows:**

\*\*\*

**7.0202 Commercial (except those in a Design District), Industrial, Institutional and Mixed Use Developments (Non-Residential Component)**

The following design review criteria and standards shall apply to Commercial (except those in and reviewed under a Design District), ~~Industrial~~, Institutional and Mixed Use Developments (with the exceptions that single family attached units in a mixed use development shall be reviewed per the

standards of **Section 7.0201** and that the residential portion of the mixed-use development shall comply with **Sections 7.0101-7.0103**). The Downtown Plan District is exempt.

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

- A.** Areas to be landscaped as defined in **Section 3.0100 – Definitions**. Decorative walkways, when integrated within the landscaped area, may not contribute more than 5% of the overall required landscaping area:
  - 1.** Institutional Uses  
All areas not occupied by structures, pavement, or outdoor business activity, display or storage areas. In no case shall less than fifteen percent (15%) of the gross site area be landscaped.
  - 2.** Commercial, ~~Industrial~~ and Mixed Use Developments
    - a.** A minimum of fifteen percent (15%) of the gross site area:
      - Office/Residential District
      - Neighborhood Commercial District
      - ~~General and Heavy Industrial Districts~~
    - b.** Setback areas shall be landscaped or provided with enhanced pedestrian spaces such as benches and drinking fountains:
      - Neighborhood Commercial District
- B.** Energy conservation is promoted by one or all of the following measures:
  - 1.** Evergreens are planted on the north and east sides of the proposed structure so that the tree will be within 10 feet of the structure at maturity to buffer against the cold north and east winds.
  - 2.** Large areas of window glass and unprotected entry doors are avoided on the north and east sides of the structure. Where north and east facing entries cannot be avoided, there shall be an effective windbreak such as a wall, fence or double entry door.
  - 3.** The long axis of the building is oriented east and west with unobstructed solar access to the south wall and roof.
  - 4.** The majority of the windows are located on the south side of the structure to take advantage of passive solar collection and architectural shading devices (such as window overhangs) are incorporated to reduce summer heat gain.
- C.** Newly planted trees shall be supported (by the use of stakes and wire) to prevent damage by the strong northeast wind;
- D.** Landscaping shall be irrigated by an underground system except that landscaping certified by a licensed landscape architect as being able to survive without irrigation shall be excluded.
- E.** When frequent deliveries coincide with customer hours the loading and delivery areas are separated from parking and pedestrian areas.
- F.** Where possible, the loading and delivery areas are oriented to avoid the cold northeast wind.
- G.** All outdoor storage areas and garbage collection areas, are entirely screened by the employment of vegetative materials or alternative as deemed appropriate by the approval authority. Exceptions to the preceding requirements include: New or used cars, cycles, and truck sales (but not including car parts or damaged vehicles); new or used boat sales; recreational vehicle sales; mobile homes sales; new or used large equipment sales or rentals; florists and plant nurseries.

- H. An identification system, as approved by the Manager shall be designed and posted in such a manner as to allow the quick location of on-site buildings and entries.
- I. Traffic Impacts and Transit Facilities. Based on the anticipated vehicular and pedestrian traffic generation, and the policies of the Community Development Plan, adequate right-of-way and improvements to abutting streets shall be provided by the applicant and shall meet the street standards of the City. Required right-of-way improvements may include but not be limited to installation of lighting, signalization, turn lanes, paving, curbs, sidewalks, street signs, bikeways and other facilities needed because of anticipated vehicular and pedestrian traffic generation (refer to **Sections A5.400 and A5.500**).
- J. In designing accesses for the development, efforts shall be made to mitigate adverse traffic impacts on adjacent, low-density residential neighborhoods. In assessing such impacts, the typical daily street volumes shall be considered as specified in **Sections A5.501**.
- K. On-Site Pedestrian Circulation. Developments shall include an on-site Pedestrian Circulation system connecting building entrances, public sidewalks, bicycle and auto parking spaces, transit facilities, and other parts of a site or abutting properties that may attract pedestrians. All developments must comply with the following Standards for On-Site Pedestrian Circulation Systems:
  - 1. On-Site exterior pedestrian circulation path facilities and improvements must be provided, and meet accessibility standards of the Building Code. Pedestrian circulation paths within the site, connections to the public sidewalk, and external connections off site shall provide convenient, accessible, and the most practical direct, barrier-free route design.
  - 2. The on-site pedestrian circulation shall connect the street to the main entrance of the primary structure on the site; walks shall be aligned to minimize out-of-direction travel.
  - 3. On-site pedestrian walks must be hard surfaced, and be at least 5 feet wide. A pedestrian walk must be increased to 7 feet wide when bordering parking spaces and surface material shall contrast visually with adjoining surfaces.
  - 4. Where the pedestrian pathways are parallel and adjacent to an auto travel lane, the pathway shall use a raised walk or be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised walk is used the ends of the raised portions must be equipped with curb ramps.
  - 5. On-site pedestrian circulation pathways must be lighted to a level where the system can be used at night by employees, residents, customers or the public to an average of 1.5 foot-candles and a minimum of 0.5 foot-candles. Pedestrian pathway lighting through parking lots shall be designed to light the walkway and to enhance pedestrian safety.
  - 6. Pedestrian facilities must be designed and constructed to provide a direct connection to existing public rights-of-way, public accessways and other on-site pedestrian facilities. Pedestrian walkways and facilities shall be constructed:
    - a. Between all primary building entrances and all streets adjacent to the development site.
    - b. To connect any new building entrances on a development site to all other new and existing building entrances except those used for loading and unloading freight.
    - c. At least one access point must connect to any frontage transit stop.
    - d. To provide a reasonable direct connection between pedestrian destinations and

limiting out of direction of travel.

Where berms, landscaping, fencing or other factors create or would create a site frontage impenetrable to pedestrians and bicyclists, there shall be no less than 1 point of pedestrian access every 200 feet of street frontage where feasible.

7. Sidewalks or pedestrian paths must connect to other pedestrian-use areas on site such as other buildings, parking areas, recreation or play areas, common outdoor areas, and any pedestrian amenities such as plazas, resting areas and viewpoints.
  8. Pedestrian pathways must also connect to adjacent developments, when mutually agreed upon between uses. Development patterns must not preclude eventual site-to-site pedestrian connections, even if infeasible at the time of development.
  9. Public or Private Schools and Parks over one acre lot size, in addition, shall provide direct pedestrian access from adjacent neighborhoods, using multiple pedestrian access points in all directions, which minimize neighborhood walking distance to a site.
  10. On-site vehicular and pedestrian circulation shall be designed to minimize vehicular/pedestrian conflicts through measures such as minimizing driveway crossings, creating separate pedestrian paths through the site and parking areas, designating areas for pedestrians by marking crossings with changes in textural material, and other techniques for minimizing vehicular/pedestrian conflicts. Painted stripes are not allowed as permanent marked crossings.
- L. The grading and contouring of the site takes place and site surface drainage and on-site storage of surface water facilities are constructed, when necessary, so that there is no adverse effect on neighboring properties, public right-of-way or the public storm drainage system.
- M. The circulation pattern is safe and efficient within the boundaries of the site. Consideration shall include the layout of the site with respect to the location, number, design and dimensions of vehicular and pedestrian access, exits, drives, walkways, bikeways, emergency equipment ways and other related facilities.
- N. Attempts to preserve significant wildlife habitat have been made.
- O. The development is designed in such a manner that as many trees as possible can be preserved. Preserved trees and shrubs shall be protected during construction
- P. Crime prevention elements shall be included in the design, with specific attention to landscaping, parking areas, walkways, lighting, entries (with clear, visible address or unit number), exits and visibility.
- Q. All mechanical equipment on roofs shall be screened when abutting a residentially designated property or an arterial street. Screening shall obscure mechanical equipment at elevation.
- R. For mixed use developments including single-family attached housing, the residential or single-family attached housing shall address the standards within **Section 7.0101-7.0103 or 7.0201** as applicable while the commercial component shall address the standards of **Section 7.0202**.

\*\*\*

### **7.0203 Industrial Developments**

The following design review criteria and standards shall apply to Industrial developments, unless stated elsewhere in the Development Code. Industrial developments in the Downtown Plan District are exempt.

- A. No less than 15 percent of the net site area shall be landscaping, as defined in Section 3.0100. For purposes of this subsection, net site area is the gross site area minus area dedicated to

- public right-of-way and area in an easement used for public multi-use paths, public trails, or other similar public sidewalk. Decorative walkways, when integrated within the landscaped area, may not contribute more than 5 percent of the overall required landscaping area. Landscaping, except for buffer and screening landscaping, shall allow for visibility between 3 and 6 feet to allow for natural surveillance. Up to 75 percent of the required landscaping may include preserved natural areas and vegetated stormwater detention/retention facilities.
- B.** Newly planted trees shall be supported by the use of stakes and wire.
- C.** Landscaping shall be irrigated by an underground system, except that landscaping certified by a licensed landscape architect as being able to survive without irrigation shall be excluded.
- D.** An identification system shall be designed and posted as per the Oregon Fire Code as administered by the Gresham Fire Marshal, and as described in GRC 10.25.070.
- E.** Traffic Impacts. Based on the anticipated vehicular and pedestrian traffic generation, and the policies of the Community Development Plan, adequate right-of-way and improvements to abutting streets shall be provided by the applicant and shall meet the street standards of the City. Required right-of-way improvements may include but not be limited to installation of lighting, signalization, turn lanes, paving, curbs, sidewalks, street signs, bikeways and other facilities needed because of anticipated vehicular and pedestrian traffic generation (see **Sections A5.400 and A5.500**).
- F.** In designing accesses for the development, efforts shall be made to mitigate adverse traffic impacts on adjacent, low-density residential neighborhoods. In assessing such impacts, the typical daily street volumes shall be considered as specified in **Section A5.501**.
- G.** On-Site Pedestrian Circulation. Developments shall include an on-site pedestrian circulation system connecting building entrances, public sidewalks, bicycle and auto parking spaces, transit facilities, and other parts of a site that may attract pedestrian movement.
1. To the extent possible, pedestrian circulation paths shall provide convenient, practical barrier-free route design.
  2. The on-site pedestrian circulation shall connect the street to the primary entry of the primary structure on the site.
  3. On-site pedestrian walks must be hard surfaced and at least five feet wide. A pedestrian walk must be increased to seven feet wide when bordering parking spaces and surface material shall contrast visually with adjoining surface.
  4. Where a pedestrian pathway is parallel and adjacent to an auto travel lane, the pathway shall use a raised walk or be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised walk is used the ends of the raised portions must be equipped with curb ramps.
  5. Where a pedestrian pathway crosses an auto travel lane, the crossing shall incorporate a change in textural material or other technique to minimize vehicular / pedestrian conflicts. Painted stripes are not allowed as permanent marked crossings.
  6. On-site pedestrian circulation pathways must be lighted to a level where the system can be used at night – with a minimum of 0.5 foot candles and an average of 1.5 foot-candles. Pedestrian pathway lighting through parking lots shall be designed to light the walkway and to enhance pedestrian safety.
  7. Pedestrian facilities must be designed and constructed to provide a direct connection to existing public rights-of-way, public accessways and other on-site pedestrian facilities. Pedestrian walkways and facilities shall be constructed:
    - a. To connect any new building entrances on a development site to all other new and existing building entrances except those used for loading and unloading

- freight.
- b. To connect to a frontage transit stop, if present.
- c. To provide a reasonable direct connection between pedestrian destinations while limiting out-of-direction travel.  
Where berms, landscaping, fencing or other factors create or would create a site frontage impenetrable to pedestrians and bicyclists, there shall be at least one point of pedestrian access to the site.
- H. The grading and contouring of the site takes place and site surface drainage and on-site storage of surface water facilities are constructed, when necessary, so that there is no adverse effect on neighboring properties, public right-of-way or the public storm drainage system.

## Other Design Review Criteria and Standards

### 7.0210 Transit Design Criteria and Standards

- A. Purpose and Applicability

\*\*\*

- 3. Exceptions to Transit Design Criteria and Standards on Transit Streets

\*\*\*

- b. Industrial uses within the General and Heavy Industrial Districts (~~such as manufacturing, processing, assembly, distribution, repair, warehousing, fabrication, and other uses as determined by the manager~~) are exempt. However, the following industrial use categories are not exempt from the Transit Design Criteria and Standards when located in a building 100% devoted to the use: Information Services and Trade Schools.

\*\*\*

Section 10. Volume 3 Development Code, Section 7.0600 is amended as follows:

### 7.0601 Corridor District Commercial Design Guidelines and Standards

\*\*\*

D. How to Use this Code:

\*\*\*

5. Exemptions:

Commercial development which follows this Code is exempted from the following sections:

- a. 7.0202: Commercial, Institutional, ~~Industrial~~ and Mixed-Use Developments (Commercial Component);

\*\*\*

Section 11. Volume 3 Development Code, Section 8.0000 is amended as follows:

\*\*\*

### 8.0115 Civic Uses

In addition to the standards in **Section 8.0103**, the following apply to Civic Uses ~~including police stations, fire stations, and other similar emergency service facilities~~ located in a residentially designated land use district and where they are allowed through the Type II Special Use Review procedure:

- A. Civic uses shall have direct access to a street with a functional classification of minor arterial or greater.

\*\*\*

### 8.0202 Design Review Standards

All design review requests shall comply with all applicable standards in the Community Development Code.

Development which only affects a portion of a site shall conform with the applicable standards for that portion of the site where development is proposed. With the exception of industrial development in industrial land use districts subject to a Design Review A, where ~~Where~~ non-conforming development exists on part of a site (not being re-developed) compliance with the following standards for the entire developed site is required:

- A. Street facing façade upgrades when located in a Design District with adopted design principles, design guidelines, and design standards.
- B. The screening requirements in **Section 9.0100** - Buffering and Screening, if applicable.
- C. The street tree planting requirements in **Section 9.1020** - Street Trees.
- D. The parking lot landscaping requirements in **Section 9.0823(C)(1), (2), (3), and (4)**.
- E. The pedestrian circulation connection requirements in **Section 7.0202(K)** and in Section 7.0203 (G) for industrial uses.
- F. The bicycle parking requirements in **Section 9.0830** - Parking.
- G. The Carpool /Vanpool requirements in **Section 9.0857**.

The applicant shall not be required to spend more than 10% of project costs on these improvements if they are on that portion of the site not being developed. If full compliance with the above requirements cannot be achieved within the 10% project cost limitation, the applicant shall comply with the above requirements in the order of priority as listed. However, the Manager may vary the listed priority if it is determined that the adjacent neighborhood or the public would be better served by applying a different order of the above standards on a particular site.

\*\*\*

### Section 12. Volume 3 Development Code, Section 9.0800 is amended as follows:

**Table 9.0851 - Minimum/Maximum Auto And Bicycle Parking Table**

	Auto Parking		Bicycle Parking
	Minimum	Maximum	
***			
<b>(D) INDUSTRIAL</b>			
(1) Manufacturing, Processing, Packing Assembly, & Fabrication	1.6 spaces per 1,000 sq. ft. of floor area	2.0 spaces per 1,000 sq. ft. of floor area <u>Not applicable. In non-industrial land use districts, 2.0 spaces per 1,000 sq. ft. of floor area.</u>	0.1 space per 1,000 sq. ft. of floor area <u>Short-term: none</u> <u>Long-term: 2, or 1 per 25,000 sq. ft. of floor area, whichever is greater. Maximum of 20 required*</u>
(2) Warehouse, Freight Movement Distribution, and Storage	0.5 space per 1,000 sq. ft. of floor area (if less than 150,000 sq. ft. of floor area)	0.7 space per 1,000 sq. ft. of floor area (if less than 150,000 sq. ft. of floor area); 0.4 space	0.1 space per 1,000 sq. ft. of floor area



	0.3 space per 1,000 sq. ft. of floor area (if equal to or greater than 150,000 sq. ft. of floor area)	per 1,000 sq. ft. of floor area (if equal to or greater than 150,000 sq. ft. of floor area)	0.1 space per 1,000 sq. ft. of floor area <u>Short-term: none</u> <u>Long-term: 2, or 1 per 25,000 sq. ft. of floor area, whichever is greater. Maximum of 20 required*</u>
(3) Wholesale, Retail Sales	0.8 <u>0.3</u> space per 1,000 sq. ft. of floor area	1.0 <u>2.0</u> space per 1,000 sq. ft. of floor area	0.1 space per 1,000 sq. ft. of floor area <u>Short-term: none</u> <u>Long-term: 2, or 1 per 25,000 sq. ft. of floor area, whichever is greater. Maximum of 20 required*</u>
(4) Industrial, Commercial Services	0.8 space per 1,000 sq. ft. of floor area	1.0 space per 1,000 sq. ft. of floor area	0.1 space per 1,000 sq. ft. of floor area
(5) Laboratories, Research and Development Facilities	3.0 <u>2.7</u> spaces per 1,000 sq. ft. of floor area	3.8 <u>4.1</u> spaces per 1,000 sq. ft. of floor area	0.3 space per 1,000 sq. ft. of floor area <u>Short-term: none</u> <u>Long-term: 2, or 1 per 25,000 sq. ft. of floor area, whichever is greater. Maximum of 20 required*</u>

\* More bike parking spaces may be provided at the discretion of the use.

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**Section 13.** Volume 3 Development Code, Section 11.0200 is amended as follows:

**Table 11.0204**  
**Land Use Applications and Review Authorities**  
**R = Recommendation D = Decision Authority A = Appeal Authority**

Code Citation	Application	Pre-app required?	Type	Manager	Hearings Officer	Urban Forestry Comm.	Historic Resources Committee	Design Commission	Planning Commission	City Council
***										
<b>OTHER</b>										
<u>10.0700</u>	<u>Resource Utilization Permit</u>	<u>Y</u>	<u>III</u>		<u>D</u>					<u>A</u>
***										

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**Section 14. Volume 3 Development Code, Section 11.0400 is amended as follows:**

**11.0402 Type II Procedures**

- A. Pre-Application Conference and Optional Design Commission Consult
  - 1. **Table 11.0204** identifies all Type II applications that require a pre-application conference.
  - 2. Pre-application conference procedures are included in **Section 11.0700**.
  - 3. The Optional Design Consult procedures for those projects within a Design District are described in **Section ~~11.0502(3)~~ 11.0700**.
- B. Neighborhood Meeting
  - 1. A neighborhood meeting is required for those Type II applications which require a pre-application conference, as indicated in **Table 11.0204**, except as otherwise noted, including industrial uses identified in Section 7.0003(D)(6)(a).
  - 2. Neighborhood meeting procedures are included in **Section 11.0800**.
- C. Type II Application Requirements
  - 1. Type II applications shall be made on forms provided by the Manager and shall include all of the information required by **Section 11.0900**.
  - 2. Type II applications shall:
    - a. Include the information requested on the application form;
    - b. Include the information requested in a submittal checklist, if any;
    - c. Address the relevant criteria in sufficient detail for review and action; and
    - d. Be accompanied by the required fee.
- D. Type II Public Notice
  - 1. Except as provided for in Subsection (2) below, within ~~Within~~ approximately ten (10) calendar days after the application has been determined to be complete, written notice of the Type II application shall be mailed to:
    - a. The applicant and/or authorized representative;
    - b. The owner(s) of record of the subject property;
    - c. Any City-recognized neighborhood association whose boundaries include or are within 300 feet of the subject property;
    - d. Owners of record within three hundred (300) feet of the perimeter of the subject property; and
    - e. Affected city departments and any governmental agency which is entitled to notice under an intergovernmental agreement with the City which includes provision for such notice or is otherwise entitled to such notice. Such departments and agencies may request up to a 15-day extension to their comment period if the application involves unusual circumstances. The department or agency is assumed to have no comments if no comments are received within the specified time period.
  - 2. Notice of industrial uses that are reviewed under Section 7.0003(D)(6)(a) shall be provided as follows:

- a. Within two business days of receiving an application, the City will mail notice of an application submittal to the President and Land Use Chair of any city-recognized neighborhood associations whose boundaries include or are within 300 feet of a site with a proposed industrial review. This notice shall include a copy of the Development Permit Application cover sheet and plans.
- b. Within two business days of an application being submitted, notice of application shall be posted on the site. The Manager shall determine the number and locations of signs and issue posting instructions. There shall be at least one sign per frontage posted in a conspicuous place visible from the street. The sign shall include the case file number, telephone number where city staff can be contacted for more information about the application, and a webpage (if available) to view a proposed project description and site plan. The sign shall be posted for 30 calendar days or until the 14-day public comment period poster is placed on the property as per Section 11.0402(D)(5), whichever comes first.
- c. Within three business days of determining the application to be complete, notice will be mailed to the parties described in **Subsection (1)** above.

2.3. The purpose of the public notice is to provide nearby property owners and other interested parties with an opportunity to submit written comments concerning the application prior to issuance of the Type II Administrative Decision. The goal of this notice is to invite relevant parties of interest to participate in the process.

3.4. The written notice of the pending Type II application shall:

- a. Provide fourteen (14) calendar days from the date of notice for submission of written comments prior to issuance of a decision on the Type II application;
- b. State that issues which may provide the basis for an appeal to the Land Use Board of Appeals shall be raised in writing prior to the expiration of the comment period. Issues shall be raised with sufficient specificity to enable the Manager to respond to the issue;
- c. List, by commonly used code citation, the applicable criteria for the decision;
- d. The case file number;
- e. Set forth the street address or other easily understood geographical reference to the subject property;
- f. State the place, date, and time that comments are due;
- g. State that all evidence relied upon by the applicant is available for review, and that copies can be obtained at cost;
- h. Include the name and phone number of the city representative to contact for additional information;
- i. Briefly summarize the decision making process for the Type II application being considered; and
- j. Include the following notice: “Notice to mortgagee, lienholder, vendor or seller: The Gresham Development Code requires that if you receive this notice it shall be promptly forwarded to the purchaser.”

4.5. Within Approximately 10 calendar days after the application has been determined to be complete, notice of the application shall be posted on the site by the applicant, except for industrial uses described in Section 7.003(D)(6)(a), in which notice shall be posted within three business days. The Manager shall provide at least one (1) sign and the instructions for posting. The sign shall be posted in a conspicuous place visible from the street. For properties that abut more than one improved street, separate signs shall be posted facing each improved street. The sign shall include the case file number and the telephone number where city staff can be contacted for more information about the application. An affidavit of posting shall be submitted by the applicant and made part of the administrative record.

E. Type II Decision Authority

1. The decision authority for Type II applications shall be the Manager. In the case of Design Districts, the Design Commission may operate as the decision authority under the clear and objective standards once in place.
2. The decision authority shall review all written comments received prior to or on the comment closing date and the applicant's response to the comments, if any. The decision authority may also consider responses to questions by staff which clarify or amplify information but which do not change the original request. Written comments received after the comment period and prior to issuance of a decision shall not be considered by the decision authority.
3. The decision authority shall approve, approve with conditions, or deny an application subject to a Type II procedure after the close of the public comment period and within approximately 60 calendar days after the application was determined to be complete. For industrial reviews as described in Section 7.0003(D)(6)(a), this decision shall be made within 30 calendar days after the application was determined to be complete.

F. Type II Notice of Decision

1. Upon signing the decision for a Type II application, a Notice of Decision shall be sent by mail to:
  - a. The applicant and/or authorized representative;
  - b. The owner(s) of record of the subject property;
  - c. Any group or individual who submitted written comments during the comment period;
  - d. Any governmental agency which is entitled to notice under an intergovernmental agreement with the City which includes provision for such notice or is otherwise entitled to such notice; and
  - e. Any group or individual who requested notice of the decision.
2. The written decision shall include:
  - a. The case file number;
  - b. The nature of the application in sufficient detail to apprise persons entitled to notice of the applicant's proposal and of the decision;
  - c. A description of the site reasonably sufficient to inform the reader of its location, including site address, if available, map and tax lot number, and site zoning;
  - d. A statement of the facts upon which the decision authority relied to determine

whether the application satisfied or failed to satisfy each applicable approval criterion;

- e. The decision to approve or deny the application, and, if approved, any conditions of approval necessary to ensure compliance with the applicable criteria;
- f. The date the decision shall become final, unless appealed within twelve (12) calendar days of the notice of decision. The notice of decision shall state in boldface type the date and time by which an appeal must be filed. The statement shall describe the requirements for filing an appeal of the decision;
- g. A statement that, unless the applicant is the appellant, the hearing on an appeal from the decision shall be confined to the specific issues identified in the written comments submitted by the parties during the comment period; and
- h. A statement that the complete casefile, including findings, conclusions and conditions of approval, if any, is available for review. The notice shall list when and where the case file is available and the name and telephone number of the City representative to contact about reviewing the casefile.

**G. Appeal of a Type II Decision**

- 1. The Type II administrative decision may be appealed by the applicant and any person providing written comments during the 14-day comment period by filing a notice of appeal within 12 calendar days of the date the notice of decision was mailed. Appeal authorities are identified in **Table 11.0204**.
- 2. Appeal requirements and procedures are outlined in **Section 11.1100**.
- 3. The decision of the appeal authority with regard to any appeal of a Type II administrative decision is the final decision of the City. Any further appeal shall be to the Land Use Board of Appeals (LUBA).

**Section 15. Volume 3 Development Code, Section 11.0700 is amended as follows:**

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**11.0703 Optional Conferences and Pre-Application Conference Procedures**

- A. Initiation and scheduling of Optional Early Assistance Design Advice, Pre-Application Conference and Optional Design Commission Consult
  - \*\*\*
  - 2. The City will schedule and conduct the Optional Early Assistance Design Advice, the Pre-application Conference and the Optional Design Commission Consult within approximately twenty (20) calendar days of receipt of a request for the meeting. For industrial reviews as described in Section 7.0003(D)(6)(a), a pre-application conference shall be scheduled and conducted within 10 calendar days of receipt of a request for the meeting.
  - \*\*\*

Section 16. Volume 3 Development Code, Section 11.0800 is amended as follows:

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**11.0802 Applicability**

A neighborhood meeting is required for all applications that require a pre-application conference as indicated in **Table 11.0204**, unless otherwise noted. Industrial use reviews as described in Section 7.0003(D)(6)(a) do not require a Neighborhood Meeting.

\*\*\*

Section 17. Volume 3 Development Code, Section 11.0900 is amended as follows:

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**11.0903 Completeness Review**

- A. The Manager shall review the application submittal and advise the applicant in writing whether the application is complete or incomplete within thirty (30) calendar days after the City receives the application submittal, except for industrial reviews as described in Section 7.0003(D)(6)(a), which shall have such a determination made within 14 calendar days after the City receives the application submittal.

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First reading: July 1, 2014

Second reading and passed: July 15, 2014

Yes: Bemis, Stegmann, Hinton, French, Echols, Palmero, McCormick

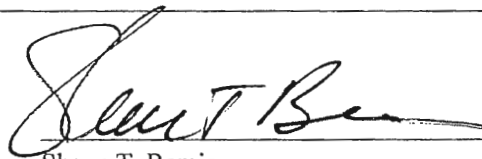
No: None

Absent: None

Abstain: None

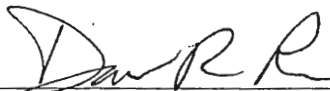


Erik Kvarsten  
City Manager



Shane T. Bemis  
Mayor

Approved as to Form:



David R. Ris  
City Attorney



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GRESHAM

Urban Design & Planning  
1333 NW Eastman Parkway  
Gresham, Oregon 97030-3813  
[www.greshamoregon.gov](http://www.greshamoregon.gov)

DLCD  
Plan Amendment Specialist  
635 Capitol St. NE, Ste. #150  
Salem, OR 97301-2540

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