

SECTION 4.1200

CIVIC NEIGHBORHOOD PLAN DISTRICT

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General

4.1201 Purpose

This section of the Community Development Code implements the Gresham Civic Neighborhood Plan District. The Gresham Civic Neighborhood Plan District is conceived as an extension of the Downtown and seeks to complement the established surrounding community. The Plan District is to become a mixed-use, transit centered neighborhood that includes uses and features associated with the center of the City. It will embody civic qualities and is likely to inspire a sense of civic pride in those who use it. In order to accomplish these purposes, four land use sub-districts are designated exclusively within the boundaries of the Civic Neighborhood Plan District. All of the sub-districts permit commercial, residential, and mixed-use developments. The sub-districts are distinguished by differences in emphasis on primary uses and intensity of development. The four land use sub-districts are designed to work together to result in a lively, prosperous neighborhood that serves as an attractive place to live, work, shop, and recreate with less reliance on the automobile than is typical elsewhere in the community. Map 4.1200A – Gresham Civic Neighborhood Land Use Sub-Districts (Appendix 38, Volume 1-Findings, Gresham Community Development Plan) shows the land use plan for the district.

Civic Neighborhood Sub-District Characteristics

4.1210 Transit Development District - Medium Density - Civic (TDM-C)

This designation affects land in the Civic Neighborhood which has good access both to existing and future light rail stations and to abutting major and standard arterial streets. Primary uses permitted include commercial, retail, and service uses occupying the ground floor area and all or a portion of the second story. Also permitted are mixed-use and multi-family developments with a minimum density of 24 units per net acre. Larger buildings are encouraged in these areas, with parking under, behind, or to the sides of buildings.

4.1211 Transit Development District - High Density - Civic (TDH-C)

This designation affects land around existing and future light rail stations in the Civic Neighborhood area. Primary uses permitted include office buildings, retail, and service uses. Also permitted are mixed-use developments and multi-family residential at a minimum density of 30 units per net acre. Larger buildings are encouraged in these areas, with parking under, behind, or to the sides of buildings. Free-standing retail uses are allowed up to 10,000 square feet of floor area.

4.1212 High-Density Residential - Civic (HDR-C)

This designation is applied to property which is within walking distance of light rail stations, but generally somewhat farther removed from the stations than the TDH-C district. Areas designated HDR-C are high-density residential neighborhoods with a minimum of 24 units per net acre. Secondary uses include neighborhood commercial uses, smaller scale offices and neighborhood parks. Small free-standing Office-Commercial uses are allowed within mixed-use developments, provided they do not occupy more than 50% of the residential floor area, and that minimum residential densities are met. Retail uses in free-standing buildings are not permitted, but are allowed within mixed-use buildings, provided they do not occupy more than 10,000 square feet of floor area, and that minimum residential densities are met.

4.1213 Moderate-Density Residential - Civic (MDR-C)

This designation is applied to property which is within walking distance of light rail stations and bordering

Wallula. Areas designated MDR-C are moderate-density residential uses with a minimum density of 17 units per net acre. Typical forms of housing include row houses, garden apartments, condominiums, and podium apartments. Mixed-use and neighborhood-scale commercial uses are allowed to locate within residential buildings occupying up to 100% of the ground floor area provided that minimum residential densities are met.

For purposes of this Plan District, the boundaries of the sub-districts shall be the centerline of the adjacent public rights of way depicted on the Community Development Plan Map. Any modification of the centerline of such rights of way pursuant to **Section 4.1244** below shall result in a corresponding modification of the affected sub-district boundary.

Permitted Uses

4.1220 Permitted Land Uses

Table 4.1220 lists the types of land uses which are permitted in the Civic Neighborhood Plan 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 4.1220: Permitted Uses in the Civic Neighborhood District

USES	TDM-C	TDH-C	HDR-C	MDR-C
RESIDENTIAL¹				
Single-Family Detached Dwelling	NP	NP	NP	NP
Duplex	NP	NP	NP	NP
Single-Family Attached Dwellings	P	P	P	P
Attached Dwellings on a Single Lot	P	P	P	P
Elderly Housing	SUR	SUR	SUR	SUR
Manufactured Dwelling Park	NP	NP	NP	NP
Residential Facility	P	P	P	P
Residential Home	NP	NP	NP	NP
COMMERCIAL				
Auto-Dependent Use	L ²	L ^{2,3}	L ²	L ²
Business and Retail Service and Trade	L ⁴	L ^{3,4,5}	L ^{4,6}	L ^{4,7}
Clinics	P	L ³	L ⁸	L ⁷
Commercial Parking	SUR	SUR	SUR	SUR
Daycare Facilities	L ⁴	L ^{3,4}	L ⁴	L ^{4,7}
Live-Work	P	P	P	P

USES	TDM-C	TDH-C	HDR-C	MDR-C
Major Event Entertainment	SUR	SUR	SUR	SUR
Mini-Storage Facilities	NP	NP	NP	NP
Outdoor Commercial	NP	NP	NP	NP
INDUSTRIAL				
Construction	NP	NP	NP	NP
Exclusive Heavy Industrial Uses	NP	NP	NP	NP
Industrial Office	NP	NP	NP	NP
Information Services	NP	NP	NP	NP
Manufacturing	NP	NP	NP	NP
Miscellaneous Industrial	NP	NP	NP	NP
Trade Schools	NP	NP	NP	NP
Transportation/Distribution	NP	NP	NP	NP
Warehousing/Storage	NP	NP	NP	NP
Waste Management	NP	NP	NP	NP
Wholesale Trade	NP	NP	NP	NP
INSTITUTIONAL USES				
Civic Uses	SUR	SUR ³	SUR	SUR
Community Services	SUR	SUR ³	SUR	SUR
Medical	SUR	SUR ³	SUR	SUR
Parks, Open Spaces and Trails	L/SUR ⁹	L/SUR ⁹	L/SUR ⁹	L/SUR ⁹
Religious Institutions	L ⁴	L ^{3, 4, 5}	L ^{4, 6}	L ^{4, 7}
Schools	P/SUR ¹¹	P/SUR ^{3,11}	L ^{4,11}	P/SUR ¹¹
RENEWABLE ENERGY¹²				
Solar Energy Systems	L/SUR ¹³	L/SUR ¹³	L/SUR ¹³	L/SUR ¹³
Wind Energy Systems	L/SUR ¹⁴	L/SUR ¹⁴	L/SUR ¹⁴	L/SUR ¹⁴
Biomass Energy Systems	L ¹⁵	L ¹⁵	L ¹⁵	L ¹⁵
Geothermal Energy Systems	L/SUR ¹⁶	L/SUR ¹⁶	L/SUR ¹⁶	L/SUR ¹⁶
Micro-Hydro Energy Systems	L ¹⁷	L ¹⁷	L ¹⁷	L ¹⁷
OTHER				
Basic Utilities				
Minor basic utilities	P	P	P	P
Major basic utilities	SUR	SUR	L/SUR ¹⁰	L/SUR ¹⁰
Heliports	SUR	SUR	SUR	SUR
Wireless Communication Facilities	SUR	SUR	SUR	SUR
Temporary, Intermittent & Interim Uses	P	P	P	P

Table 4.1220 Notes

¹ Temporary health hardship dwellings may be permitted with a pre-existing single-family detached dwelling home.

² Limited to sites fronting Burnside, Eastman and Division. See Section 4.1238.

- ³ For Blocks A-6, A-9 and A-10, these uses shall be permitted only when minimum residential densities are met.
- ⁴ The amount of site area used for outdoor business activities, product display, or storage shall not exceed 50% of the amount of floor area on the site.
- ⁵ When included in a mixed use development, the maximum building footprint size for a free-standing building occupied by this type of use shall be 10,000 square feet. Theaters, hotels and restaurants are not subject to this size limitation and are permitted as stand-alone uses.
- ⁶ These uses are permitted only within mixed use developments and shall have a maximum size of 10,000 square feet, provided that the minimum residential densities are met.
- ⁷ When included in a mixed use building, this use may occupy up to 100% of the ground floor area. Uses with this footnote are not permitted in any mixed use development where the minimum residential density is not met.
- ⁸ This use is allowed only in mixed use developments. Clinics shall not exceed 50% of the proposed residential floor area within the mixed use development and shall be permitted only when minimum residential densities are met.
- ⁹ Golf courses are not permitted in the Civic Neighborhood Plan District.
- ¹⁰ Electrical generating facilities and sewage treatment plants are not permitted in the Civic Neighborhood Plan District.
- ¹¹ Schools are permitted without a Special Use Review if they are occupying an existing commercial space. Schools must pursue a Special Use Review if they are proposing new construction.
- ¹² See **Section 10.900** for additional standards that apply.
- ¹³ For limitations, see **Section 4.1250** Solar Energy System Standards for Civic Neighborhood Districts.
- ¹⁴ For limitations, see **Section 4.1251** Wind Energy System Standards for Civic Neighborhood Districts.
- ¹⁵ For limitations, see **Section 4.1252** Biomass Energy System Standards for Civic Neighborhood Districts.
- ¹⁶ For limitations, see **Section 4.1253** Geothermal Energy System Standards for Civic Neighborhood Districts.
- ¹⁷ For limitations, see **Section 4.1254** Micro-Hydro Energy System Standards for Civic Neighborhood Districts.

Civic Neighborhood Sub-District Standards

4.1230 Civic Neighborhood Sub-District Standards

Table 4.1230 summarizes development standards which apply within the Civic Neighborhood Plan District and which may, as provided in **Section 4.1000(C)**, modify or replace other standards contained in the Community Development Code and implementing regulations. The standards contained in this table are supplemented by referenced subsections of **Section 4.1200**, which provide additional clarification and guidance. Existing developments which do not meet the standards specified for a particular sub-district may continue in existence and be altered, subject to provisions of **Section 8.0200**, Existing and Nonconforming Uses.

Table 4.1230 Civic Neighborhood Sub-District Development Standards

	TDM-C	TDH-C	HDR-C	MDR-C
A. Minimum Lot Size (Section 4.1231)	None	None	None	None
B. Minimum Average Floor Area Ratio (FAR) (Section 4.1232)	0.4:1 south; 0.6:1 north ⁵	1.1:1	None	None
C. Minimum Residential Density (Section 4.1232) (See Net Acreage definition In Article 3)	24 units per net acre	30 units per net acre	24 units per net acre	17 units per net acre
D. Maximum Residential Density (See Net Acreage definition In Article 3)	None	None	None	30 units per net acre
E. Minimum Building Setbacks (Section 4.1234)	0 feet	0 feet	0 feet	5 feet front; 10 feet rear; 0 ft. interior side; 5 feet street side, 20 feet from Wallula ROW
F. Maximum Building Setbacks on all street frontages (Section 4.1234)	0 feet on Primary Pedestrian Streets; 5 feet on all other frontage abutting a public right of way ³	0 feet on Primary Pedestrian Streets; 5 feet on all other frontage abutting a public right of way ³	0 feet on Primary Pedestrian Streets; 5 ft. on all other frontage abutting a public right of way ³	20 feet front; none for rear & interior side; 20 feet for street-side ³
G. Minimum Building Height (Section 4.1233)	22 feet ¹	22 feet ¹	22 feet ¹	22 feet ¹
H. Maximum Building Height (Section 4.1233)	40 feet, or 80 feet maximum with built-in fire protection system	40 feet, or 80 feet maximum with built-in fire protection system	40 feet, or 80 feet maximum with built-in fire protection system ⁶	40 feet
I. Minimum Off-Street Parking Required (Section 4.1237)	None required for Commercial uses 1 space/unit for residential 1 space per 1,000 square feet or the minimum in Table 9.0851, whichever is less, for institutional ⁷	None required for Commercial uses 1 space/unit for residential 1 space per 1,000 square feet or the minimum in Table 9.0851, whichever is less, for institutional ⁷	None required for Commercial uses 1 space/ unit for residential	None required for Commercial uses 1 space/unit for residential
J. Maximum Off-Street Parking Permitted (Section 4.1237)	Residential 1½ space/ unit. Commercial ^{2, 4}	Residential 1½ space/ unit. Commercial ^{2, 4}	Residential 1½ space/ unit. Commercial ^{2, 4}	Residential 1½ space/ unit. Commercial ^{2, 4}

Table 4.1230 Civic Neighborhood Sub-District Development Standards

	TDM-C	TDH-C	HDR-C	MDR-C
K. Ground Floor Window Standards Apply (Section 4.1235)	Yes	Yes	Yes	Yes
L. Screening & Buffering Required (Section 9.0100)	N	N	N	N

Table 4.1230 Notes:

- 1 Two story frontages are required on designated Primary Pedestrian Streets. (For purposes of the Civic Neighborhood Plan District, a Primary Pedestrian Street is a street so designated on Map 2 of Appendix 38, Volume 1 of the Community Development Plan.)
- 2 For mixed use developments, the total requirements for off-street parking shall be the sum of the requirements for the various uses computed separately.
- 3 The maximum front or streetside setback may be exceeded subject to the Manager's approval when enhanced pedestrian spaces and amenities are provided. (See Section 4.1234).
- 4 See Maximum Parking Table, Section 9.0852(A).
- 5 A minimum FAR of 0.4:1 is required south of the MAX line; and a minimum FAR of 0.6:1 is required to the north of the MAX line.
- 6 A maximum building height of 60 feet applies to the eastern-most tax lot of Parcel A3 fronting NW Florence Avenue and designated HDR-C.
- 7 Minimum parking standard only applies within 1,000 feet of a MAX station. The only exceptions allowed to this minimum are Sections 9.0853(C) and (E) and Sections 10.1510 and 10.1530. Institutional uses more than 1,000 feet from a MAX station, see Section 9.0851.

4.1231 Lot Size

There is no required minimum lot size for any use within the Civic Neighborhood Plan District. Land Divisions are subject to provisions of **Appendix 5.000** of the Gresham Community Development Code.

4.1232 Minimum Densities

- A.** Purpose. Minimum densities are a tool for achieving the intensity of development. Minimum FAR's help to ensure that the most intensive forms of building development will occur in those areas appropriate for multi-story commercial buildings and higher residential densities. The more intensive levels of development brought about by minimum FAR's close to light-rail stations also encourage increased use of light rail transit.
- B.** Minimum Densities. Required minimum densities shall be calculated on a project by project basis, and may include multiple contiguous blocks. Each project shall meet residential or commercial density requirements. In the case of a master plan, minimum densities will be calculated on the development of the master plan area as a whole. In residential zones allowing commercial uses, minimum residential densities shall be met within each project. Projects involving part of a block shall be required to submit a master plan showing how whole block standards will be met. However, in the case of a master plan, no commercial phase shall be developed to a density of less than 75% of the required minimum FAR. A master plan may not depend on redevelopment of early phases to achieve overall minimum density requirements.
- C.** FAR Standard. The minimum floor area ratios contained in **Table 4.1230** apply to all non-residential building development. In mixed-use developments, residential floor space is included in the calculations of floor area ratio to determine conformance with minimum FAR.
- D.** Transfer of Floor Area and Residential Density. In the TDH-C and HDR-C sub-districts, floor

area and residential density may be transferred between sites located within either of these same sub-districts through the Type II process. The sites are not required to be abutting; however, both the sending site and receiving site must be located within the Civic Neighborhood Plan District. Floor area and residential density transfers are subject to the following:

1. Buildings on each site may not exceed the height limit established for that site by **Section 4.1233**.
2. Transfers from sending sites are limited to 50% of the required minimum average floor area ratio and minimum residential density applicable to that site.
3. Transfers to receiving sites are limited to 100% of the minimum floor area ratio and minimum residential density applicable to that site. Receiving sites must be developed to achieve at least the minimum floor area ratio and minimum residential density applicable to that site plus any transferred density.
4. All involved property owners must be parties to the Type II application for the density transfer.

4.1233 Building Height

- A. Purpose. The minimum and maximum building height standards are used to establish appropriate scales of buildings in specific areas of the Civic Neighborhood, to achieve a pedestrian-friendly character supportive of a dense mix of residential and commercial uses. Buildings which are compatible in scale help to create a harmonious visual setting which enhances the livability of a neighborhood.
- B. Minimum Height Standards. The minimum building height requirement of 22 feet is applicable to all street frontages in the Plan District, but is not applicable to parts of buildings which are not visible from streets adjacent to the building.
 1. Minimum building height standards apply to new commercial and residential buildings. They do not apply to accessory structures, one-time additions or expansions of non-conforming structures of no more than 25% and less than 1,000 square feet, or buildings of less than 1,000 square feet in area.
 2. Facades of at least two stories are required on designated Primary Pedestrian Streets.
 3. Where two stories are required, the second story shall be designed in conformance with **Section 4.1235 (B)(1)(b) and (d)** for any facade which faces a public street.
- C. Maximum Height Standards. Three stories or 40 feet unless equipped with built-in fire protection systems. When fire sprinklers, alarms, and when needed, enclosed, pressurized exit stairwell systems are provided, the building height may be increased to 80 feet. No increase in height above 40 feet is permitted in MDR-C sub-districts.
- D. Second Story Active Uses along Primary Pedestrian Streets. On Primary Pedestrian Streets north of the MAX line, the second story shall contain floor space suitable for occupancy by commercial, residential or community service use, or an atrium, and shall have a minimum depth from the Primary Pedestrian Street of 30 feet. Parking structures constructed per the requirements of **Section 4.1235(B)(2)** are exempt from this section. (See **Section 4.1248** for mixed use requirements adjacent to the LRT station and public plaza.) Primary and Secondary Pedestrian Streets are shown on **Map 4.1247A**.
- E. Height standards for single family attached dwellings are identified in **Table 7.0201(L)(3)(f)**.

4.1234 Setbacks

- A.** Purpose. Required building setbacks are devised to complement applicable standards for building heights and floor area ratios to ensure placement of buildings in a way which creates an attractive streetscape and pleasant pedestrian environment. These regulations also assist compatibility of building scale, leading to coherent design schemes throughout the Civic Neighborhood Plan District.
- B.** Building Setback Standard. Required minimum and maximum setback standards are stated in **Table 4.1230**. These setback standards apply to buildings only.
 - 1.** Minimum setback distances shall be determined in conformance with the definition for "Setback" as specified in **Section 3.0100 - Definitions**.
 - 2.** Conformance with maximum setback distance is achieved when no portion of a building's primary façade(s) is farther from the adjacent property line than the distance specified for Maximum Building Setback in **Table 4.1230**. However, maximum building setbacks may be exceeded when a development incorporates enhanced pedestrian spaces and amenities which occupy not less than 100% of the additional setback area. Enhanced pedestrian spaces and amenities consist of features such as plazas, arcades, courtyards, lawns, outdoor cafes, widened sidewalks, benches, shelters, street furniture, public art, or kiosks. In addition, the maximum setback distance may be exceeded for purposes of complying with **Section 4.1235(B)(1)(c) and (e)**.
 - 3.** For single-family attached dwellings with direct auto access from the street, garage entrances shall not be closer to the street property line than any other portion of the front facade of the building. Setback standards for single family attached dwellings are specified in **Table 7.0201(L)(3)(a)**.

4.1235 Ground Floor Windows, Window Walls, Blank Walls, and Design

- A.** Purpose. Long expanses of blank walls facing the street or other public area severely detract from the attractiveness and perceived safety of pedestrians using those spaces. The standards of this section are intended to enhance street safety and provide a comfortable street environment by providing ground-level features of interest to pedestrians along streets. These standards also have the purpose of encouraging surveillance opportunities as buildings address abutting streets and public areas, preventing fortress-like facades, and avoiding a monotonous pedestrian environment.

B. Standards

1. All new commercial, mixed-use and institutional buildings in the Civic Neighborhood PD shall comply with the following standards for Ground Floor Windows, Window Walls and Blank Walls:
 - a. All development shall provide ground floor windows along street facades, in conformance with **Subsection d**, below. Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows. Required windows may have a sill no more than 4 feet above grade. Where interior floor levels prohibit such placement, the sill may be raised to allow it to be no more than 2 feet above the finished floor level, up to a maximum sill height of 6 feet above grade.
 - b. Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows along street facades.
 - c. Where building frontage along a street is greater than 100 feet in length in the HDR-MDR, and TDH sub-districts, or greater than 200 feet in length in the TDM sub-district, elements such as bay windows and recessed entrances shall be used for pedestrian scale.
 - d. Except in the TDM-C sub-district, any wall which is within 30 feet of the street shall contain at least 50% of the ground floor wall area facing the street in display areas, windows, or doorways. In the TDM-C sub-district, any wall which is within 30 feet of a primary pedestrian street, and within 30 feet of a secondary pedestrian street shall contain at least 50% and 20%, respectively, of the ground floor wall area facing the street in display areas, windows, or doorways. Primary and Secondary Pedestrian Streets are shown on **Map 4.1247A**.
 - e. Buildings must include changes in relief on 15% of their street facades such as cornices, bases, fenestration, fluted masonry or other treatments for pedestrian interest and scale.
2. For all new multi-level parking structures fronting a primary pedestrian street, at least 50% of such ground-floor street frontage, excluding driveway entrances and elevators, shall be designed to accommodate commercial floor space, in addition to complying with **Subsection (1)**. For purposes of complying with **Subsection (1) (a)** and **(d)**, any wall openings in a parking structure (except driveway entrances) which allow for viewing into the structure from an abutting street shall be considered the equivalent of display areas, windows, and doorways.

4.1236 Building Lines, Orientation and Primary Entrance

- A. Purpose. The purpose of this section is to require buildings and entrances to be oriented to the street, with windows looking out onto and surveying the street, in order to make walking safe and direct. Requirements for orientation and primary entrances are intended to:
 1. Provide for convenient, direct, and accessible pedestrian routes to and from public sidewalks and transit facilities;
 2. Provide for safe, pleasant and convenient pedestrian circulation by connecting activities within a structure to the adjacent sidewalk and to nearby transit stops; and

3. Promote the use of pedestrian and transit modes of transportation to retail and commercial facilities.

B. Standards:

1. All new commercial, mixed-use, and institutional buildings in all sub-districts of the Civic Neighborhood PD shall comply with the following standards for Building Orientation and Primary Entrance:
 - a. All buildings shall have at least one (1) of their primary entrances face an abutting street or, if available, on a primary pedestrian street, rather than the parking area. A building may have more than one (1) primary entry, as defined in the Building Code.
 - b. Building entries must comply with the accessibility Standards as outlined in the Building Code.
 - c. Buildings shall have a primary entrance connecting directly between the street and the building interior. This entrance shall be open to the public during all business hours.
 - d. Primary building entrances shall be architecturally emphasized and visible from the street.
 - e. The minimum lighting level for building entries is 4 foot-candles. Lighting shall be a pedestrian scale 3 feet to 12 feet and the source light shall be shielded to reduce glare.
 - f. For building facades over 300 feet in length in the HDR, MDR, and TDH sub-districts, and over 350 feet in length in the TDM sub-district, respectively, facing a street, two or more building entrances on the street must be provided.
 - g. Building entrances shall incorporate arcades, roofs, porches, alcoves, porticoes and awnings that protect pedestrians from the rain and sun.
 - h. If the building has frontage on more than one street, the building shall provide a primary entrance facing one of the streets, or a single entrance to the corner where two streets intersect.

4.1237 Off-Street Parking

See **Section 9.0800** for general parking lot design standards and submittal requirements. Parking lot location shall be in accordance with **Section 9.0821**. Parking space minimums and maximums shall be as determined in **Table 4.1230(I)** and **(J)**, **Table 4.1230(A)**, and **Section 9.0852(A)**. Interim Parking is permitted in the Civic Neighborhood, when in accordance with **Section 9.0860**.

4.1238 Auto Dependent Uses

A. Purpose:

The Civic Neighborhood Plan District is intended to function equitably for all modes. This means that most uses are designed and developed at a pedestrian scale, with ease, safety, and convenience of pedestrian movement being a primary objective. In order for this objective to be achieved, it is important to limit the number of vehicles and their movements within this district. Auto dependent uses, to the extent that they are permitted in this Plan District, are therefore limited to perimeter

sites where existing traffic volumes are already relatively high, and conflicts with pedestrian movements within the Civic Neighborhood Plan District would be minimal.

B. Auto-Dependent Uses Standard:

Auto-dependent uses are limited to sites fronting on Burnside Road, Eastman Parkway, and Division Street.

4.1239 Drive-Through Uses

A. Purpose:

Drive-through uses (defined in **Section 3.0100**) conflict with the safe and convenient movement of pedestrians and bicycles within the Civic Neighborhood Plan District. Drive-through uses are therefore not permitted in the Civic Neighborhood except when such use is incidental to a primary site use, and when designed in conformance with the following standards.

B. Drive-Through Uses Standards:

1. The drive-through use shall be limited to one service window which is part of a primary use structure, and to no more than two queuing lanes.
2. No curb cuts are permitted for the exclusive use of drive-through queuing or exit lanes on Burnside Road, Eastman Parkway, and Division St.
3. The drive-through service window and queuing lane(s) shall be located as far as practical from any nearby transit facility.

4.1240 Site Landscaping

A. Purpose

Some site landscaping is required in the Civic Neighborhood Plan District because it contributes to the quality and character of open spaces. It also helps to reduce stormwater runoff by reducing impervious surface area.

B. Site Landscaping Standard

There is no minimum site area landscaping requirement. For all new development in the Civic Neighborhood Plan District, any site area not developed for building, parking, or enhanced pedestrian spaces shall be improved with landscaping, as defined in **Section 3.0100**. Examples of enhanced pedestrian spaces include plazas, arcades, galleries, courtyards, outdoor cafes, widened sidewalks, benches, shelters, street furniture, public art, or kiosks. Street trees are required, as provided in **Section 9.1000**.

4.1241 Residential Open Space and Design

A. Purpose

These standards ensure a minimal amount of open space for residents of all new attached dwellings on a single lot, whether as part of a mixed-use development, or as a free-standing residential development. However, to encourage greater densities and maximize efficient use of site areas, shared open spaces are not required in residential developments. Outdoor private space required in **Section 7.0103** and **Section 7.0201** increases the livability of neighborhoods within the Civic Neighborhood Plan District, and provides outdoor living and recreational opportunities which are immediately available to residents.

B. Required Residential Open Space

The design criteria, guidelines and standards of **Section 7.0103** and **Section 7.0201** shall apply to all residential developments and to dwellings within a mixed-use development, except as provided below:

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

4.1242 Architectural Design Review Guidelines

A. Purpose

The guidelines contained in this section are intended to encourage good quality design in new building construction within the Civic Neighborhood Plan District, and are not to be construed as mandatory approval criteria. Good design results in buildings which are visually compatible with one another and adjacent neighborhoods contributing to a district which is attractive, stimulating, active, and safe. These qualities in turn contribute to the creation of a Civic Neighborhood core which facilitates easy pedestrian movement and establishment of a rich mixture of uses. A diversity of architectural styles is encouraged in the District.

B. Provisions of this section shall apply to proposals for the following types of building construction within the Civic Neighborhood Plan District:

1. New attached dwellings;
2. New commercial buildings;
3. New mixed-use buildings;
4. New institutional buildings;
5. Substantial improvement (as defined in **Section 3.0103**) of any of the building types specified in this subsection.
6. Structural alteration to a façade which requires a building permit.

C. Provisions of this section shall not apply to new accessory structures with less than 1,000 square feet of floor area, or to alternations of existing accessory structures with less than 1,000 square feet of floor area.

D. In addition to other application materials required for a development permit, the applicant shall submit exterior building elevation drawings for the proposed construction at a minimum scale of one-eighth inch equals one foot. These plans shall show the size, location, materials, colors, and

characteristics of all proposed exterior building features. For purposes of this section, color photographs may be submitted in lieu of exterior elevations for existing buildings.

- E.** A development permit application for construction subject to architectural design shall be referred to the Design Commission for review. In its review, the Design Commission shall make findings and recommendations concerning conformance with the guidelines of this section. The findings of the Design Commission shall be considered advisory only, and not binding upon the applicant.
- F.** Review of plans by the Design Commission shall take place in accordance with **Article 11**.
- G.** General Guidelines for Architectural Design Review
 - 1.** Buildings should promote and enhance a comfortable pedestrian scale and orientation. Facades should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in facades, floor levels, architectural features, and exterior finishes are encouraged to create the appearance of several smaller buildings.
 - 2.** Upper stories should be articulated with features such as bays and balconies.
 - 3.** To balance horizontal features on longer facades, vertical building elements, such as stairs to upper stories and building entries, should be emphasized.
 - 4.** Buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, and awnings to protect pedestrians from the rain and sun.
 - 5.** Special attention should be given to designing a primary building entrance which is both attractive and functional. Primary entrances should be clearly visible from the street, and incorporate changes in mass, surface, or finish to give emphasis to the entrance. All building entrances and exits should be well lit.
 - 6.** Certain buildings, because of their size, purpose, or location should be given special attention in the form of ornamental building features, such as towers, cupolas and pediments. Examples of these special buildings include theaters, hotels, cultural centers, and civic buildings.
 - 7.** Buildings located at the intersection of two streets should consider the use of a corner entrance to the building.
 - 8.** Exterior building materials and finishes should convey an impression of permanence and durability. Materials such as masonry, stone, stucco, wood, terra cotta, and tile are encouraged. Windows are also encouraged, where they allow views to interior activity areas or displays. However, glass curtain walls, reflective glass, and painted or darkly tinted glass should not be used.
 - 9.** Where masonry is used for exterior finish, decorative patterns (other than running bond pattern) should be considered. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone, or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile bands used in conjunction with materials such as concrete or stucco.
 - 10.** Preferred colors for exterior building finishes are earthtones, creams, and pastels of earthtones. High-intensity primary colors, metallic colors, and black should be avoided.
 - 11.** All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, shall be removed or screened from public view by parapets, walls, fences, dense evergreen foliage, or by other suitable means.

12. For buildings designed to house most types of retail, service, or office businesses, traditional storefront elements are encouraged for any facade facing a primary pedestrian street. These elements include:
 - a. Front and side building walls placed within 10 feet of abutting street right-of-way boundaries;
 - b. Clearly delineated upper and lower facades;
 - c. A lower facade containing large display windows and a recessed entry or entries;
 - d. Smaller, regularly spaced windows in upper stories;
 - e. Decorative trim, such as window hoods, surrounding upper floor windows;
 - f. A decorative cornice near the top of the facade;
 - g. Piers or pilasters, typically of masonry.
13. Individual windows in upper stories should conform with the following guidelines:
 - a. Glass area dimensions should not exceed 5 feet by 7 feet (The longest dimension may be taken either horizontally or vertically.)
 - b. Windows should have trim or molding at least two inches wide around their perimeters.
14. Ornamental devices, such as molding, entablature, and friezes, are encouraged at the roofline. Where such ornamentation is present in the form of a linear molding or board, the band should be at least 8 inches wide.
15. Arbors or trellises supporting living landscape materials should be considered for ornamentation of exterior walls. Any such feature should cover an area of at least 100 square feet, and include sufficient plantings to achieve at least 30% coverage by plant materials within three years.

4.1243 View Protection

A. Purpose

Views of nearby features such as the station plaza, and of distant objects such as Cascade mountain peaks contribute to the special identity of the Civic Neighborhood. Each new building will inevitably limit views from buildings and sites nearby. The purpose of this guideline is to ensure that all reasonable care is taken to avoid obstructing valued views.

B. View Protection Guidelines

No public view corridors have been designated within or across the Plan District. In siting, orienting and designing structures anywhere within the Civic Neighborhood, consideration shall be given to public and private views from within the Neighborhood and beyond, which may be affected by new construction or associated landscaping. While it is unreasonable to deny the right to develop a site because views will be affected, it is reasonable to require the applicant to consider such factors as alteration of grade, height of buildings, length of buildings, siting and orientation. Also to be considered are species and locations of trees and shrubs to be planted, and the height and transparency of fences and other structures. Applicants shall, therefore, demonstrate that minimization of view encroachment has been taken into consideration in proposed developments, provided that such consideration shall not be a basis for review of or authorization of a proposed project.

C. Special provisions for northwest portions of the site which are above the 330 foot contour are

given below:

1. Purpose

The northwestern portion of the Civic Neighborhood stands atop a bluff providing an unobstructed view of Mount Hood to the east. This scenic view should be preserved in a manner benefiting all the potential uses of this area, both to enhance and to increase the desirability of those uses and the likelihood of successful development.

2. Maximizing Scenic Views Guideline

All development atop the bluff in the northwestern portion of the Civic Neighborhood shall be designed to achieve a reasonable balance between (1) taking advantage of the scenic view, if desired, and (2) permitting the scenic view to be available to other development atop the bluff. Factors to be considered in achieving this balance shall include alterations of grade, height of buildings, length of buildings, and vegetation. Vegetation, while desirable, should be limited in height so as to avoid any diminution of the scenic view.

4.1244 Street Requirements

A. Purpose

Public right of way widths and alignments are described in **Section 4.1247** Street Design Requirements for the Civic Neighborhood Plan District, and are generally to be adhered to. **Map 4.1247A** – Functional Street Classifications, shows the Civic Neighborhood street plan. However, lateral adjustment of some streets may be allowed in order to provide greater flexibility in the configuration of development. In addition, this section provides for street and pedestrian/bicycle accessway design flexibility when specific development opportunities are realized.

B. Street Improvements and Standards

- 1.** The Functional Street Classification plan for the Civic Neighborhood supersedes the Transportation System Plan Functional Classification Plan and is shown on **Map 4.1247A**, and streets, accessways and multi-use pathways shall be constructed per the standards contained in **Section 4.1247**.
- 2.** Gresham Civic Neighborhood Pedestrian Accessways shown on **Map 4.1247A** may be replaced with a Shared Street if criteria for Shared Streets are met, and the replacement is approved by the Manager.
- 3.** A Shared Street may be constructed as adjacent properties are developed at locations shown on **Map 4.1247A**, and per standards in **Section 4.1247**. Shared Streets are subject to the following criteria:
 - a.** A Shared Street must connect at both ends with a public street;
 - b.** Shared Streets shall be permanent public access easements;
 - c.** If the Shared Street design is not desired or approvable, a local street shall be provided per the requirements of **Section 4.1247**.
 - d.** Developments adjacent to Shared Streets are subject to the requirements of **Section 4.1236** - Building Lines, Orientation and Primary Entrances.
- 4.** If a Shared Street is proposed to replace a Pedestrian Accessway through Blocks A9-10, a GCN Pedestrian Accessway is required from NW Civic Drive to the Shared Street if the Shared Street does not extend to NW Civic Drive.

C. Standards for Street Modification

- 1.** Public rights of way shown on the Plan Maps may be shifted by up to half the width of the right of way (30 feet) provided that all of the following conditions are satisfied:
 - a.** All shifts shall be parallel to the mapped right-of-way center line;
 - b.** Shifts shall not result in mis-aligned intersections within the Civic Neighborhood or across the streets which bound the neighborhood;
 - c.** Shifts shall not affect mapped crossings or potential crossings of the light rail line.
- 2.** The street separating Blocks G1 and G2 may be removed if a major commercial development is proposed. The development must include:
 - a.** Ground floor retail with retail, office or residential uses above the ground floor;
 - b.** Pedestrian access from NW Civic Drive to NW Sleret Drive, accessible to the public during normal business hours;
 - c.** Conformance with one of the two following criteria must be met:
 - i.** A minimum of 100,000 square feet of gross leasable area must be provided, or
 - ii.** Significant topographic constraints exist.

D. Pedestrian/Bicycle Facilities

Pedestrian/Bicycle facilities are shown on **Map 4.1247A** and shall be constructed per the standards in **Section 4.1247**.

4.1245 Clear Vision Area Requirements

New development in the Civic Neighborhood Plan District is exempt from the Street and Railroad Clear Vision Area standards of **Section 9.0200**.

4.1246 Signage

A-Board signs may be permitted as provided in **Appendix 6.000**. The regulations of **Section A6.000** shall be applied as follows in the Civic Neighborhood Plan District:

- A.** The regulations of **Section A6.100** shall be applicable in the TDH-C and TDM-C sub-districts.
- B.** The regulations of **Section A6.092** and **A6.094** shall be applicable in the HDR-C sub-district.
- C.** The regulations of **A6.094** shall be applicable in the MDR-C sub-district.
- D.** In all sub-districts, signage for multi-business complexes shall be regulated as provided in **Section A6.101**.

Section 4.1247 Street Design Requirements

A. Purpose

Special street design features will support pedestrian-oriented, transit-supportive development in the Civic Neighborhood Plan District. These requirements will ensure consistent application of appropriate treatments throughout the district.

B. Standards

All new development in the Civic Neighborhood Plan District shall comply with the following standards for street design in addition to the Public Works Standards. If a conflict arises, the Civic Neighborhood Plan District Street Standards supersedes the Public Works Standards.

- 1. Streets**

- a. Five Functional Street Classifications shall apply to the Civic Neighborhood Plan District (refer to **Map 4.1247A** and Public Works Standards Drawings 536, 537, 538). **Table 1** notes the Functional Classifications and associated streets.

Table 1: Street Classifications

	Civic Neighborhood Boulevard	Civic Neighborhood Collector	Civic Neighborhood Community Street	Civic Neighborhood Local	Civic Neighborhood Shared Street
ROW	98' to 116'	80'	60' to 80'	60'	40' Easement
Travel Lane	11'	11'	11'	9'	11' one-way
On-Street Parking***	0' or 7'	7'	Allowed	7'	Allowed
Bike Lane (both sides of street)	6'	6'	Allowed	Not required	Not required
Sidewalk Corridor	15'	15'	13' to 15'	13'	See Section 4.1247(B)(1)(b)
Landscaped Median	12' to 16'	As required by Manager*	Not Required	As required by Manager* **	Not required
Streets	Burnside, Division, Eastman	Civic Drive, Norman, Wallula	See Map 4.1247A	See Map 4.1247A	See Map 4.1247A

Note:

* In areas where traffic volumes and/or pedestrian volumes are high, and/or in areas where a high level of conflict between automobile traffic and pedestrians are projected, the Manager may require the following right-of-way improvements as defined in the Public Works Standards, in addition to those required under Section A5.400: landscaped medians, median island pedestrian refuges, traffic calming circles, and/or other mitigation measures.

** The Manager may approve an adjustment to the sidewalk corridor and right-of-way for local streets not designated Primary Pedestrian Streets per Section 4.1247(B)(2)(c).

*** On-street parking may be eliminated on one or both sides of a Local Street when it can be demonstrated that the on-street parking conflicts with adjacent land use. If on-street parking is removed, the Local Street ROW may be reduced accordingly (7' or 14').

- b. The shared street is intended for local access only and will help assure a continuous and connected street grid pattern where a local street may not be feasible, due to topography or other factors (see **Map 4.1247A**). A shared street shall be one-way and must connect at both ends with a public street (Civic Neighborhood Collector or Civic Neighborhood Local).

The shared street is shared by all travel modes. It includes landscaping and may include parking, and pedestrian amenities. The typical curb and sidewalk grade

changes are eliminated for a single surface. The same paving material may cover the entire street width. Interlocking-pavers are preferred and color variations to demarcate parking or other special features are encouraged. There are no conventional, straight stretches of pavement with raised curbs. Pavement and sidewalks are not rigidly demarcated. The impression that the street is divided into a separate roadway for cars and pedestrians shall be avoided (refer to **Figure A11.001, Appendix 11.000**).

A 40-foot public access easement shall be dedicated for a shared street. Within the 40-feet, 11-foot maximum is dedicated to an automobile pathway that may also be used by bicycles, and pedestrians. The automobile pathway shall meander to allow automobile speeds of no faster than 10 to 15 mph. The street design shall encourage drivers to travel at a walking pace. Car speed and movement is restricted by physical barriers, and by deviations, bends, and undulations in the street. The centerline can shift up to 45 degrees at intervals. In general a shared street should appear as a pedestrian-only street yet accessible to automobiles (refer to **Figure A11.002, Appendix 11.000**).

The entrances and exits of a shared street shall be designed so that they can be clearly recognized and obvious to automobile drivers. Signs, raised pavement, colored pavers, and other distinctive design features shall be used to physically control travel speeds immediately upon entry of the shared street, and to clearly indicate the new street environment to all users.

A maximum volume of 800 vehicles per day is allowed on a shared street. A Civic Neighborhood Local Street shall be constructed if projected traffic volumes exceed 800 vehicles per day. The maximum length of a shared street shall be 900 feet. The minimum intersection spacing for shared streets shall be the same as for local streets at 100 feet.

Table 2: Shared Street Minimum Requirements

Public Access Easement	40 feet. Allowed within this space: automobile pathway, bicycle and pedestrian facilities, parking, lighting, landscaping, other pedestrian amenities such as benches. This is a single surface space with no demarcation or elevation changes for pedestrians.
Travel Lane Width	11 feet one-way travel
Design Speed	10 to 15 mph
ADT	Maximum of 800 vehicles per day
Street Length	Maximum of 900 feet
Intersection Spacing	Minimum of 100 feet

- c. Any substitution material or alternate method not explicitly approved by the

Public Works Standards will be considered for approval as set forth in Section 1.0010 of the Public Works Standards. Persons seeking such approvals shall make application in writing. Approvals of any major deviation from the Public Works Standards shall be in written form. Approval of minor matters shall be made in writing if requested.

Any alternate must meet or exceed the minimum requirement in the Public Works Standards. The written application is to include, but is not limited to, the manufacturer's specifications and testing results, design drawings, calculations, and other pertinent information.

Any deviations or special problems shall be reviewed on a case-by-case basis and approved by the City's Engineer. When requested by the City, full design calculations shall be submitted for review with the request for approval.

2. Sidewalk Corridor:

- a.** The standard sidewalk corridor shall consist of the following (refer to **Figure A11.003, Appendix 11.000**):
 - i.** A 6" wide curb
 - ii.** In primary commercial zones:
 - A.** A minimum 4-foot wide amenities zone abutting the curb for street trees, signs, utility and streetlight poles, fire hydrants, bike racks, etc. The amenity zone shall be hard surfaced and a contrasting color and texture from the sidewalk as approved by the Manager.
 - B.** A minimum 9-foot wide through-zone that is clear of all obstacles including utility vaults. Tree wells shall not be included in the 9-foot through-zone. The through-zone shall parallel the street and provide a direct, hard-surfaced, walking path.
- b.** In primary residential zones:
 - i.** The amenity zone shall be a minimum of 5-feet and landscaped with a low growing groundcover, such as grass, as approved by Manager. The Manager may approve the use of hard surface of contrasting color and texture from the sidewalk in lieu of landscaping only where needed to accommodate pedestrian amenities such as street furniture or water fountains.
 - ii.** A minimum 8-foot wide through-zone that is clear of all obstacles including utility vaults. Tree wells shall not be included in the 8-foot through zone. The through zone shall parallel the street and provide a direct, hard-surfaced, walking path.
- c.** Adjustments:
 - i.** The Manager may approve an adjustment to the sidewalk corridor and right-of-way for local streets not designated Primary or Secondary Pedestrian Streets when:
 - A.** The adjacent use is primarily residential;

- B.** There are fewer than three commercial building entries accessing the sidewalk;
 - C.** Residential density on the abutting block is less than 50 percent higher than the minimum residential density specified in **Table 4.1230**.
- ii.** In no case shall the sidewalk corridor consist of less than a 4-foot amenity zone and a 6-foot through-zone.
 - iii.** All other requirements of **Section 4.1247(B)(2)** shall apply.
- d.** Overhead awnings or arcades shall be designed to protect the through-zone from rain water runoff.
 - e.** Street Trees:
 - i.** Street trees shall be placed in the amenity zone. Trees placed back of walk are not considered street trees and do not fulfill the requirements of **Section 9.1000**.
 - ii.** Tree grates or pavers shall be used in hard surfaced amenity zones. Plastic tree grates are not allowed (refer to Public Works Standards Drawing 533).
 - iii.** Recommended street trees are designated per functional street classification as noted in **Table 3**.

Table 3: Street Tree Recommendations

Civic Neighborhood Boulevard	Civic Neighborhood Collector	Civic Neighborhood Local or Shared
Littleleaf Linden	Red Sunset Maple	White or Green Ash
Northern Red Oak	Hedge Maple	Aristocrat Callery Pear
Accolade Elm	Queen Elizabeth Maple	Columnar Sargent Cherry
Autumn Purple White Ash	Bowhall Maple	European Hornbeam

- 3.** Street lights: Decorative pedestrian scale street lighting is required as specified in Public Works Standards Drawings 528 or 532.
- 4.** Intersections:
 - a.** Intersection corners shall be clear of control boxes, street trees, utilities, etc. Traffic signs and signal poles shall be placed outside of the pedestrian through zone (refer to **Figure A11.004, Appendix 11.000**).
 - b.** All crosswalks shall have a contrasting color and texture detail. Colored pavers or concrete is required (refer to Public Works Standard Drawings 534 and 535).
 - c.** Curb extensions shall be required for all intersections and mid-block pedestrian crossings.
 - d.** In no case shall the curb to curb width be less than 20 feet.
- 5.** Shopping cart storage shall not be allowed within public rights-of way.
- 6.** Any encroachments located in the public right-of-way or public pedestrian easement shall be subject to design approval by Manager.

7. Pedestrian connections (multi-use paths and GCN Pedestrian Accessways) shall be constructed as noted in **Map 4.1247A**. Specific alignments shall be reviewed and approved by the Manager and shall provide the point-to-point connections indicated.
 - a. The multi-use path shall be constructed of concrete and meet the requirements of the neighborhood pedestrian accessway standard (refer to **Section A5.508** and Public Works Standard Drawing 515).
 - b. The Civic Neighborhood Pedestrian Accessway shall be used where indicated on **Map 4.1247A**.
 - i. The Civic Neighborhood Pedestrian Accessway is a 20-to 40-foot public access easement or dedication. Within the 20-to 40-feet, a 12-to 20-foot wide concrete pathway is required. Other hard-surfaced materials may be used as a substitute to concrete with sufficient justification and approval by the Manager. The remaining space will be dedicated to landscaping, including trees, water features, and other pedestrian amenities (refer to **Figure A11.005, Appendix 11.000**).
 - ii. Non-permanent cart vendors, kiosks, outdoor restaurant seating, etc. may be allowed in a Pedestrian Accessway provided a minimum 12-foot wide pathway is continually clear of any and all obstructions.
 - iii. The Pedestrian Accessway shall be lighted per the multi-use path standards in **section A5.508**.
 - iv. Local Streets or Shared Streets may be used in lieu of a Pedestrian Accessway subject to approval of the Manager.
 - c. The multi-use path linking NW Council Drive at NW Florence Avenue to NW Shattuck Way shall provide a connection to NW Shattuck Way within an area extending at least 100 feet from the intersection with NW Burnside and 100 feet from the intersection with NW Florence Avenue. **Map 4.1247A** follows:

4.1248 Mixed Use Requirements Adjacent to Civic Neighborhood LRT Station and Plaza

A. Purpose

The purpose of this section is to require development projects adjacent to the Civic Neighborhood LRT Station and the public plaza planned on the north side of the station to contain a variety of commercial, residential and institutional uses. A mix of uses will assure a high level of pedestrian activity in the area at most times of the day, and will contribute to “eyes on the street”, enhancing security and safety in the area.

B. Standards

1. Development facing the light rail station, and facing the public plaza as shown on **Map 4.1247A** shall provide for a mix of uses. On these facing developments, Business and Retail Service and Trade, or institutional uses are required on the ground floor. Lobbies or entrances to residential uses are also permitted.
2. Ground floor Business and Retail Service and Trade and Institutional uses shall have primary customer entrances oriented toward the light rail station and public plaza. Off-street parking and loading is not permitted along these frontages.
3. Above the ground floor, Business Service, Institutional or residential uses are required, and the facing development shall have a minimum depth of 30 feet.

4.1249 Adjustments to Certain Development Standards on Primary Pedestrian Streets

A. Purpose

Development standards for Primary Pedestrian Streets are designed to achieve the purpose statement for the Civic Neighborhood, that is to achieve a mixed-use, transit centered neighborhood that has a high quality pedestrian environment and includes uses and features associated with the center of the City. However, because of the varied topographic conditions found within the Civic Neighborhood, some sites are difficult to develop in compliance with certain development standards. The adjustment process allows applicants to propose alternative designs that are consistent with the purpose of the standards and findings are made that the approval criteria are met.

B. Approval Criteria

Adjustment requests will be approved through a Type II process if the review body finds that the applicant has shown that all approval criteria have been met.

1. Granting the adjustment will continue to meet the purpose of the standard(s) to be modified in an acceptable alternative manner; and
2. The proposal will not significantly detract from the livability or appearance of an area and the proposal will be consistent with the desired character of the area; and
3. If more than one adjustment is being requested, the cumulative effect of the adjustments as well as each individual adjustment results in a project which is still consistent with the overall purpose, goals and standards of the zone; and
4. Granting the adjustment is the minimum necessary to allow the proposed use of the site, and any impacts resulting from the adjustment are mitigated to the extent practical.

C. Standards That May be Adjusted

The following standards may be adjusted using the adjustment process.

1. **4.1233(B)(1) and (2).** Requires facades of at least two stories.
2. **4.1233(D).** Requires second story active uses.
3. **4.1235(B).** Requires ground floor windows.
4. **4.1236(B).** Requires a primary entrance connecting to a street.

D. Sites Eligible for Adjustment Process

1. Sites where existing grades or necessary overall site grading results in a finished grade at the street right-of-way that is a minimum of six feet higher or lower than the abutting sidewalk grade.

4.1250 Solar Energy Standards for Civic Neighborhood Districts

Solar energy systems are limited in all Civic Neighborhood districts as follows:

- A. Scale.** Small and medium scale solar energy systems are permitted. Large scale systems are permitted with a Special Use Review.
- 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.**
 - a.** For roofs that are flat or the horizontal portion of mansard roofs, the solar energy systems on frames shall not exceed 10 feet above the roof height on which the system is installed.
 - b.** For pitched, hipped or gambrel roofs, the solar energy system panels shall not exceed 18 inches in height from the surface of the roof 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.

4.1251 Wind Energy Standards for Civic Neighborhood Districts

Wind energy systems are limited in all Civic Neighborhood districts as follows:

- A. Scale.** Small and medium scale wind energy systems are permitted. Large scale systems are permitted with a Special Use Review.
- 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.** The height of roof-top wind energy systems shall not exceed a value equal to the building height when the building height is 45 feet or less. For buildings which exceed 45 feet in height, the wind energy system shall not exceed 45 feet maximum.
 2. **Ground-mounted.** The height of ground-mounted wind energy systems shall not exceed 45 feet as measured from the grade at the base of the equipment to the top of the system. The height limit of 45 feet can be exceeded up to 110 feet with a Special Use Review.
- D. Setbacks and Yards.** Wind energy systems are not allowed in the required front, street-side, side

or rear setbacks and are not allowed in the front yard or street-side yard between the building and the street.

4.1252 Biomass Energy Standards for Civic Neighborhood Districts

Biomass energy systems are limited in all Civic Neighborhood districts as follows:

- A. Scale. Small scale biomass energy systems are permitted.
- 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, and are not allowed in the front or street-side yards between the building and the street.

4.1253 Geothermal Energy Standards for Civic Neighborhood Districts

Geothermal energy systems are limited in all Civic Neighborhood districts as follows:

- A. Scale. Small scale geothermal energy systems are permitted. Large scale systems are permitted with a Special Use Review.
- B. Type. Closed-loop geothermal energy systems that are not in any well field protection areas are permitted.
- C. Height. Geothermal systems shall not exceed the maximum district height limits.
- D. Setbacks and Yards. Geothermal 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.

4.1254 Micro-Hydro Energy Standards for Civic Neighborhood Districts

Micro-hydro energy systems are limited in all Civic Neighborhood 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.