

ARTICLE 4 LAND USE DISTRICTS AND PLAN DISTRICTS

SECTION 4.0100 RESIDENTIAL LAND USE DISTRICTS

General

4.0101 Purpose

Land Use District Characteristics

4.0110 Low Density Residential-5 (LDR-5)

4.0111 Low Density Residential-7 (LDR-7)

4.0112 Transit Low Density Residential (TLDR)

4.0113 Transition Residential (TR)

4.0114 Moderate Density Residential-12 (MDR-12)

4.0115 Moderate Density Residential-24 (MDR-24)

4.0116 Office / Residential (OFR)

Permitted Uses

4.0120 Permitted Uses

Land Use District Standards

4.0130 Residential Land Use District Standards

4.0131 Additional Standards for the LDR-5 and LDR-7 Districts

4.0132 Additional Standards for the LDR-5, LDR-7, TR and TLDR Districts

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

4.0134 Standards for Residential Districts Other than LDR-5, LDR-7, TLDR and TR

4.0135 Single Family and Duplex Construction on a Lot

4.0136 Manufactured Dwelling Requirements

4.0137 Accessory Dwellings

4.0138 Residential Compatibility Standards for LDR-5, LDR-7, TLDR and TR

4.0139 Large Lot Subdivision Option for LDR-5 and LDR-7

4.0140 Solar Energy Standards for Residential Districts

4.0141 Wind Energy Standards for Residential Districts

4.0142 Biomass Energy Standards for Residential Districts

4.0143 Geothermal Energy Standards for Residential Districts

4.0144 Micro-Hydro Energy Standards for Residential Districts

4.0150 Poultry, Livestock and Beekeeping

General

4.0101 Purpose

Development on lands designated Low Density Residential-5, Low Density Residential-7 Transit Low Density Residential, Transition Residential, Moderate Density Residential-12, Moderate Density Residential-24, and Office / Residential is permitted when consistent with the provisions of this section and all other applicable requirements of the Community Development Plan.

Some non-residential uses may also be permitted within some of these districts. Areas of the city determined appropriate for the following Residential Land Use District developments are identified on the Community Development Plan Map.

Development of land in the following Residential Land Use Districts is permitted when development proposals are found to comply with the standards of this section and other relevant supplementary requirements of this ordinance.

Land Use District Characteristics

4.0110 Low Density Residential-5 (LDR-5)

The Low Density Residential-5 District is primarily intended for single-family detached dwellings and manufactured homes at a maximum net density of 8.71 units per acre. For all subdivisions, and for those partitions of parent parcels greater than 20,000 square feet, a minimum net density of 6.22 units per acre is required.

4.0111 Low Density Residential-7 (LDR-7)

The Low Density Residential-7 District is primarily intended for single-family detached dwellings and manufactured homes at a maximum net density of 6.22 units per acre. For all subdivisions, and for those partitions of parent parcels greater than 20,000 square feet, a minimum net density of 4.35 units per acre is required.

4.0112 Transit Low-Density Residential (TLDR)

The Transit Low Density Residential District designation is applied primarily to existing low-density residential neighborhoods within close proximity of light rail and/or bus transit service and is intended for single family detached and attached dwellings, manufactured homes, and duplexes at a maximum net density of 20 units per acre. For all subdivisions, and for those partitions of parent parcels greater than 13,000 square feet, a minimum net density of 10 units per acre is required. This district is intended to continue as a lower-density neighborhood, with detached single-family housing on small lots. Manufactured dwelling parks are allowed at a maximum net density of 14 units per acre and a minimum net density of 7 units per acre.

4.0113 Transition Residential (TR)

The Transition Residential District designation is intended for a mix of single-family detached, single-family attached and duplex housing. It is applied primarily to locations between more intense land use districts (such as those that allow multi-family residential and commercial uses) and less intense land use districts such as LDR-5 and LDR-7. TR provides a transition between these intensities while providing for a variety of housing types. The residential net density is 6.22 to 14.52 or 18.15 units per acre, depending on site size.

4.0114 Moderate Density Residential-12 (MDR-12)

The Moderate Density Residential District-12 is primarily intended for attached housing at a maximum net density of 12.1 units per acre and manufactured dwelling parks at a maximum net density of 8.71 units per acre. Manufactured dwelling parks shall be designed in conformance with standards and procedures of the Oregon Department of Consumer and Business Services, Building Codes Division as contained in Oregon Administrative Rules Chapter 918 Div. 600. Where standards of OAR 918-600 conflict with the following standards, the more restrictive standard shall apply.

4.0115 Moderate Density Residential-24 (MDR-24)

The Moderate Density Residential District-24 is primarily intended for attached housing at a maximum net density of 24.2 units per acre and a minimum net density of 12.1 units per acre. Some non-residential uses may also be permitted within this district.

4.0116 Office/Residential District (OFR)

The Office/Residential District is primarily intended for business offices, professional clinics and attached housing at a minimum net density of 8.71 units per acre and a maximum net density of 12.1 units per acre.

Permitted Uses

4.0120 Permitted Uses

Table 4.0120 lists those uses that are permitted in each Residential Land Use 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 **Section 4.0130-4.0138** and all other applicable requirements of the Community Development Code.

Table 4.0120: Permitted Uses in the Residential Land Use Districts

USES	LDR-5	LDR-7	TLDR	TR	MDR-12	MDR-24	OFR
RESIDENTIAL							
Single-Family Detached Dwelling	P	P	P	P	L ¹	NP	L ¹
Duplex	L ²	L ²	P	L ³	P	P	P
Single-Family Attached Dwellings	NP	NP	P	P	P	P	P
Attached Dwellings on a Single Lot	NP	NP	NP	NP	P	P	P
Elderly Housing ⁷	NP	NP	NP	NP	SUR	SUR	SUR
Manufactured Dwelling Park	NP	NP	P	NP	P	NP	NP
Residential Facility	NP	NP	NP	NP	P	P	P
Residential Home	P	P	P	P	L ¹	NP	L ¹
COMMERCIAL							
Auto-Dependent Use	NP	NP	NP	NP	NP	NP	NP
Business and Retail Service and Trade	NP	NP	NP	NP	NP	NP	L ⁴
Clinics	NP	NP	NP	NP	NP	NP	P
Commercial Parking	NP	NP	NP	NP	NP	SUR	SUR
Daycare Facilities	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Live-Work	NP	NP	NP	NP	NP	NP	NP
Major Event Entertainment	NP	NP	NP	NP	NP	NP	SUR
Mini-Storage Facilities	NP	NP	NP	NP	NP	NP	NP
Outdoor Commercial	NP	NP	NP	NP	NP	NP	NP
INDUSTRIAL							
Construction	NP	NP	NP	NP	NP	NP	NP
Exclusive Heavy Industrial Uses	NP	NP	NP	NP	NP	NP	NP
Industrial Office	NP	NP	NP	NP	NP	NP	NP
Information Services	NP	NP	NP	NP	NP	NP	NP
Manufacturing	NP	NP	NP	NP	NP	NP	NP
Miscellaneous Industrial	NP	NP	NP	NP	NP	NP	NP
Trade Schools	NP	NP	NP	NP	NP	NP	NP
Transportation/Distribution	NP	NP	NP	NP	NP	NP	NP
Warehousing/Storage	NP	NP	NP	NP	NP	NP	NP
Waste Management	NP	NP	NP	NP	NP	NP	NP
Wholesale Trade	NP	NP	NP	NP	NP	NP	NP
INSTITUTIONAL USES							
Civic Uses	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Community Services	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Medical	NP	NP	SUR	SUR	SUR	SUR	SUR
Parks, Open Spaces, and Trails	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Religious Institutions	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Schools	SUR	SUR	SUR	SUR	SUR	SUR	SUR

USES	LDR-5	LDR-7	TLDR	TR	MDR-12	MDR-24	OFR
RENEWABLE ENERGY⁸							
Solar Energy Systems	L ⁹	L ⁹	L ⁹	L ⁹	L/SUR ⁹	L/SUR ⁹	L/SUR ⁹
Wind Energy Systems	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰
Biomass Energy Systems	L/SUR ¹¹	L/SUR ¹¹	L/SUR ¹¹	L/SUR ¹¹	L ¹¹	L ¹¹	L ¹¹
Geothermal Energy Systems	L ¹²	L ¹²	L ¹²	L ¹²	L/SUR ¹²	L/SUR ¹²	L/SUR ¹²
Micro-Hydro Energy Systems	L ¹³	L ¹³	L ¹³	L ¹³	L ¹³	L ¹³	L ¹³
OTHER							
Basic Utilities							
Minor basic utilities	P	P	P	P	P	P	P
Major basic utilities	L/SUR ⁵	L/SUR ⁵	L/SUR ⁵	L/SUR ⁵	L/SUR ⁵	L/SUR ⁵	L/SUR ⁵
Heliports ⁶	NP	NP	NP	NP	NP	NP	NP
Wireless Communications Facilities	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Temporary, Intermittent & Interim Uses	P	P	P	P	P	P	P
Marijuana Businesses	NP	NP	NP	NP	NP	NP	NP

Notes

¹ Permitted on a lot of record only.

² See **Section 4.0131**.

³ Duplexes are allowed only on corner lots. Each unit of the duplex must have its address and main entry door oriented toward a separate street frontage. Conversion of an existing house may provide one main entrance with internal access to both units.

⁴ Limited Business and Retail Service and Trade when found to be consistent with the requirements of **Section 4.0134**.

⁵ Electrical Generating Facilities are not permitted on residentially designated land.

⁶ Permitted as an accessory use to Medical and Civic Uses through the Special Use Review process.

⁷ May have locational limitations, see **Section 8.0114**.

⁸ See **Section 10.0900** for additional standards that apply.

⁹ For limitations, see **Section 4.0140** Solar Energy System Standards for Residential Districts.

¹⁰ For limitations, see **Section 4.0141** Wind Energy System Standards for Residential Districts.

¹¹ For limitations, see **Section 4.0142** Biomass Energy System Standards for Residential Districts.

¹² For limitations, see **Section 4.0143** Geothermal Energy System Standards for Residential Districts.

¹³ For limitations, see **Section 4.0144** Micro-Hydro Energy System Standards for Residential Districts.

Land Use District Standards

4.0130 Residential Land Use District Standards

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

For purposes of **Table 4.0130** and **Table 4.0130(E)**, Residential Homes are treated like Detached Dwellings on a single lot; Residential Facilities and Elderly Housing are treated like Attached Dwellings on a Single Lot.

Table 4.0130: Development Requirements For Residential Land Use Districts

	LDR-5 ^{1,2}	LDR-7 ^{1,2}	TLDR	TR	MDR-12	MDR-24	OFR
A. Minimum Site Size	None	None	None, except 20,000 square feet for manufactured dwelling park ¹³	None	Attached dwellings: 7,200 square feet Manufactured dwelling parks: 20,000 square ft.	11,000 square feet	7,200 square feet
B. Minimum Lot Size:							
Detached dwelling unit manufactured home:	5,000 square feet	7,000 square feet	None	4,000 square feet	Not Applicable	Not Applicable	Not Applicable
Single family attached dwellings:	Not Applicable	Not Applicable	None	2,400 square feet	3,600 square feet	No minimum lot size	3,600 square feet
Duplexes:	Not Applicable	Not Applicable	None	7,000 square feet	7,200 square feet	3,600 square feet	7,200 square feet
C. Density:							
1. Minimum Net Density (See definition of Net Density In Article 3)	6.22 units per acre ¹⁴	4.35 units per acre ¹⁴	10 units per acre ¹⁴ Manufactured dwelling park: 7 units per acre	6.22 units per acre ¹⁴	Attached dwellings: 8.71 units per acre ⁴ Manufactured dwelling park: 3.78 units per acre	12.1 units per acre ⁵	8.71 units per acre
2. Maximum Net Density	8.71 units per acre Also See Section 4.0131(A)	6.22 units per acre Also See Section 4.0131(A)	20 units per acre Manufactured dwelling park: 14 units per net acre	Sites less than 1.5 acres: 18.15 units per acre Sites greater than 1.5 acres: 14.52 units per acre	Attached dwellings: 12.1 units per acre Manufactured dwelling park: 8.71 units per acre	24.2 units per acre Also See Section 4.0134(D)	12.1 units per acre

D. Minimum Lot Dimensions:							
1. Width at building line a. Interior lot b. Corner lot 2. Depth a. Interior lot b. Corner lot	Single Family detached: (1a) 35 feet (1b) 40 feet (2a) 70 feet (2b) 70 feet	Single Family detached: (1a) 40 feet (1b) 40 feet (2a) 70 feet (2b) 70 feet	None, except single-family attached shall be as per MDR-24 single-family attached	Single Family detached and Duplex: (1a) 35 feet (1b) 40 feet (2a) 70 feet (2b) 70 feet; Single Family Attached: (1a) 16 feet ⁷ (1b) Corner lot ⁸ (2) 0 feet	All uses except Single-family and Duplex: (1a) 65 feet (1b) 70 feet (2a) 90 feet (2b) 100 feet. Single Family Attached Dwellings and Duplex: (1a) 16 feet ⁷ (1b) Corner lot ⁸ (2) 0 feet	All uses except Single-family and Duplex: (1a) 60 feet (1b) 70 feet (2) 100 feet Single Family Attached Dwellings and Duplex: (1a) 16 feet ⁷ (1b) Corner lot ⁸ (2) 0 feet	(1a) 60 feet (1b) 70 feet(2) 100 feet
E. Minimum Yard Setback	See Table 4.0130(E). See Section 4.0138 for infill setback standards.	See Table 4.0130(E). See Section 4.0138 for infill setback standards.	See Table 4.0130(E) See Section 4.0138 for infill setback standards.	See Table 4.0130(E). See Section 4.0138 for infill setback standards.	See Table 4.0130(E)	See Table 4.0130(E)	See Table 4.0130(E)

F. Maximum Building Height	35 feet. See Section 10.1100 for shoreline height standards. See Section 4.0138 for infill height standards.	35 feet. See Section 4.0138 for infill height standards.	35 feet. See Section 4.0138 for infill height standards.	35 feet. See Section 4.0138 for infill height standards.	35 feet. See Section 4.0138 for infill height standards.	Single family attached dwellings: 35 feet. Other attached dwellings: 3 stories or 40 feet. Also see Sec. 4.0134(A) .	35 feet. See Section 4.0134(C) .
G. Height Transition	See Section 9.0600 for applicability.	See Section 9.0600 for applicability.	See Section 9.0600 for applicability.	See Section 9.0600 for applicability.	See Section 9.0600 for applicability.	See Section 9.0600 for applicability.	See Section 9.0600 for applicability.
H. Minimum Street Frontage⁹	35 feet. Corner lots: 40 feet ³	40 feet.	See Table Note 11.	See Table Note 11.	45 feet, except: Single family attached dwellings: 16 feet Single-family attached on a corner lot: varies depending on access. ³ Attached dwellings on a single lot: 45 feet.	Attached dwelling units on a single lot: 45 feet Single-family attached dwellings: 16 feet. Single family attached on a corner lot: varies depending on access ³	Not Applicable, except: Single family attached dwellings: 16 feet. Single family attached on a corner lot: varies depending on access ³
I. Public Facilities. Site and Supplementary Requirements	See Section 4.0132(F)	See Section 4.0132(F)	See Section 4.0132(F)	See Section 4.0132(F)	See Section 4.0134(F)	See Section 4.0134(F)	See Section 4.0134(F)
J. Commercial Development	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	See Section 4.0134(B)

K. Limited Retail Trade, Retail	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	See Section 4.0134(B)
M. Off Street Parking	See Section 9.0800	See Section 9.0800	See Section 9.0800 ¹²	See Section 9.0800	See Section 9.0800	See Section 9.0800	See Section 9.0800
N. Safe Neighborhood Design Performance Standards	See Section 4.0132(D)	See Section 4.0132(D)	See Section 4.0132(D) ¹²	See Section 4.0132(D)	Applicable for single family attached units	Applicable for single family attached units	Applicable for single family attached units
O. Buffers	See Buffer Matrix, Section 9.0100	See Buffer Matrix, Section 9.0100	See Buffer Matrix, Sec. 9.0100 ¹²	See Buffer Matrix, Section 9.0100	See Buffer Matrix, Section 9.0100	See Buffer Matrix, Section 9.0100	See Buffer Matrix, Section 9.0100
P. Infill Development Standards	See Section 4.0138	See Section 4.0138	See Section 4.0138	See Section 4.0138	Not Applicable	Not Applicable	Not Applicable

Table 4.0130 Notes:

- 1 Refer to Section 4.0131(D).
- 2 Refer to Section 4.0132(C).
- 3 As measured from the corner radius end point to the property corner 25 feet if there is an alley or shared access and 32 feet if there is no alley or shared access.
- 4 This does not apply to lots of record less than 7,200 square feet.
- 5 This does not apply to lots of record less than 11,000 square feet in size.
- 6 This does not apply to lots of record less than 20,000 square feet in size.
- 7 Single family attached dwelling lots of less than 22 feet width shall take access from an alley or from a shared access.
- 8 Abuts an alley = 16 feet; shared access = 25 feet; no alley or shared access = 42 feet
- 9 A reduction in the minimum street frontage may be approved when the applicant can document compliance with Section 10.1520 of the Community Development Code.
- 10 Parking stalls, aisles and maneuvering areas not allowed in setbacks.
- 11 All permitted uses except single family attached dwellings: 35 feet, except corner lots shall be 40 feet as measured from the corner radius end point to the property corner. Single family attached dwellings: 16 feet, except corner lots shall be 25 feet as measured from the corner radius end point to the property corner if there is an alley or shared access, and 32 feet from the corner radius end point to the property corner if there is no alley or shared access. A reduction in the minimum street frontage may be approved when the applicant can document compliance with Section 10.1520 of the Community Development Code.
- 12 For manufactured dwelling parks this provision is replaced by the requirements of Section 7.0211.
- 13 The minimum site size standard of Table 4.0130 shall be satisfied prior to issuance of a development permit for manufactured dwelling parks.
- 14 The minimum density standards do not apply to the partition of parent parcels of 20,000 net square feet or less in LDR-5, LDR-7 and TR Districts and the partition of parent parcels of 13,000 net square feet or less in the TLDR District.

Table 4.0130(E) - Minimum Setbacks in Residential Districts⁷

	FRONT			SIDE					REAR	
	Front Facade/ Wall	Front Porch	Garage	Interior Side (Not Zero or Common Wall)	Zero Lot Line Option	Street Side Wall	Street Side Porch	Street Side Garage Access	Rear/ No Alley	Rear/ With Alley
Single Family Detached: ^{[6] [10]}										
LDR-5 ¹	10 feet	6 feet	20 feet	5 feet	6 inches on zero/ 6 feet on other side ⁸	10 feet	6 feet	20 feet	15 feet	6 feet
LDR-7 ¹	10 feet	6 feet	20 feet	5 feet	6 inches on zero/ 6 feet on other side ⁸	10 feet	6 feet	20 feet	15 feet	6 feet
TLDR ¹	10 feet	6 feet	20 feet	5 feet	6 inches on zero/ 6 feet on other side ⁸	10 feet	6 feet	20 feet	15 feet	6 feet
TR ¹	10 feet	6 feet	20 feet	5 feet	6 inches on zero/ 6 feet on other side ⁸	10 feet	6 feet	20 feet	15 feet	6 feet
MDR-12	10 feet	10 feet	20 feet	10 feet	NA	20 feet	20 feet	20 feet	15 feet	NA
OFR	10 feet	10 feet	20 feet	10 feet	NA	20 feet	20 feet	20 feet	15 feet	NA
Single Family Attached: ^{2, 3, 6}										
TLDR	10 feet	6 feet	20 feet	5 feet	NA	6 feet	6 feet	20 feet	10 feet	6 feet
TR	10 feet	6 feet	20 feet	5 feet	NA	6 feet	6 feet	20 feet	10 feet	6 feet
MDR-24, MDR-12, OFR	10 feet	6 feet	20 feet	5 feet	NA	6 feet	6 feet	20 feet	10 feet	6 feet

Table 4.0130(E) - Minimum Setbacks in Residential Districts⁷

	FRONT			SIDE					REAR	
	Front Facade/ Wall	Front Porch	Garage	Interior Side (Not Zero or Common Wall)	Zero Lot Line Option	Street Side Wall	Street Side Porch	Street Side Garage Access	Rear/ No Alley	Rear/ With Alley
Attached Dwellings: ^{2, 3, 4, 6}										
MDR-12	10 feet ⁵	NA ⁵	NA ^{2, 5}	10 feet	NA	5 feet ⁵	5 feet ⁵	20 feet ⁵	15 feet	15 feet
MDR-24	10 feet ⁵	6 feet ⁵	NA ^{2, 5}	10 feet	NA	5 feet ⁵	5 feet ⁵	20 feet ⁵	15 feet	15 feet
OFR	10 feet ⁵	NA ⁵	NA ^{2, 5}	10 feet	NA	⁵	NA ⁵	NA ⁵	15 feet	15 feet

Table 4.0130(E) Notes:

- 1 See **Section 10.0200** for setbacks of detached accessory structures and for setbacks of attached and detached patio covers in LDR-5, LDR-7, TLDR and TR.
- 2 Buffering and Screening Standards of **Section 9.0100** may apply.
- 3 Height Transition Standards of **Section 9.0600** may apply.
- 4 20 foot minimum distance between major structures on same lot, except for non-single family attached townhouse style dwellings on the same lot where a minimum of 10 feet in between major structures (side to side) will be required. Detached carports and detached garages are not major structures. See **Section 10.0200** for accessory structure setback standards.
- 5 Maximum front and street-side setbacks apply as provided for the Corridor Multi-Family District in **Table 4.0430** and **Section 4.0433(B)**.
- 6 For double-fronted lots, each street frontage shall be considered a front yard in terms of setback requirements (except when one of the frontages is an alley or private accessway, in which case that yard will be the rear).
- 7 In cases where sidewalk access is provided by easement, the setback shall be measured from the easement line closest to the house or garage per **Table 4.0130(E)**.
- 8 The Zero Lot Line option may only be employed on a lot designated as a zero lot line lot through a land division approval. See **Section 4.0132(A)(3)**.
- 9 Setbacks for single family attached units are identified in **Table 7.0201(M)(3)(a)**.
- 10 The maximum setback for single-family detached dwellings from the end of a Minor Access Street is 25 feet.

4.0131 Additional Standards for the LDR-5 and LDR-7 Districts

- A.** Density Calculations
 - 1. Accessory dwellings are not included in the determination of density nor are dedicated streets or tracts created for non-dwelling unit purposes such as open space tracts, except where transfer of density from the tract to the remainder of the site is allowed by a Special Purpose Overlay District.
 - 2. A new lot created with a pre-existing dwelling on it may be excluded from the density calculation only if this new lot is less than 8,400 square feet or if the dwelling sits on a “leftover parcel” as described with **Section 4.0132(E)**.
- B.** Development of a Lot of Record in LDR-5: A lot of record which is less than 5,000 square feet may be developed for all uses permitted in the LDR-5 district when in compliance with the other requirements of the LDR-5 District.
- C.** Development of Duplexes on a Lot Created under standards in effect Prior to December 19, 1996: A lot that was created under standards in effect prior to December 19, 1996, may be developed with a duplex, only if:
 - 1. It is 8,000 square feet or more in size and any portion is located within 275 feet of a major arterial or standard arterial street; or
 - 2. It is designated on a recorded plat as a duplex lot.
- D.** Development of a Lot of Record in LDR-7: A lot of record which is less than 7,000 square feet may be developed for all uses permitted in the LDR-7 District when in compliance with the other requirements of the LDR-7 District.

4.0132 Additional Standards for the LDR-5, LDR-7, TR and TLDR Districts

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

- B.** Yard Setbacks for Single-Family Attached Dwellings. Refer to **Table 4.0130(E)** and **Table 7.0201(M)(3)(a)** for setbacks of single-family attached dwellings.
- C.** Maximum number of units per lot: No more than one dwelling unit or duplex may be located on a lot except as authorized for those residential uses subject to a Special Use Review pursuant to **Section 8.0100** and except as authorized through the Accessory Dwelling provisions of **Section 10.0100** of the Community Development Code.

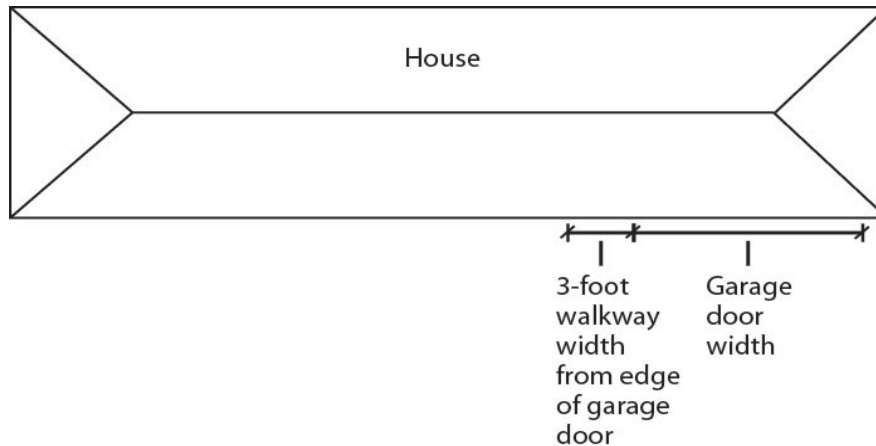
D. Safe Neighborhood Design Performance Standards
 These provisions are intended to help create safer neighborhoods and a high-quality pedestrian environment by incorporating crime prevention design that emphasizes linkages and surveillance between the dwelling and the street. These provisions apply to construction of new single-family detached dwellings, duplexes and single-family attached dwellings.

- 1.** Visible Dwelling Front. Except for homes on the flag portion of flag lots, the front door shall be oriented towards the street which the dwelling faces. At least 75 percent of that street frontage shall be visible from: 1) the front door; or 2) a street facing ground floor window in a frequently used room such as a living room, dining room, kitchen or bedroom (but, for example, not a window to a garage, bathroom or storage area); or 3) a street facing second story, minimum four-foot-by-four-foot window, except a bathroom window, placed no higher than 3 feet 6 inches from the floor to the bottom of the window sill.

This section allows portions of the front of a dwelling to protrude forward of other portions, as long as the visibility standard is satisfied. A dwelling on a lot created pursuant to **Section 10.1520** may use a private drive or future street to comply with this provision.

- 2.** Street Pedestrian Connection Options. Except for homes on the flag portion of flag lots, at least one of the following shall be provided:
 - a.** Separate Walkway. A separate, minimum three foot wide hard surfaced walkway directly from the public sidewalk to the front door; or
 - b.** Combined Walkway. A minimum three foot wide hard surfaced walkway from the public sidewalk to the front door with at least a portion of the walkway combined at the edge of the driveway. The walkway width must extend at least 3 feet beyond the edge of the garage door (see **Figure 4.0132(D)(2)(b)**).

Figure 4.0132(D)(2)(b): Combined walkway width extending beyond garage door



3. Street Surveillance Options. At least one of the following shall be provided:
 - a. Ground Level Outdoor Surveillance Area. A minimum 40 square foot covered, hard-surfaced entry area is placed immediately adjacent to the front door; or
 - b. Upper Level Outdoor Surveillance Area. A minimum 30 square foot second story covered or open porch, balcony or deck is placed on the front of the dwelling; or
 - c. Dwelling Front Location. The front of the dwelling (not including the garage) or of a covered entry has maximum setback of 16 feet; or
 - d. Dwelling and Garage Front Location. The front of the garage is flush with the front of the dwelling or is recessed back from the front of the dwelling.

E. Land Divisions with Left-Over Parcels

An application for a land division may have a “left-over” parcel or portion of the property which is capable of further development and which is not included as part of a phased subdivision. The area of up to two such parcels may be excluded from the average lot size calculation provided that a future development plan is submitted which demonstrates that the parcel(s) can be developed consistent with applicable standards.

Parcels created under this provision may not be developed until:

- a. Lots are created pursuant to **Article 6** - Land Divisions, which are consistent with the standards of the LDR-5, LDR-7 , TLDR and TR Districts (as appropriate) and other applicable provisions of the Community Development Code; or
- b. Approved through the Special Use Review process found in **Section 8.0100**.

The applicant shall file a note of the plat or other documents in the office of the County Recorder that such left-over parcel(s) shall not be developed until lots are created pursuant to **Article 6** - Land Divisions, which are consistent with the standards of the LDR-5, LDR-7, TLDR, and TR Districts (as appropriate) and other applicable provisions of the Community Development Plan; or approved through the Special Use Review process found in **Section 8.0100**.

- F. All developments shall also be subject to the applicable requirements of **Section 4.0130**; **Article 9** - Common Requirements; and **Section A5.000** - Public Facilities.

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

- A. If a phased development or subdivision is proposed for a development that includes single family attached dwellings, the first phase shall conform to density requirements without consideration of subsequent phases. Later phases shall conform to density requirements in a cumulative fashion, taking into account previous phases and while continuing to meet density standards at each phase. This is calculated by adding the number of lots for the current phase and all previous phases and dividing by the acreage of the current phase (taking into account subtractions in the “Net Density” definition) and all previous phases. The result shall meet the applicable density standard.
- B. All developments that include single family attached dwellings shall receive both land division approval to create lots for the single family attached dwellings as required in **Article 6**, and design review approval as required in **Article 7**.

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

4.0134 Standards for Residential Districts Other Than LDR-5, LDR-7, TLDR and TR

- A.** Building Height requirements for MDR-24 District. 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 can be increased to 45 feet.
- B.** Limited Business and Retail Service and Trade in OFR District. Limited Business and Retail Service and Trade are permitted in office complexes when all of the following standards are met:
 - 1.** The uses are scaled to service the tenants of the office complex or surrounding office area.
 - 2.** The uses do not exceed 20% of the total office floor area of a new or existing structure.
 - 3.** The commercial uses are not developed prior to the office uses on which the 20% area is based.
 - 4.** Siting and signage are internally oriented.
- C.** Moderate Density Residential District-12: A lot of record which is less than 10,000 square feet may be developed for all uses permitted in this district, except a manufactured dwelling park when in compliance with the other requirements of the Moderate Density Residential-12 District.
- D.** Moderate Density Residential District-24: A lot of record which is less than 11,000 square feet may be developed for all uses permitted in this district. Attached dwellings may be developed on a lot of record which is less than 11,000 square feet when in compliance with the following density requirements:
 - 1.** Minimum net density = a duplex
 - 2.** Maximum net density = 24.2 units per acre
- E.** Office/Residential District: A lot of record which is less than 7,200 square feet may be developed for all uses permitted in this district, except an attached dwelling when in compliance with the other requirements of the Office/Residential District.
- F.** All developments shall also be subject to the applicable requirements of **Section 4.0130; Article 9- Common Requirements; and Section A5.000 - Public Facilities.**

4.0135 Single Family and Duplex Construction on a Lot

- A.** The construction of a single-family detached dwelling, manufactured home or duplex in an LDR-5, LDR-7, TR or TLDR District, or single-family attached dwelling in the TR or TLDR District on a lot within an approved land division where sewer lines, water lines, storm drainage facilities, and streets are constructed to the city standards that were in effect when the land division was approved, and (in the case of single-family attached dwellings in TR or TLDR) an active design approval is in effect or the land division predated said requirement, shall be reviewed under the Type I procedure to determine if the proposal meets the site development requirements in Standards **Section 4.0130** or in the Variation to Development Standards of **Section 6.0321** (Planned Development) of the Gresham Community Development Code. The property owner shall still obtain all required permits.
- B.** The construction of a single-family detached dwelling, manufactured dwelling or duplex or single family attached dwelling that does not meet the requirements of **Subsection (A)** shall also be reviewed under the Type I procedure except that this review shall focus on street and utility requirements for new construction as per **Section A5.000**.

- C. Except as provided by **Section 5.0328**, the Manager may approve alterations to existing single-family detached dwellings under the Type I procedure. The proposal need not comply with **Section A5.000** of the Community Development Code. If the application for an alteration to a single-family detached dwelling is processed with another development permit application, all the standards of the Community Development Code shall apply.

4.0136 Manufactured Dwelling Requirements

- A. An application for a development permit for a manufactured dwelling shall provide proof that the proposed manufactured dwelling meets the definition of manufactured dwelling as stated in **Article 3**.
- B. The manufactured dwelling shall be multi-sectional and enclose a space of not less than 1,000 square feet.
- C. The manufactured dwelling shall be placed on, and attached to, an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured dwelling is located not more than 12 inches above grade.

The measurement is taken from the top of the foundation to grade. In the case of a sloped lot the foundation may be stepped down with a maximum of 30" of masonry exposed. Supporting framing material shall have coverings of siding material matching the siding material of the manufactured dwelling.

- D. The manufactured dwelling shall have a pitched roof with a nominal slope of at least 3 feet in height for each 12 feet of width.
- E. The manufactured dwelling shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single-family dwellings constructed under the State's building code as defined in ORS 455.010.
- F. The manufactured dwelling shall have a garage or carport with exterior materials matching the manufactured dwelling.

4.0137 Accessory Dwellings

The establishment of an accessory dwelling unit may be allowed in conjunction with single-family detached dwellings in the LDR-5, LDR-7, TR and TLDR districts. Accessory dwellings may be permitted as a means of providing more affordable housing opportunities for young families, empty nesters and others. Accessory dwellings can encourage additional density with minimal cost and disruption to surrounding neighborhoods; allow individuals and smaller households to retain large houses as residences; provide convenient care for the elderly and infirm on a long-term basis; and allow more energy-efficient use of large, older homes. Refer to **Section 10.0100** for Accessory Dwelling development requirements.

4.0138 Residential Compatibility Standards for LDR-5, LDR-7, TLDR and TR

- A.** Purpose. These standards are intended to provide safe, connected neighborhoods at a compatible scale supported by public street systems and to establishing special height, bulk and setback requirements.
- B.** Standards for Non-Standard Lots, Except Flag Lots.
The following standards apply to new residential development on existing or proposed lots in LDR-5, LDR-7, TLDR or TR that are non-standard but not flag lots. A non-standard residential lot or parcel is one that does not meet the standard lot depth, width, size, or frontage requirements for the district.

In addition, the Manager may require compliance with these standards by future development as a condition of approval for any land division which abuts existing single family residential development and which requires an adjustment or variance pursuant to **Section 10.1500**. When required, findings must support compliance with these standards as a condition of approval in order to help preserve the character of existing residential neighborhoods.

- 1.** Residential Floor Area Ratio (FAR). In order to preserve the residential character of existing neighborhoods and limit the mass of residential buildings in relation to the lot area, the following floor area standards are established:
 - a.** Residential Building Size Standard. The floor area on any lot proposed for residential development shall not exceed the following (see **Figure A12.002, Appendix 12.000**):
Lots with less than 4,000 square feet of effective lot area – 60 percent of the effective lot area.

Lots with 4,000 to 8,000 square feet of effective lot area – 2,000 square feet plus 10 percent of the effective lot area.

Lots with greater than 8,000 square feet of effective lot area – this standard does not apply.
 - b.** For the purposes of this section, “floor area” does not include unenclosed areas such as decks or porches and up to 500 square feet of garage space.
 - c.** Effective Lot Area. As used in **Section 4.0138**, “effective lot area” is the gross horizontal area of a lot minus any portion of the lot encumbered by an access easement (see **Figure A12.003, Appendix 12.000**).
- 2.** Building Height Setback (Rear and Side Yards). To provide compatible building scale and privacy between developments, taller buildings shall set back further to create a building height transition to neighboring residence(s). (See **Figure A12.005, Appendix 12.000**).
 - a.** This standard applies to new non-standard lot development over 20 feet in height that is not on a flag lot.
 - b.** For every foot of height over 20 feet, an additional six (6) inches of setback shall be added to the standard rear and/or side yard setback required by **Table 4.0130 E**. The additional setback(s) shall only be required along those property lines that are shared with existing or planned single family residence(s).

- c. Porches, bay windows and decks may intrude into the required additional setbacks provided they are less than 20 feet in height.

- 3. Developments required to comply with **Section 4.0138(B)** are exempt from **Section 4.0138(D)**.

C. Standards for Flag Lots

The following requirements apply to new development or expansions on existing or proposed lots in LDR-5, LDR-7, TLDR or TR that are flag lots whether the flag pole is part of the flag lot or the pole portion is an access easement. Flag lots and flag poles are defined in **Article 3**.

- 1. Process. Flag lots shall require a Type II Adjustment pursuant to **Section 10.1520**, Reduction in Minimum Street Frontage.
- 2. Minimum setbacks for the flag portion of the flag lot are:
 - a. Front and side: 10 feet.
 - b. Rear with no alley: 10 feet.
 - c. Rear with an alley: 6 feet.
- 3. Height limits for flag lot structures are:
 - a. Structures with roofs with a pitch less than 1 foot for each 4 feet of horizontal distance: 22 feet.
 - b. Structures with a butterfly or mansard roof: 22 feet.
 - c. Structures with pitched roofs not listed in (b) of this subsection where the pitch is equal to or greater than 1 foot for each 4 feet of horizontal distance: 30 feet.
- 4. Flag lots must comply with the applicable provisions of **Section 9.0100** – Buffering and Screening Requirements.
- 5. Creation of flag lots:
 - a. Permanent flag lots may be created only when mid-block streets or alleys cannot be extended to serve future development. Implementation of a Future Street Plan, pursuant to **Section 9.0700**, identifying mid-block streets shall be required whenever practicable as an alternative to approving a permanent flag lot (see **Figure A12.006, Appendix 12.000**).

For the purposes of this section “whenever practicable” shall mean other than as prevented by a topographic or natural feature, a transportation or public facility (e.g., an existing roadway, rail line, or school), or other feature of a fixed nature. Existing dwellings, other than those on the Gresham Historic and Cultural Overlay District or National Register, existing lot patterns, and financial inability or lack of willing participants shall not preclude a Future Street Plan if future redevelopment and lot consolidation is possible.

- b. Interim flag lots may be allowed in conjunction with an approved Future Street Plan in order to allow infill development to occur prior to construction of the future street.
- 6. Driveways related to flag lots:
 - a. A flag lot driveway (i.e., flag pole) may serve no more than two (2) flag lots.

Figure 4.0138(D)(1): Intent for smaller third floor



2. Applicability:

These standards apply to expansion of existing residential structures where building volume is being increased and to construction of new single-family detached dwellings, duplexes, single-family attached dwellings and associated accessory structures in the following circumstances.

The lot abutting the proposed development has the following characteristics:

- a.** The abutting lot is in LDR-5, LDR-7, TR or TLDR; and
- b.** A single-family detached dwelling or duplex exists that has been on the lot for at least 10 years; and
- c.** The existing single-family detached dwelling or duplex is less than or equal to 15 feet tall, which means buildings with flat roofs are less than or equal to 15 feet tall and buildings with pitched roofs measure 15 feet or less from the ground to the highest exterior portion of the eave; and
- d.** When the shared property line is:
 - 1.** The side lot line for both lots and the existing single-family detached dwelling or duplex on the lot is within 15 feet of the shared property line between its lot and the lot with the new construction or expansion; or
 - 2.** The rear lot line of the lot with the existing single-family detached dwelling or duplex and the side lot line of the lot with the proposed development and the existing single-family detached dwelling or duplex on the lot is within 30 feet of the shared property line; and
 - 3.** The lot with the proposed development is in LDR-5, LDR-7, TR or TLDR or is a new or expanding single-family attached structure on a lot abutting a single-family dwelling or duplex in LDR-5, LDR-7, TR or TLDR.

3. Standards:

Buildings shall comply with a compatibility angle that limits the volume of buildings on the site. The angle is determined in the following manner and is shown in Figure 4.0138(D)(3):

- a.** The starting point for the compatibility angle shall be the midpoint of the lot line of the existing dwelling. (See Figure 4.0138(D)(3)(a)). If a retaining wall is located at the property line's midpoint, the starting point shall begin halfway between the ground at the bottom of the wall and the top of the wall.

- b. From the midpoint, a horizontal plane perpendicular to the ground and 17 feet directly above the lot line shall be established. Then a plane shall be established at a 45-degree angle inward over the property with the new or expanding development, rising 1 foot of additional rise for each 1 foot from the lot line.
- c. A potential adjustment may be allowed for lots on existing slopes where the compatibility angle restricts the building volume more than intended in **Section 4.0138(D)(1)**. It does not apply to lots where the grade has been artificially raised. Adjustments shall meet the following standards:
 1. Lots intended for proposed development that have existing slopes as described above can apply for the vertical plane to be raised if the compatibility angle results in a height at the 5-foot setback that is less than 20 feet on the portion of the lot where the applicant intends to build a structure; and
 2. The applicant requesting the change in vertical plane shall demonstrate that the development cannot comply with the compatibility angle by changing the location of the building because of Habitat Conservation Area, steep slopes, existing structures, tree preservation or similar constraints; and
 3. The revision shall be approved at the discretion of the Manager; and
 4. The revision shall conform to the intent of the compatibility angle to limit side wall heights to 22 feet facing the lot with the existing single-family detached dwelling or duplex that meets the standards in **Section 4.0138(D)(2)**.
- d. If the compatibility angle results in a height at the 5-foot setback that is more than 26 feet in the area where the applicant intends to build a structure, the 17-foot vertical plane may be lowered at the discretion of the Manager until the compatibility angle results in a 22-foot height at the 5-foot setback. The angle would be lowered to meet the intent of **Section 4.0138(D)(1)**.
- e. Solar collection equipment, vents, antennas and chimneys may project beyond the 45-degree compatibility angle. The maximum projection for solar collection equipment shall be 18 inches. For additional solar energy system standards, see **Section 10.0900 Renewable Energy**.

Figure 4.0138(D)(3): Compatibility angle

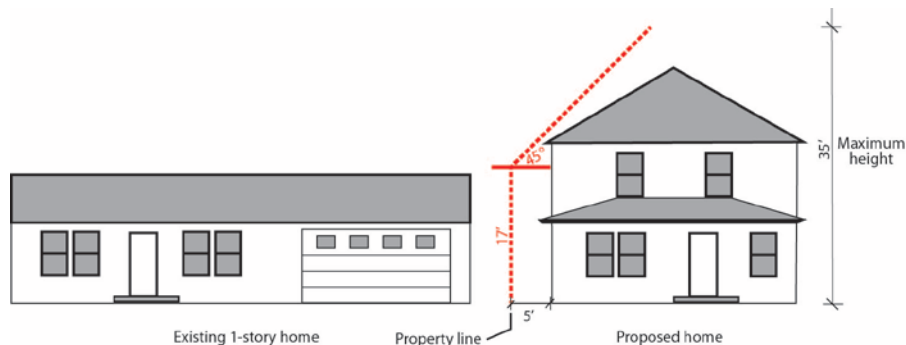
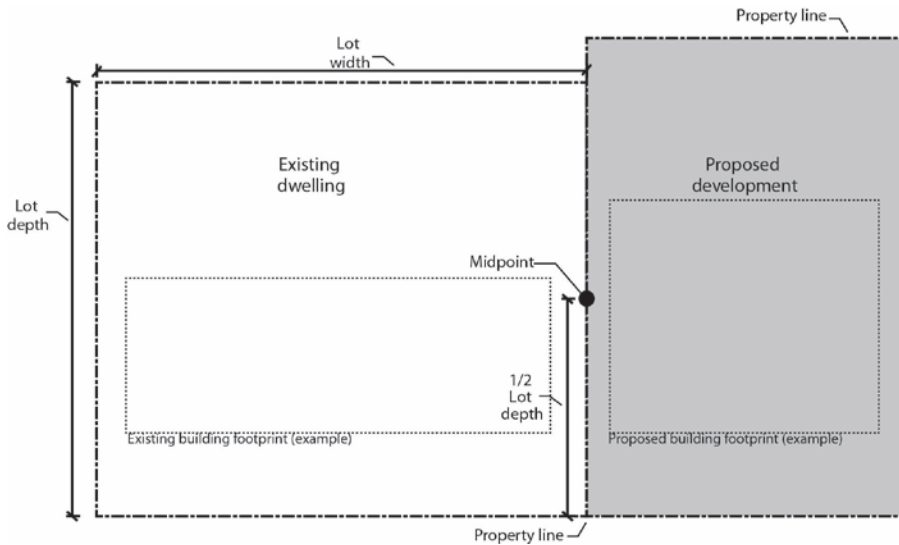


Figure 4.0138(D)(3)(a): Midpoint example



4.0139 Large Lot Subdivision Option for LDR-5 and LDR-7

A. This subsection is intended to provide for a greater range of housing choices in the city by making available as an option to property owners/applicants the opportunity to create a subdivision that has an average lot size within the 8,000 sq. ft. to 14,000 sq. ft. range in LDR-5 or LDR-7. Large lot subdivisions are not required to comply with the minimum density standard of the underlying LDR-5 or LDR-7 District. They shall be processed in the same manner as other subdivisions and subject to the applicable land division requirements of the development code. Subdivision lots created using the Large Lot Subdivision Option are not eligible for further land division.

B. Standards for large lot subdivisions. The following standards apply to large lot subdivisions:

1. A large lot subdivision must have an average lot size of at least 8,000 square feet and less than 14,000 square feet.
2. The minimum lot size in a large lot subdivision shall be 8,000 square feet.
3. Large lot subdivisions are restricted to detached single-family dwellings.
4. Minimum subdivision lot dimensions/yard setbacks:

Minimum subdivision lot dimensions:

Lot width at building line

(interior and corner lots): 50 feet

Lot depth (interior and corner lots): 100 feet

Minimum front yard setback:

All structures: 20 feet

Minimum side yard setbacks:

Interior side: 7.5 feet

Street side wall:	15 feet
Street side porch:	9 feet
Street side garage access:	20 feet

Minimum rear yard setbacks:	
Rear (no alley):	25 feet
Rear (with alley):	9 feet

5. Unless otherwise noted above, all other LDR-5 or LDR-7 standards and requirements apply to large lot subdivisions.

4.0140 Solar Energy Standards for Residential Districts

Solar energy systems are limited in residential districts as follows:

- A.** Scale.
 1. LDR-5, LDR-7, TLDR and TR: Small scale solar energy systems are permitted in these districts.
 2. MDR-12, MDR-24 and OFR: Small and medium scale solar energy systems are permitted in these districts. Large scale systems are permitted with a Special Use Review.
- B.** Type.
 1. LDR-5, LDR-7, TLDR and TR: Roof-top, flat-roof, integrated and ground-mounted solar energy systems are permitted in these districts.
 2. MDR-12, MDR-24 and OFR: Roof-top, flat-roof, integrated and ground-mounted solar energy systems are permitted in these districts.
- C.** Height.
 1. LDR-5, LDR-7, TLDR and TR: The following limitations on maximum height apply to solar energy systems in these districts:
 - a. Roof-top, Flat-roof and Integrated. Systems shall not exceed the district height limit in which they are located and shall not exceed the roof peak height of the portion of the roof on which the system is installed.
 - b. Ground-mounted. Systems shall not exceed 6 feet in height.
 2. MDR-12, MDR-24 and OFR: The following limitations on maximum height apply to solar energy systems in these districts:
 - a. Roof-top, Flat-roof and Integrated.
 - i. 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.
 - ii. 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. MDR-12, MDR-24 and OFR: Wind 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 in these districts.

4.0142 Biomass Energy Standards for Residential Districts

Biomass energy systems are limited in residential districts as follows:

- A. Scale.
 1. LDR-5, LDR-7, TLDR and TR: Small scale biomass energy systems are permitted in these districts with a Special Use Review.
 2. MDR-12, MDR-24 and OFR: Small scale biomass energy systems are permitted in these districts.
- B. Type.
 1. LDR-5, LDR-7, TLDR and TR: Non-hazardous biomass systems are permitted in these districts.
 2. MDR-12, MDR-24 and OFR: Non-hazardous biomass systems are permitted in these districts.
- C. Height.
 1. LDR-5, LDR-7, TLDR and TR: Biomass energy systems shall not exceed the maximum district height limits in these districts.
 2. MDR-12, MDR-24 and OFR: Biomass energy systems shall not exceed the maximum district height limits in these districts.
- D. Setbacks and Yards.
 1. LDR-5, LDR-7, TLDR and TR: Biomass energy systems are not allowed in the required front, street-side, side or rear setbacks, and are not allowed in front or street-side yards between the building and the street, or in side yards in these districts.
 2. MDR-12, MDR-24 and OFR: Biomass energy systems shall not be 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, or in side yards in these districts.

4.0143 Geothermal Energy Standards for Residential Districts

Geothermal energy systems are limited in residential districts as follows:

- A. Scale.
 1. LDR-5, LDR-7, TLDR and TR: Small scale geothermal energy systems are permitted in these districts.
 2. MDR-12, MDR-24 and OFR: Small scale geothermal energy systems are permitted in these districts. Large scale systems are permitted with a Special Use Review.
- B. Type.
 1. LDR-5, LDR-7, TLDR and TR: Closed-loop geothermal energy systems that are not in any well field protection areas are permitted in these districts.
 2. MDR-12, MDR-24 and OFR: Closed-loop geothermal energy systems that are not in any well field protection areas are permitted in these districts.

- C. Height.
 1. LDR-5, LDR-7, TLDR and TR: Geothermal energy systems shall not exceed the maximum district height limits in these districts.
 2. MDR-12, MDR-24 and OFR: Geothermal energy systems shall not exceed the maximum district height limits in these districts.
- D. Setbacks and Yards.
 1. LDR-5, LDR-7, TLDR and TR: Geothermal energy systems are not allowed in the required front, street-side, side or rear setbacks in these districts, except that small geothermal heating and cooling units such as heat pumps can project into the setbacks per **Section 9.0900** Projections.
 2. MDR-12, MDR-24 and OFR: Geothermal energy systems are not allowed in the required front, street-side, side or rear setbacks in these districts, except that small geothermal heating and cooling units like heat pumps can project into the setbacks per **Section 9.0900** Projections.

4.0144 Micro-Hydro Energy Standards for Residential Districts

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

- A. Scale.
 1. LDR-5, LDR-7, TLDR and TR: Small scale micro-hydro energy systems are permitted in these districts.
 2. MDR-12, MDR-24 and OFR: Small scale micro-hydro energy systems are permitted in these districts.
- B. Type.
 1. LDR-5, LDR-7, TLDR and TR: In-pipe micro-hydro energy systems in water, stormwater or wastewater pipes are permitted in these districts.
 2. MDR-12, MDR-24 and OFR: In-pipe micro-hydro energy systems in water, stormwater or wastewater pipes are permitted in these districts.
- C. Height.
 1. LDR-5, LDR-7, TLDR and TR: Generally the district height limits apply in these districts. 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.
 2. MDR-12, MDR-24 and OFR: Generally the district height limits apply in these districts. 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.
 1. LDR-5, LDR-7, TLDR and TR: Micro-hydro energy systems contained within piping are allowed and pipe can run within the setbacks in these districts. However, if supplemental equipment structures accompany the in-pipe systems, then the district setback limits apply.

2. MDR-12, MDR-24 and OFR: Micro-hydro energy systems contained within piping are allowed and pipe can run within the required setbacks in these districts. However, if supplemental equipment structures accompany the in-pipe systems, then the district setback limits apply.

4.0150 Poultry, Livestock and Beekeeping

The keeping of poultry and livestock is permitted in the LDR-5, LDR-7, TR, TLDR, MDR-12 and MDR-24 districts provided the poultry and livestock are kept over 100 feet from any residence other than the dwelling on the same lot.

See also the Gresham Revised Code Article 7.17 for specific regulations regarding the keeping of chickens and Gresham Revised Code Article 7.18 for beekeeping on lots containing single-family detached homes.

SECTION 4.0200

COMMERCIAL LAND USE DISTRICTS

General

4.0201 Purpose

Land Use District Characteristics

4.0210 Neighborhood Commercial District (NC)

4.0212 Central Rockwood and Corridor Districts

Permitted Uses

4.0220 Permitted Uses

Commercial Land Use District Standards

4.0230 Commercial Land Use District Standards

4.0231 Additional Commercial Land Use District Standards

4.0232 Solar Energy Standards for Commercial Districts

4.0233 Wind Energy Standards for Commercial Districts

4.0234 Biomass Energy Standards for Commercial Districts

4.0235 Geothermal Energy Standards for Commercial Districts

4.0236 Micro-Hydro Energy Standards for Commercial Districts

General

4.0201 Purpose

Development on lands designated Neighborhood Commercial District is permitted when consistent with the provisions of this section and all other applicable requirements of the Community Development Code.

Land Use District Characteristics

4.0210 Neighborhood Commercial District (NC)

The Neighborhood Commercial District is intended to provide for small to medium sized shopping and service facilities and limited office uses adjacent to residential neighborhoods. The district is intended to meet the shopping and service needs of the immediate neighborhood and to have minimal negative impacts on surrounding residential uses. Areas determined appropriate for Neighborhood Commercial Districts are identified on the Community Development Plan Map.

4.0212 Central Rockwood and Corridor Districts

Additional Commercial Development Districts unique to the Corridor Districts are listed in **Section 4.0400**. The Gresham Community Development Plan map identifies the location of these additional development districts.

Permitted Uses

4.0220 Permitted Uses

Table 4.0220 lists those uses that are permitted in each Commercial 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 site development requirements of **Section 4.0230-4.0231** and all other applicable requirements of the Community Development Code.

Table 4.0220: Permitted Uses in the Commercial Land Use Districts

USES	NC
RESIDENTIAL¹	
Single-Family Detached Dwelling	NP
Duplex	NP
Single-Family Attached Dwellings	NP
Attached Dwellings on a Single Lot	NP
Elderly Housing	NP
Manufactured Dwelling Park	NP
Residential Facility	NP
Residential Home	NP
COMMERCIAL	
Auto-Dependent Use	L ²
Business and Retail Service and Trade	L ³
Clinics	NP
Commercial Parking	SUR
Daycare Facilities	SUR
Live-Work	NP
Major Event Entertainment	SUR
Mini-Storage Facilities	NP
Outdoor Commercial	NP

USES	NC
INDUSTRIAL	
Construction	NP
Exclusive Heavy Industrial Uses	NP
Industrial Office	NP
Information Services	NP
Manufacturing	NP
Miscellaneous Industrial	NP
Trade Schools	NP
Transportation/Distribution	NP
Warehousing/Storage	NP
Waste Management	NP
Wholesale Trade	NP
INSTITUTIONAL USES	
Civic Use	SUR
Community Services	SUR
Medical	SUR
Parks, Open Spaces and Trails	SUR
Religious Institutions	SUR
Schools	SUR
RENEWABLE ENERGY⁵	
Solar Energy Systems	L/SUR ⁶
Wind Energy Systems	L ⁷
Biomass Energy Systems	L ⁸
Geothermal Energy Systems	L/SUR ⁹
Micro-Hydro Energy Systems	L ¹⁰
OTHER	
Basic Utilities	
Minor basic utilities	P
Major basic utilities	SUR
Heliports ⁴	NP
Wireless Communication Facilities	SUR
Temporary, Intermittent & Interim Uses	P
Marijuana Businesses	L ¹¹

Table 4.0220 Notes

¹ Home occupations may be permitted with a pre-existing dwelling in the NC district. Temporary health hardship dwellings may be permitted with a pre-existing single-family detached dwelling home in the NC district.

² Limited to gas stations and similar retail uses with a maximum gross floor area of 10,000 square feet.

³ Business and Retail Service and Trade are limited to the following:

- Eating and drinking establishments with a maximum gross floor area of 3,500 square feet

- Insurance, real estate, and other similar offices with a maximum gross floor area of 5,000 square feet
- Laundries, dry cleaners, barber salons, and other similar personal services with a maximum gross floor area of 5,000 square feet
- Clothing, drug stores, and similar retail trade uses with a maximum gross floor area of 10,000 square feet
- Grocery store with a maximum gross floor area of 35,000 square feet

⁴ Permitted as an accessory use to Medical and Civic Uses through the Special Use Review process.

⁵ See **Section 10.0900** for additional standards that apply.

⁶ For limitations, see **Section 4.0232** Solar Energy System Standards for Commercial Districts.

⁷ For limitations, see **Section 4.0233** Wind Energy System Standards for Commercial Districts.

⁸ For limitations, see **Section 4.0234** Biomass Energy System Standards for Commercial Districts.

⁹ For limitations, see **Section 4.0235** Geothermal Energy System Standards for Commercial Districts.

¹⁰ For limitations, see **Section 4.0236** Micro-Hydro Energy System Standards for Commercial Districts.

¹¹ For limitations, see **GRC 9.63.090**.

Commercial Land Use District Standards

4.0230 Commercial Land Use District Standards

The site development requirements listed in **Table 4.0230** are applicable to all development within the Neighborhood Commercial district. Development within this district shall also be consistent with all other applicable requirements of the Community Development Code.

	NC
A. Maximum Site Size	4 acres ¹
B. Minimum Lot Size	10,000 square feet
C. Minimum Lot Dimensions	
1. Width	1. 60 feet
2. Depth	2. 70 feet
D. Minimum Yard Setbacks ²	
1. Front	1. 20 feet
2. Side	2.
a. interior lot	a. 0 feet
b. corner lot	b. 0 feet on the interior side and 15 feet on the side abutting the street ³ .
3. Rear	3. 0 feet
E. Maximum Building Height	35 feet ⁴
F. Maximum Lot Coverage	50%
G. On-Site Activities	See Section 4.0231(B) ⁵
H. Public Facilities, Site and Supplementary Requirements	See Section 4.0231(C)

Table 4.0230 Notes:

- 1 This requirement does not apply to the Springwater Plan District.

- 2 Buffering and screening may be required in addition to these setbacks. See **Section 9.0100** for the buffering and screening requirements. Also, refer to the height transition area requirement found in the Maximum Building Height **Section 4.0231(A)** since it can increase the minimum yard setbacks where a development abuts a residential district.
- 3 However, for up to fifty percent (50%) of the length of the side yard abutting a street (excluding that portion of the side yard which overlaps the required front yard), the street-side setback may be reduced to five (5) feet.
- 4 See **Section 9.0600** - Height Transition
- 5 At least ninety-five percent (95%) of the business activities must be conducted within a completely enclosed structure. No more than five percent (5%) of the area devoted to business use may be used for outdoor business activities, product display, or storage.

4.0231 Additional Commercial Land Use District Standards

- A. Maximum Building Height:** Three (3) stories or forty (40) feet unless equipped with a built-in fire protection system. When fire sprinklers, alarms, and when needed, enclosed, pressurized exit stairwell systems are provided, the building height can be increased to sixty-five (65) feet.
- B. On Site Activities:**
 1. No outdoor business activities, product display or storage shall be located within yard setback or buffering and screening areas.
 2. Areas devoted to on-site outdoor business activities, product display or storage must be located so that they do not interfere with pedestrian circulation.
- C. Public Facilities. Site and Supplementary Requirements.** All developments shall also be subject to the applicable requirements of **Section 4.0230** - Commercial Land Use District Standards; **Article 9-Common Requirements**; and **Appendix 5.000** - Public Facilities.

4.0232 Solar Energy Standards for Commercial Districts

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

- A. Scale.** Small and medium scale solar energy systems are permitted in these districts. 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 in the street-side setbacks.

4.0233 Wind Energy Standards for Commercial Districts

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

- A. Scale.** Small and medium scale wind energy systems are permitted.
- 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 the building height when the building height is 35 feet or less. For example, a 30 foot tall building could have a 30 foot tall wind energy system installed on its roof for a total height of 60 feet from the ground to top of the wind energy system. In no case can the wind energy system exceed 35 feet in height.
 2. Ground-mounted. Ground-mounted wind energy systems shall not exceed 45 feet in height.
- D. Setbacks and Yards. Wind energy systems are not allowed in 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.

4.0234 Biomass Energy Standards for Commercial Districts

Biomass energy systems are limited in all commercial 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.

4.0235 Geothermal Energy Standards for Commercial Districts

Geothermal energy systems are limited in all commercial 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 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.

4.0236 Micro-Hydro Energy Standards for Commercial Districts

Micro-hydro energy systems are limited in all commercial 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.

SECTION 4.0300

INDUSTRIAL LAND USE DISTRICTS

General Provisions

4.0301 Purpose

Industrial Land Use Districts Characteristics

4.0310 Heavy Industrial (HI)

4.0311 General Industrial (GI)

Permitted Uses

4.0320 Permitted Uses

Development Standards

4.0330 Development Standards Table

4.0331 Additional Industrial District Standards

4.0332 Solar Energy Standards for Industrial Districts

4.0333 Wind Energy Standards for Industrial Districts

4.0334 Biomass Energy Standards for Industrial Districts

4.0335 Geothermal Energy Standards for Industrial Districts

4.0336 Micro-Hydro Energy Standards for Industrial Districts

4.0341 Stormwater Green Development Practices

General Provisions

4.0301 Purpose

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

Characteristics

4.0310 Heavy Industrial (HI)

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

4.0311 General Industrial (GI)

The General Industrial District (GI) is primarily intended to provide space for a wide range of industrial uses, related enterprises serving primarily industrial clients, and employment oriented uses in office-type

buildings. Primary uses shall include manufacturing and associated industrial uses, knowledge-based industries (graphic communications, creative services, and information technology), research and development facilities, professional services primarily serving industrial and business clients and other industry focused uses and limited retail and commercial professional services that cater to the general public.

Permitted Uses

4.0320 Permitted Uses

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
RESIDENTIAL		
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
COMMERCIAL		
Auto-Dependent Use	NP	NP
Business and Retail Service and Trade	L ¹	L ¹
Clinics	L ¹	L ¹
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

INDUSTRIAL		
Construction	P	P
Exclusive Heavy Industrial Uses	P	NP
Industrial Office	L ²	P
Information Services	NP	P
Manufacturing	P	P
Miscellaneous Industrial	P	L ³
Trade Schools	NP	P
Transportation/Distribution	P	P
Warehousing/Storage	P	P
Waste Management	P/SUR ⁴	P/SUR ⁴
Wholesale Trade	NP	P
INSTITUTIONAL USES		
Civic Uses	SUR	SUR
Community Services	L/SUR ⁵	L/SUR ⁵
Medical	NP	NP
Parks, Open Spaces and Trails	L/SUR ⁶	L/SUR ⁶
Religious Institutions	L/SUR ⁷	L/SUR ⁷
Schools	L/SUR ⁷	L/SUR ⁷
RENEABLE ENERGY⁸		
Solar Energy Systems	P ⁹	P ⁹
Wind Energy Systems	L/SUR ¹⁰	L/SUR ¹⁰
Biomass Energy Systems	L/SUR ¹¹	L/SUR ¹¹
Geothermal Energy Systems	P ¹²	P ¹²
Hydro-Micro Energy Systems	L ¹³	L ¹³
OTHER		
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
Marijuana Businesses	L ¹⁴	L ¹⁴

Notes:

¹ 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.

² 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.

³ 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.

⁴ 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.

⁵ 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.

⁶ 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.

⁷ 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.

⁸ See **Section 10.900** for additional standards that apply.

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

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

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

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

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

¹⁴ For limitations, see **GRC 9.63.090**.

Development Standards

4.0330 Development Standards Table

Table 4.0330 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 Section 4.0331(A)	None: See Section 4.0331(A)
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	None
F. Height Transition Standards	See Section 9.0600	See Section 9.0600
G. Minimum Off-Street Parking Required	See Section 9.0851	See Section 9.0851
H. Maximum Off-Street Parking	See Section 9.0851	See Section 9.0851
I. Pedestrian Circulation and Standards	See Section 7.0203	See Section 7.0203
J. Screening & Buffering	See Section 9.0100	See Section 9.0100
K. Landscaping	See Section 7.0203	See Section 7.0203
L. Outdoor Uses and Outdoor Storage Uses	Yes; 100% of the site area may include outdoor uses and outdoor storage associated with industrial uses. Screening required, see Sections 4.0331(B) and 9.0100	Yes; no more than 50% of the site area may include outdoor uses and storage associated with industrial uses. Screening required, see Sections 4.0331(B) and 9.0100
M. Parking, Loading and Unloading Area Standards	See Section 4.0331(C) and 9.0800	See Section 4.0331(C) and 9.0800
N. External Effects	See Section 4.0331(D)	See Section 4.0331(D)
O. Mechanical Equipment Screening	See Section 4.0331(E)	See Section 4.0331(E)
P. Exterior Building Treatment	See Section 4.0331(F)	See Section 4.0331(F)
Q. Well Field Protection	See Section 4.0331(G)	See Section 4.0331(G)
R. Public Facility Site and Supplementary Requirements	See Section 4.0331(H)	See Section 4.0331(H)
S. Stormwater Management	See Section 4.0341	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.** 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.
- C.** Parking, Loading and Unloading Areas
- 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.

D. 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.

E. Mechanical Equipment

Roof mounted mechanical equipment such as ventilators and ducts for buildings located adjacent to residential districts, major arterial or standard 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.

F. 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.

G. Well Field Protection

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

H. Public Facility Site and Supplementary Requirements

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.

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 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 4.0400

CORRIDOR DISTRICTS

General

4.0401 Purpose

Corridor District Characteristics

4.0410 Rockwood Town Center (RTC)

4.0411 Station Centers (SC)

4.0412 Corridor Multi-Family (CMF)

4.0413 Corridor Mixed Use (CMU)

4.0414 Community Commercial (CC)

4.0415 Moderate Commercial (MC)

Permitted Land Uses

4.0420 Permitted Land Uses

Corridor District Standards

4.0430 Development Standards

4.0431 Lot Size and Dimensions

4.0432 Floor Area Ratio

4.0433 Setbacks

4.0434 Building Height

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

4.0436 Commercial Uses

4.0437 Outdoor Commercial Uses

4.0439 Clear Vision Area Requirements

4.0440 Off-Street Parking for Single-Family Attached Dwellings in the Rockwood Town Center, Station Center, and Station Center (Ruby Junction Overlay) Districts

4.0441 Public Facilities and Supplementary Requirements

4.0442 Solar Energy Standards for Corridor Districts

4.0443 Wind Energy Standards for Corridor Districts

4.0444 Biomass Energy Standards for Corridor Districts

4.0445 Geothermal Energy Standards for Corridor Districts

4.0446 Micro-Hydro Energy Standards for Corridor Districts

General

4.0401 Purpose

This section of the Community Development Code implements the Central Rockwood Plan and creates districts for the city's transit corridors. The Central Rockwood Plan originated in the Gresham 2020 Action Plan, which called for this area to accommodate intensive commercial, residential, and mixed-use development. Central Rockwood is envisioned as a Town Center, growing into a lively pedestrian-oriented, transit-supportive district. Transit Corridors are made up of lands adjacent to streets with transit service, identified in Map 21, Volume IV – Transportation System Plan, of the Gresham Community Development Plan. The land use districts of both the Central Rockwood Plan and the transit corridors are designed to take advantage of the substantial public investments which have been made in transit service, and to create attractive places to live, work, shop, and recreate with less reliance on the automobile than might be found elsewhere in the community.

Corridor District Characteristics

4.0410 Rockwood Town Center (RTC)

This district encompasses the heart of Central Rockwood. It is centered on the triangle formed by E. Burnside, NE 181st Ave., and SE Stark St., but also takes in adjacent properties around the triangle. Primary uses permitted in RTC are retail commercial, services, office uses and housing. Mixed-use developments and various institutional uses (e.g. library, public meeting halls, government facilities) are also permitted. The scale and character of new development is intended to support and reinforce the image of a town center, with buildings of at least two stories, oriented to streets and pedestrians, and with parking lots behind or to the sides of buildings.

A portion of the Rockwood Town Center will be the focus of more concentrated high-density residential, office, commercial, service and institutional mixed-use development in a village type urban form. Within this area, proposals to develop attached dwellings that front on streets (multi-family and attached single-family dwellings) are required to have a mixed-use component along the street frontage. Mixed-use consists of commercial, office, or institutional uses or combinations thereof in combination with residential uses. This "Mixed-Use" Rockwood Town Center area consists of the "triangle" described above, and other properties which front on its abutting streets (see **Appendix 9.000**).

4.0411 Station Centers (SC)

This district takes in properties which are adjacent to, or within easy walking distance, of light rail stations at 162nd Avenue, 172nd Avenue, Ruby Junction (197th Ave.), and Gresham City Hall. The Station Centers district is intended to accommodate uses which are directly supportive of light rail transit. Development types permitted include retail and service businesses, offices, mixed-use projects, higher-density housing, and attached single family dwellings. Acknowledging the different character of existing land uses adjacent to the Ruby Jct. light rail station, an overlay designation here will also permit auto-dependent uses, and small-scale light industrial uses.

4.0412 Corridor Multi-Family (CMF)

This district designation is applied to properties along segments of Transit Streets. The CMF district

primarily provides opportunities for moderate-density residential development, including attached dwellings and attached single family dwellings. To help create a pleasant pedestrian environment, most new residential buildings will be oriented to public sidewalks, with parking lots behind or beside buildings. Standards will require that the scale of new housing diminish as buildings approach abutting single-family residential districts.

4.0413 Corridor Mixed Use (CMU)

This district designation is applied to certain clusters of properties along Transit Streets. In addition to moderate-density, multi-family residential uses, the CMU district permits small-scale commercial uses and mixed-use developments. Commercial businesses operating in this district will serve primarily the day-to-day needs of residents in nearby housing developments and neighborhoods. Design standards in **Section 7.0600** for new construction and remodels which meet the thresholds described in **Section 7.0003** will help to ensure that new buildings become attractive additions to existing and developing neighborhoods.

4.0414 Community Commercial (CC)

This district designation is applied to larger nodes of primarily commercial development clustered around the intersections of major and/or standard arterial streets. This district services the surrounding community with a larger trade area than the Moderate Commercial district but still has building size limitations for compatibility with the adjacent residential properties. The CC district will accommodate a wide range of community-scale commercial uses, including retail, services, and offices. This district also permits housing as a secondary use, with attached dwellings being developed in conjunction with commercial construction. New buildings will be pedestrian-oriented, with parking placed behind or beside buildings. Design Standards in **Section 7.0600** for new construction and remodels which meet the thresholds described in **Section 7.0003** will help to ensure that new buildings become attractive additions to existing and developing neighborhoods.

4.0415 Moderate Commercial (MC)

The MC district is applied to smaller nodes of commercial activity than the Community Commercial and is clustered around key intersections. This district is intended to function primarily as locally-oriented centers serving smaller trade areas than the Community Commercial district. Building size limitations ensure compatibility with the surrounding neighborhoods. Permitted development types include commercial retail, service, and office uses. This district also permits housing as a secondary use, with attached dwellings being developed in conjunction with commercial construction. Design Standards in **Section 7.600** for new construction and remodels which meet the thresholds described in **Section 7.0003** will ensure a strong pedestrian orientation for new development.

Permitted Uses

4.0420 Permitted Uses

Table 4.0420 lists those uses that are permitted in each Corridor Land Use 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

In addition to the permitted commercial land use types listed in **Table 4.0420**, the manager, under the Type II procedure, may permit other commercial uses which the manager finds to be supportive of, and consistent with, the purposes of the Central Rockwood Plan (Appendix 39 of Volume 1) and Corridor Districts (**Section 4.0400**), and with applicable land use policies and implementation strategies of the Community Development Plan.

Table 4.0420: Permitted Uses in the Corridor Land Use Districts

USES	RTC	SC	SC-RJ	CMF	CMU	CC	MC
RESIDENTIAL¹							
Single-Family Detached Dwelling	NP	NP	NP	L ²	NP	NP	NP
Duplex	NP	P	P	P	P	NP	NP
Single-Family Attached Dwellings	L ³	P	P	P	P	NP	NP
Attached Dwellings on a Single Lot	L ³	L ⁴	P	P	P	L ^{5, 6a}	L ^{5, 7a}
Elderly Housing	SUR ³	SUR	SUR	SUR	SUR	SUR	SUR
Manufactured Dwelling Park	NP	NP	NP	NP	NP	NP	NP
Residential Facility	P ³	P	P	P	P	L ^{5, 6a}	L ^{5, 7a}
Residential Home	NP	NP	NP	L ²	NP	NP	NP
COMMERCIAL							
Auto-Dependent Use	L ⁸	NP	P	NP	L ⁹	L ^{6a, 6b}	L ^{7a, 7b}
Business and Retail Service and Trade	P	L ¹⁰	P	NP	L ⁹	L ^{6a, 6b}	L ^{7a, 7b}
Clinics	P	L ¹⁰	P	NP	L ⁹	L ^{6a, 6b}	L ^{7a, 7b}
Commercial Parking	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Daycare Facilities	P	L ¹⁰	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 ¹¹	NP	L ¹¹	L ^{6a, 6b}	L ^{7a, 7b}
INDUSTRIAL							
Construction	NP	NP	L ¹²	NP	NP	NP	NP
Exclusive Heavy Industrial Uses	NP	NP	NP	NP	NP	NP	NP
Industrial Office	NP	NP	NP	NP	NP	NP	NP
Information Services	NP	NP	NP	NP	NP	NP	NP
Manufacturing	NP	NP	NP	NP	NP	NP	NP
Miscellaneous Industrial	NP	NP	NP	NP	NP	NP	NP
Trade Schools	NP	NP	NP	NP	NP	NP	NP
Transportation/Distribution	NP	NP	NP	NP	NP	NP	NP
Warehousing/Storage	NP	NP	NP	NP	NP	NP	NP
Waste Management	NP	NP	NP	NP	L/SUR ¹³	L/SUR ¹³	L/SUR ¹³
Wholesale Trade	NP	NP	NP	NP	NP	NP	NP

USES	RTC	SC	SC-RJ	CMF	CMU	CC	MC
INSTITUTIONAL USES							
Civic Use	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Community Services	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Medical	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Parks, Open Spaces and Trails	L/SUR ¹⁴	L/SUR ¹⁴	SUR	SUR	SUR	SUR	SUR
Religious Institutions	P	P	P	SUR	P	L ^{6a, 6b}	L ^{7a, 7b}
Schools	P/SUR ¹⁸	P/SUR ^{15, 18}	P/SUR ¹⁸	SUR ¹⁸	P/SUR ¹⁸	P/SUR ¹⁸	P/SUR ¹⁸
RENEWABLE ENERGY¹⁹							
Solar Energy Systems	L/SUR ²⁰	L/SUR ²⁰	L/SUR ²⁰	L/SUR ²⁰	L/SUR ²⁰	L/SUR ²⁰	L/SUR ²⁰
Wind Energy Systems	L/SUR ²¹	L/SUR ²¹	L/SUR ²¹	L/SUR ²¹	L/SUR ²¹	L/SUR ²¹	L/SUR ²¹
Biomass Energy Systems	L ²²	L ²²	L ²²	L ²²	L ²²	L ²²	L ²²
Geothermal Energy Systems	L/SUR ²³	L/SUR ²³	L/SUR ²³	L/SUR ²³	L/SUR ²³	L/SUR ²³	L/SUR ²³
Micro-Hydro Energy Systems	L ²⁴	L ²⁴	L ²⁴	L ²⁴	L ²⁴	L ²⁴	L ²⁴
OTHER							
Basic Utilities							
Minor basic utilities	P	P	P	P	P	P	P
Major basic utilities	SUR	SUR	SUR	L/SUR ¹⁶	SUR	SUR	SUR
Heliports ¹⁷	SUR	NP	NP	NP	NP	SUR	NP
Wireless Communication Facilities	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Temporary, Intermittent & Interim Uses	P	P	P	P	P	P	P
Marijuana Businesses	NP	NP	NP	NP	NP	L ²⁵	L ²⁵

Table 4.0420 Notes

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

² Permitted only along the NE Glisan and NE 162nd Avenue corridors. Detached dwellings in the CMF district shall conform with development standards of **Table 4.0130** for the TLDR district.

³ Within the area identified on the **Appendix 9.000** map (Rockwood Town Center Mixed Use Area), all buildings on Stark shall have non-residential uses at the ground floor frontages with primary entries on Stark. In a mixed use building, residential uses are allowed above and behind the non-residential uses on Stark.

Ground floor residential uses on Burnside within the area identified on the **Appendix 9.000** map (Rockwood Town Center Mixed Used Area) shall have individual entries oriented to Burnside and located above grade a minimum of 4 feet and a maximum of 9 feet. Windows into living areas for ground floor residential uses shall be sited for privacy. Except for **Section 7.0210(A)(4) and (5)**, Transit and Pedestrian Design Criteria and Standards of **Section 7.0210** shall apply to all residential development with frontage on Burnside within the RTC district. All other applicable design and development criteria in this code shall apply.

⁴ New Attached Dwellings on a Single Lot shall be developed as a mixed use project when the subject parcel fronts East Burnside and is within 500 feet of the center lines of the intersections of East Burnside and 162nd, 172nd or 197th Avenues. A development proposal may be exempted from this standard upon an affirmative finding that the street frontage has insufficient dimensions, such as in the case of flag lots or irregular shaped parcels, whereby it is physically impracticable to develop commercial or institutional uses. Housing developed for persons with special needs is exempted from the mixed use requirement. This is housing for persons with "special needs" consistent with the definition of the most recent "Consolidated Action Plan" as approved by the US Department of Housing and Urban Development.

⁵ May be permitted in conjunction with mixed use developments. Such developments are permitted provided they remain primarily non-residential. This is achieved by having: 1) at least 51% of the site's ground floor uses be commercial or institutional uses; and 2) at least 75% of the linear street footage be fronted by a ground floor commercial or institutional use. The street frontage requirement only applies to a street classified as principal arterial, major arterial, standard arterial or boulevard. The 75% standard does not apply to those parts of street not fronted by a building due to a driveway or other site element required by the Development Code, such as a required buffer or height transition area.

⁶ Community Commercial. a) The maximum building footprint size permitted for any building, regardless of the type of uses within it, shall be 100,000 square feet; and b) The maximum total building size (floor area) for commercial uses shall be 100,000 sq. ft.

⁷ Moderate Commercial. a) The maximum building footprint size permitted for any building, regardless of the type of uses within it, shall be 40,000 square feet with an exception for a maximum building footprint size of 60,000 square feet for a grocery store use; b) The maximum total building size (floor area) for commercial uses shall be 80,000 sq. ft.

⁸ In the Town Center district, Auto-Dependent Uses are limited to sites fronting on standard, major or principal arterial streets.

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

¹⁰ A commercial use permitted in the Station Center district (except for the Ruby Junction Overlay) must be located on a parcel of which some portion is within 500 feet of the intersection of the centerlines of East Burnside / 162nd, or East Burnside / 172nd, or East Burnside / 197th Ave, or East Burnside / 181st, or within ¼ mile of the intersection of the centerlines of Division Street / Eastman Parkway or Division Street / Kelly Avenue.

¹¹ The maximum site size for a new Outdoor Commercial use is 2 acres. Certain types of Outdoor Commercial Uses may be prohibited. See **Section 4.0437**.

¹² 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 and 4.0331**.

¹³ Solid waste transfer stations, composting facilities, and landfills may pursue approval through the Special Use Review process. When located in the Corridor Districts, waste management uses adjacent to residentially designated land shall be located at least 100 feet from the residential property.

¹⁴ Golf courses are not permitted through a Special Use Review.

¹⁵ Schools are permitted in the SC district if they are located on a parcel of which some portion is within 500 feet of the intersection of the centerlines of East Burnside / 162nd, or East Burnside / 172nd, or East Burnside / 197th Ave, or East Burnside / 181st, or within ¼ mile of the intersection of the centerlines of Division Street / Eastman Parkway or Division Street / Kelly Avenue. If they are not within this area, they are subject to a Special Use Review.

¹⁶ Electrical generating facilities are not permitted through the Special Use Review process.

¹⁷ Permitted as an accessory use to Medical and Civic Uses through the Special Use Review process.

¹⁸ 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.

¹⁹ See **Section 10.0900** for additional standards that apply.

²⁰ For limitations, see **Section 4.0442** Solar Energy Standards for Corridor Districts.

²¹ For limitations, see **Section 4.0443** Wind Energy Standards for Corridor Districts.

²² For limitations, see **Section 4.0444** Biomass Energy Standards for Corridor Districts.

²³ For limitations, see **Section 4.0445** Geothermal Energy Standards for Corridor Districts.

²⁴ For limitations, see **Section 4.0446** Micro-Hydro Energy Standards for Corridor Districts.

²⁵ For limitations, see **GRC 9.63.090**.

Corridor District Standards

4.0430 Development Standards

Table 4.0430, below, summarizes development standards which apply in the Corridors Districts. The standards contained in this table are supplemented by referenced subsections which provide additional clarification or guidance. Furthermore, the regulations of **Section 7.0600** Corridor Design District Commercial Design Guidelines and Standards and **Section 7.0500** Rockwood Design District Design Guidelines and Standards shall also apply.

Table 4.0430 Development Requirements For Corridor Districts

	Rockwood Town Center	Station Centers	Station Center (Ruby Jct. Overlay)	Corridor Multi-Family	Corridor Mixed-Use	Community Commercial	Moderate Commercial
A. Minimum Lot Size (Section 4.0431)	10,000 square feet for residential; none for commercial, institutional and mixed-use ⁸	10,000 square feet for residential; none for commercial, institutional and mixed-use ^{8, 10}	10,000 square feet for residential; none for commercial, institutional, mixed-use, & industrial ^{8, 10}	10,000 sq. ft. ^{8, 10}	10,000 square feet for residential; none for commercial, institutional and mixed-use ^{8, 10}	None	None
B. Minimum Street Frontage (Section 4.0431)	100 feet for residential; none for commercial, institutional and mixed use ¹⁴	100 feet for residential; none for commercial, institutional and mixed use ^{11, 14}	100 feet for residential; none for commercial, institutional, mixed use, & industrial ^{11, 14}	100 feet for residential; ^{11, 14}	100 feet for residential; none for commercial, institutional and mixed use ^{11, 14}	None	None
C. Minimum Lot Width/Depth Ratio (Section 4.0431)	.5 : 1 for residential; none for commercial, institutional and mixed use ⁸	.5 : 1 for residential; none for commercial, institutional and mixed use ⁸	.5 : 1 for residential; none for commercial, institutional, mixed use, & industrial ⁸	.5 : 1 for residential; ⁸	.5 : 1 for residential; none for commercial, institutional and mixed use ⁸	None	None
D. Minimum Floor Area Ratio (FAR) (Section 4.0432)	.5 : 1	.6 : 1	.6 : 1 for commercial, institutional and mixed-uses; none for industrial	None	None, except .4 : 1 in Central Rockwood Plan Area ¹³	None, except .4 : 1 in Central Rockwood Plan Area ¹³	None, except .4 : 1 in Central Rockwood Plan Area ¹³

Table 4.0430 Development Requirements For Corridor Districts

	Rockwood Town Center	Station Centers	Station Center (Ruby Jct. Overlay)	Corridor Multi-Family	Corridor Mixed-Use	Community Commercial	Moderate Commercial
E. Minimum Residential Net Density (See definition of Net Density in Article 3)	18 units per acre for attached single-family dwellings; 20 units per acre for attached dwellings	18 units per acre for attached single-family dwellings; 24 units per acre for attached dwellings	18 units per acre for attached single-family dwellings; 24 units per acre for attached dwellings	12 units per acre	12 units per acre	12 units per acre	12 units per acre
F. Maximum Residential Net Density (See definition of Net Density in Article 3)	Unlimited inside Stark/ Burnside/ 181st Avenue Triangle; 40 units per net acre elsewhere	60 units per acre	60 units per acre	24 units per acre	24 units per acre	40 units per acre	40 units per acre
G. Minimum Building Setbacks (Section 4.0433 and Section 7.0500)	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 ^{1, 16}	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 ^{1, 16}	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 ^{1, 16} . For industrial uses, see Table 4.0330 ¹	5 feet front; 15 feet rear; 0 feet interior side; 5 feet streetside ¹	5 feet front; 15 feet rear; 0 feet interior side; 5 feet streetside ¹	0 feet front, side and rear, including streetside	0 feet front, side and rear, including streetside

Table 4.0430 Development Requirements For Corridor Districts

	Rockwood Town Center	Station Centers	Station Center (Ruby Jct. Overlay)	Corridor Multi-Family	Corridor Mixed-Use	Community Commercial	Moderate Commercial
H. Maximum Building Setbacks (Section 4.0433)	<u>Commercial, Institutional & Mixed-Use:</u> 10 feet front and streetside ² None for interior side and rear. <u>Residential:</u> 20 feet front; None for interior side and rear; 20 feet street-side ^{3a}	20 feet front; None for rear and interior side; 20 feet for street-side ^{3a}	For residential, commercial, institutional and mixed-use: 20 feet front; none for rear and interior side; 20 feet for street-side. ^{3a} No maximum for industrial uses.	20 feet front; None for rear and interior side; 20 feet for street-side ^{3a}	20 feet front; None for rear and interior side; 20 feet for street-side ^{3a}	10 feet front; None for rear and interior side; 10 feet for street-side ^{3b, 3c}	10 feet front; None for rear and interior side; 10 feet for street-side ^{3b, 3c}
I. Maximum Building Height (Section 4.0434)	Inside the Triangle Area: commercial and institutional: 6 stories; Buildings that include other uses: 4 stories; Outside the Triangle Area: 10 stories for all uses. ¹⁵	10 stories in Outside Triangle Area and 80 feet elsewhere ¹⁵	10 stories in Outside Triangle Area and 80 feet elsewhere ¹⁵	45 feet	45 feet	45 feet	45 feet
J. Transit Design Criteria and Standards Apply (Section 4.0435)	Yes ⁷	Yes ⁷	Yes ⁷	Yes ⁷	Yes ⁷	Yes	Yes

Table 4.0430 Development Requirements For Corridor Districts

	Rockwood Town Center	Station Centers	Station Center (Ruby Jct. Overlay)	Corridor Multi-Family	Corridor Mixed-Use	Community Commercial	Moderate Commercial
K. Minimum Off-Street Parking Required	None required for commercial uses; 1 space/ unit for residential; ⁹ 1 space per 1,000 square feet of building floor area or the minimum in Table 9.0851 , whichever is less, for Institutional; ¹⁷ All other uses see Section 9.0851 .	None required for commercial; 1 space/ unit for residential ⁹ All other uses see Section 9.0851 .	None required for commercial; 1 space/ unit for residential ⁹ ; all other uses as provided in Section 9.0851 .	As provided in Section 9.0851	As provided in Section 9.0851	As provided in Section 9.0851	As provided in Section 9.0851
L. Maximum Off-Street Parking Permitted	2 spaces/ unit for residential ^{4, 5} ; all other uses see Section 9.0851 .	1.5 spaces/ unit for residential ^{4, 5} ; all other uses see Section 9.0851 .	1.5 spaces/ unit for residential ^{4, 5} ; all other uses see Section 9.0851 .	As provided in Section 9.0851 ⁴	As provided in Section 9.0851 ^{4,5}	As provided in Section 9.0851 ⁵	As provided in Section 9.0851 ⁵
M. Screening and Buffering Required	No, except where abutting LDR-5, LDR-7, TR, TLDR, CMF, or CMU ¹²	No, except where abutting LDR-5, LDR-7, TR, TLDR, CMF, or CMU ¹²	No, except where abutting CMF, and for auto-dependent commercial, outdoor commercial and industrial uses ¹²	Yes ¹²	Yes ¹²	Yes	Yes
N. Clear Vision Area Required (Section 4.0439)	Yes ⁶	Yes ⁶	Yes ⁶	Yes	Yes	Yes	Yes

Table 4.0430 Notes:

1 Minimum setbacks for single-family attached dwellings are:

- (a) Front Yard:
 - (i) Front façade = 5 feet
 - (ii) Front Porch = 3 feet
 - (iii) Garage = 20 feet

- (b) Side Yard:
 - (i) Interior = 5 feet for any side of a dwelling structure that is not a common wall with another dwelling structure;
 - (ii) Street side (corner lot): Façade = 5 feet; Porch = 5 feet; Garage with access from street side = 20 feet.
 - (c) Rear Yard = 10 feet if there is no alley; 5 feet if there is an alley.
 - (d) Additional setbacks = see **Table 7.0201(M)(3)(a)**.
- 2 A maximum front or streetside setback of up to twenty (20) feet may be permitted when enhanced pedestrian spaces and amenities are provided that comply with **Section 7.0603(A)(5)(D)**.
- 3 The following setback standards apply:
- a. When abutting a Principal Arterial, a Major Arterial, a Minor Arterial or Boulevard street, the maximum front or streetside setback for a building containing dwelling units is thirty (30) feet. The maximum front or streetside setback may be exceeded when enhanced pedestrian spaces and amenities are provided that comply with **Section 7.0603(A)(5)(D)**.
 - b. When abutting a Principal Arterial, a Major Arterial, a Minor Arterial or Boulevard street, the maximum front or streetside setback for a building containing commercial uses is ten (10) feet. The maximum front or streetside setback may be exceeded when enhanced pedestrian spaces and amenities are provided per **Section 7.0603(A)(5)(D)**.
 - c. When abutting a Collector, Community or Local streets, the maximum front or streetside setback is five (5) feet. The maximum front or streetside setback may be exceeded when enhanced pedestrian spaces and amenities are provided that comply with **Section 7.0603(A)(5)(D)**.
- 4 There is no maximum parking limitation for single-family attached dwelling units.
- 5 For commercial uses, when included in a mixed-use development, the maximum amount of off-street parking shall be as provided in **Section 9.0850** for each commercial use.
- 6 Conformance with clear vision standards of **Section 9.0200** shall be required only for developments with direct access to an arterial street.
- 7 Ground floor window standards for commercial buildings on Design Streets (**Section 7.0210**) do not apply to residential developments.
- 8 Minimum lot size and lot width/depth ratio standards do not apply to lots or parcels created for single-family attached dwellings. Minimum lot dimensions for single-family attached dwelling lots are as follows:
- Width at building line**
- Interior Lot 16 feet (lots of less than 22 feet in width shall take access from an alley or from a shared access)
 - Corner Lot 16 feet where it abuts an alley 25 feet where there is no alley or shared access
 - Depth 0 feet - all developments that include single family attached dwellings shall receive both land division approval to create lots for the single family attached dwellings as required in **Section 6.0001**, and design review approval as required in **Section 7.0001**.
- 9 The standards of **Section 4.0440** shall apply for single-family attached dwellings.
- 10 There is no minimum lot size requirement for duplexes in the SC, CMF and CMU districts.
- 11 Minimum street frontage for duplex in the SC, CMF and CMU districts is 35 feet, except corner lots shall be 40 feet as measured from the corner radius end point to the property corner.
- 12 Screening and buffering are not required for attached single-family dwellings abutting the LDR-5, LDR-7, TLDR, or TR District.
- 13 The Central Rockwood Plan Area is the area shown as Central Rockwood Plan Land Use Districts on Figure 1 of Appendix 39, Volume 1 of the Gresham Community Development Plan.
- 14 Minimum street frontage for single family attached dwellings shall be 16 feet, except corner lots shall be 25 feet as measured from the corner radius end point to the property corner if there is an alley or shared access, and 32 feet from the corner radius end point to the property corner if there is no alley or shared access. A reduction in the minimum street frontage may be approved when the applicant can document compliance with **Section 10.1520** of the Community Development Code.

- 15 Within the Rockwood Design District:
- a. Triangle Area. For lands in the Triangle Area as described in **Section 7.0501** buildings shall not exceed six stories for buildings with exclusively commercial and/or institutional uses and four stories in height for buildings that include other uses.
 - b. Outside Triangle Area. For lands in the Outside Triangle Area as described in **Section 7.0501** buildings shall not exceed ten (10) stories in height.
- See **Section 7.0503(B)(6)** Gateways and Prominent Façade Sections for additional building height requirements for properties at the three gateway street intersections of:
- a. 181st and Burnside
 - b. 181st and Stark
 - c. Burnside and Stark
- 16 Within the Rockwood Design District:
- a. Triangle Area. See **Section 7.0503(A)(3)(C)** and **Section 7.0503(A)(3)(D)** Building Placement and Frontage for minimum and maximum front building setbacks.
 - b. Outside Triangle Area. See **Section 7.0503(A)(3)(C)** and **Section 7.0503(A)(3)(D)** Building Placement and Frontage for minimum and maximum front building setbacks.
- 17 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**.

4.0431 Lot Size and Dimensions

- A.** Minimum lot size, minimum street frontage, and minimum lot width/depth ratio shall be as specified in **Table 4.0430** for new development. The lot width/depth ratio shall be determined by dividing the lot width dimension by the lot depth dimension.
- B.** Minimum lot size, street frontage, and lot width/depth ratio standards of **Table 4.0430** shall be satisfied prior to issuance of a development permit for attached dwellings.
- C.** Existing lots of record which do not meet the minimum lot size or street frontage standard, or the minimum lot width/depth ratio standard, may be developed with a duplex or two single-family attached dwellings, consistent with permitted uses as listed in **Table 4.0420**. Development permitted under this subsection is exempt from the minimum residential density standard of **Table 4.0430**.

4.0432 Floor Area Ratio

- A.** The minimum floor area ratios contained in **Table 4.0430** apply to non-residential and mixed-use development. Alterations to existing development are exempt from the minimum FAR standard. For mixed-use developments in areas with a minimum commercial FAR and a minimum residential density requirement, minimum FAR and residential density requirements are satisfied when consistent with the following formula:

$$\frac{\text{Number Of Proposed Dwelling Units}}{\text{Minimum Number Of Units Required}} + \frac{\text{Proposed Commercial Floor Area}}{\text{Minimum Required Commercial Floor Area}} \geq 1$$

- B.** Sites that have all the following characteristics shall calculate their minimum required floor area using a site area equal to 100 feet times the site width:
 - 1.** The site width is less than 150 feet; and
 - 2.** The site depth is more than three times the site width; and
 - 3.** The site has street frontage on only one street, and that street is on the site's shorter dimension, which is its width.

4.0433 Setbacks

Required minimum and maximum setback standards are specified in **Table 4.0430** and **Section 7.0500**.

- A.** Minimum setback distances shall be determined in conformance with the definition for "Setback" as specified in **Section 3.0103**.
- B.**
 - 1.** For Rockwood Town Center (RTC), Station Centers (SC) and Station Center-Ruby Junction (SC-RJ) within the Rockwood Design District see **Section 7.0500**. For Station Center elsewhere in the city, the following shall apply: Conformance with maximum setback distance is achieved for a commercial or mixed-use building when at least one (1) primary entrance located on the façade facing the street is placed no farther from the property line than the distance specified for Maximum Building Setback in **Table 4.0430**. Maximum building setbacks may be exceeded when a development incorporates enhanced pedestrian spaces and amenities in the setback area. Enhanced pedestrian spaces and amenities consist of features such as plazas, arcades, courtyards, outdoor cafes, widened sidewalks, benches, shelters, street furniture, public art, or kiosks. In addition, on sites with more than one building, the maximum setback may be exceeded for commercial, mixed-use, and residential buildings containing three (3) or more dwelling units, provided conformance is achieved with the maximum setback distance for at least one (1) building. For single-family attached residential buildings, conformance also must be achieved with building orientation standards of **Section 7.0201(E)**.
 - 2.** For commercial developments in Corridor Mixed-Use (CMU), Community Commercial (CC), and Moderate Commercial (MC), see **Section 7.0600**.
 - 3.** For mixed-use developments and attached residential dwellings on a single lot in all districts, see **Section 7.0100**.
- C.** Setback standards for single family attached dwellings are in **Table 7.0201(L)(3)(a)**.

4.0434 Building Height

Maximum building heights are specified in **Table 4.0430**. Any required building story must contain a habitable floor.

- A.** In addition to conforming with the Ground Floor Windows requirement of **Section 7.0210**, for any new commercial or mixed-use building of more than one story, at least twenty percent of the upper facade area shall be made up of display areas or windows for all facades facing a street, except those developments subject to the Corridor Commercial Design Standards of **Section 7.0600** and those subject to the Rockwood Design Standards of **Section 7.0500**, and those subject to Plan District requirements such as the Downtown Plan District.
- B.** The maximum building height for any building containing dwelling units shall be reduced when located adjacent to an LDR-5, LDR-7, TLDR, or TR District, as provided in **Section 7.0201(J)**.
- C.** Heights of single-family attached dwelling buildings are identified in **Table 7.0201(L)(3)(g)**.

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 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.

4.0436 Commercial Uses

- A.** At least 85% of business activities in connection with commercial uses permitted in **Table 4.0420** shall be conducted within a completely enclosed structure, except for outdoor commercial uses. No more than 15% of the area devoted to buildings may be used for outdoor business activities, product display, or storage. However, in the Rockwood Town Center, the Station Center district, and the Corridor Mixed-Use district, the amount of site area used for outdoor business activities, product display, or storage may be up to 50% of the amount of floor area on the site.
- B.** No outdoor business activities, product display or storage shall be located within yard setback or buffering and screening areas. Areas devoted to on-site outdoor business activities, product display or storage shall be located so that they do not interfere with pedestrian circulation.

4.0437 Outdoor Commercial Uses

- A.** Outdoor commercial uses may be permitted in the Station Center (Ruby Junction Overlay) District or the Corridor Mixed-Use District as indicated in **Table 4.0420**, subject to the following limitations:
 - 1.** Total site size for any new outdoor commercial use shall not exceed two acres.
 - 2.** The amount of total site area covered by buildings shall amount to no less than 25% of the amount of site area used for outdoor storage or display.
 - 3.** Except for buildings used entirely for storage associated with the business, the maximum front or streetside setback for any building shall be 20 feet.
 - 4.** Screening shall be provided along any portion of the site's street frontage which is not occupied by a building, in a manner which satisfies provisions of **Section 9.0823(C)(3)**.
- B.** The following types of outdoor commercial uses shall be prohibited within the Station Center (Ruby Junction Overlay) District and the Corridor Mixed-Use District:
 - 1.** Vehicle sales lots;

2. Mobile home or manufactured home sales, service, or storage;
3. Recreational vehicles sales service, or storage.

4.0439 Clear Vision Area Requirements

New development in the Town Center District, in the Station Centers District, and in the Ruby Junction Overlay is exempt from the provisions of **Section 9.0200** - Clear Vision Area, except where the development has direct access to a major arterial or standard arterial street.

4.0440 Off-street Parking for Single-Family Attached Dwellings in the Rockwood Town Center, Station Center, and Station Center (Ruby Junction Overlay) Districts

- A. One space per dwelling unit. Each parking space shall be at least 8.5 feet wide by 18 feet deep.
- B. Tandem (end-to-end) parking is allowed.
- C. A maximum of one required parking space per unit may be located in a driveway in the front or street side yard setback or in the rear yard setback when there is an alley.
- D. Driveways shall have minimum width of 10 feet.
- E. Curb cuts shall meet all of the requirements contained in **Section A5.400**.

4.0441 Public Facilities and Supplementary Requirements

All developments shall also be subject to the applicable requirements of **Section 4.0430** - Site Development Standards; **Article 9** - Common Requirements; and **Appendix 5.000** - Public Facilities Standards.

4.0442 Solar Energy Standards for Corridor Districts

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

- A. Scale. Small and medium scale solar energy systems are permitted in these districts. 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.

4.0443 Wind Energy Standards for Corridor Districts

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

- A.** Scale. Small and medium scale wind energy systems are permitted in these districts. 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. Wind energy system height shall not exceed a value equal to the building height when the building height is 45 feet or less. For example, a 20 foot tall building could have a 20 foot tall wind energy system installed on its roof for a total height of 40 feet from the ground to top of the wind energy system.

For buildings which exceed 45 feet in height, the wind energy system shall not exceed 45 feet maximum. For example, a 60-foot tall building could have a 45-foot tall wind energy system installed on its roof for a total height of 105 feet from the ground to the top of the wind energy system.
 - 2.** Ground-mounted. Ground-mounted wind energy systems shall not exceed 45 feet in height. 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 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.

4.0444 Biomass Energy Standards for Corridor Districts

Biomass energy systems are limited in all Corridor 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.

4.0445 Geothermal Energy Standards for Corridor Districts

Geothermal energy systems are limited in all Corridor 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 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.

4.0446 Micro-Hydro Energy Standards for Corridor Districts

Micro-hydro energy systems are limited in all Corridor 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.

SECTION 4.1000 PLAN DISTRICTS

General

4.1000 Enabling Legislation

General

4.1000 Enabling Legislation

- A.** A Plan District may be designated when the city finds that conditions within a specific area are such that unique planning and regulatory tools are required to achieve desired results. A Plan District designation may be warranted based on specific land use, economic, transportation, public facilities, historic, or natural conditions found to exist in the area. Plan District designation provides a means to create or modify development districts and standards in ways which address specific opportunities and problems within the plan area. These new or modified development districts and standards are not transferable to properties outside the boundaries of the established Plan District. The Plan District designation is generally not intended to be applied to small areas or to small individual properties.
- B.** Except as provided in **Section 4.1000(E)**, a Plan District shall be established, amended, or removed at the initiative of the Planning Commission or the City Council through the Type IV legislative procedure. In establishing a Plan District, findings satisfying all of the following criteria must be made:
- 1.** The area proposed for the Plan District designation is generally affected by special characteristics or problems of a land use, economic, transportation, public facilities, historic, natural, or transitional use or development nature which are not common to other areas of the city.
 - 2.** Existing development districts and standards applying in the area are inadequate to achieve goals and implementation strategies of the Community Development Code, or to address an identified problem in the area.
 - 3.** The proposed Plan District designation is the result of a study or plan which documents the special characteristics of the study area and includes measures to address the relevant issues.
 - 4.** Any proposed policies, procedures, development standards, or other measures to be implemented are in conformance with the purposes, findings and recommendations of the study or plan which serves as the basis for the Plan District.
 - 5.** The Plan District designation, and related policies, procedures, standards, and other measures are consistent with applicable policies and implementation strategies of the Community Development Code, and with any applicable locational criteria identified in the Community Development Code.

- C.** Provisions of the Plan District may modify existing standards and procedures of the Community Development Code. The Plan District provisions may also apply additional requirements or allow exceptions to general regulations. Where there is a conflict between the provisions of the Plan District and those of other portions of the Community Development Code, the Plan District provisions control.
- D.** The location and boundaries of each Plan District shall be shown on the Community Development Plan Map.
- E.** Within the boundaries of a Plan District, the sub-district designation of any site or small group of sites may be changed to that of a different sub-district already existing within that Plan District. Any such proposal shall be processed under the Type III procedure for Community Development Plan Map Amendments, as provided in **Section 12.0001**. In seeking such an amendment, an applicant shall demonstrate that the proposed change is consistent with the purposes, findings, and recommendations of the study or plan which serves as the basis for the Plan District, and that the proposed change will not have a negative impact on existing or planned public facilities and services.
- F.** Plan District designation may be removed from all or a portion of a Plan District through the Type IV legislative procedure. Any such action shall be initiated by the Planning Commission or the City Council, and shall be based on a new study or plan containing findings which satisfy all of the criteria of **Section 4.1000(B)**. The new study or plan shall also provide for new land use district designations and development regulations for the affected area in the form of a new Plan District designation or through the application of conventional land use district designations.
- G.** Policies, procedures, standards, and other measures applying within a Plan District may be amended through the Type IV legislative procedure. Any such amendment intended to apply exclusively within a Plan District shall be initiated by the Planning Commission or the City Council, and shall be based on findings demonstrating that it is consistent with the purposes, findings, and recommendations of the plan or study which serves as the basis for that Plan District. This subsection does not apply to general legislative amendments that will be applied broadly to areas of the city at large, both within and outside of a Plan District.

**SECTION 4.1100
DOWNTOWN PLAN DISTRICT
DESIGN MANUAL**

Section 4.1100 Downtown Plan District Design Manual is contained in a separate document entitled Section 4.1100

SECTION 4.1200 CIVIC NEIGHBORHOOD PLAN DISTRICT

Section 4.1200 Civic Neighborhood Plan District Design Manual is contained in a separate document entitled Section 4.1200.

SECTION 4.1300

GRESHAM BUTTE PLAN DISTRICT

General

4.1301 Purpose

Development Standards

4.1310 Types of Development Allowed and Setback Minimum

4.1311 Density and Average Lot Sizes

4.1312 Site Development Requirements

General

4.1301 Purpose

The Gresham Butte Plan District is an overlay district providing special regulations covering the Gresham Butte area of the city. The boundaries of the Gresham Butte Plan District are shown on the Gresham Butte Overlay Map in Appendix 41 of Volume 1, Gresham Community Development Plan. Contained in this section are special requirements for development within this area.

Special requirements for this area are provided to preserve the natural beauty of Gresham Butte. In addition, the requirements are needed to provide for the unique development conditions experienced on Gresham Butte including special needs in the areas of storm water management, fire protection and access management.

The uses permitted and standards applied match those of the Low-Density Residential-5 District and the Hillside Physical Constraint District unless modified by this section.

Development Standards

4.1310 Type of Development Allowed and Setback Minimum

The permitted uses of Table 4.0120 under LDR-5 apply.

The LDR-5 development types are allowed except the Gresham Butte Plan District specifically prohibits:

1. Duplexes
2. Zero Lot Line Dwellings

The LDR-5 setback requirements are required except that the side yard setback shall be a minimum of 10 feet to encourage side yard planting.

4.1311 Density and Average Lot Sizes

Table 4.1311(A) summarizes the density and lot size requirements which apply to the Gresham Butte Plan District.

Table 4.1311(A)

Standard	Requirement	Calculation Method
Maximum Density	1 D.U./Acre	Property Area = Gross Property Area as described by recorded legal description or existing boundary survey Rounding of D.U. = 1/2 Acre or more will round up to the next D.U. (i.e. 1.50 Acres = 2 D.U., 1.499... = 1 D.U.)*
Average Lot Size	Minimum Average = 1 Acre	If separate open space area(s)** is(are) created, the area of the open space tract(s) is(are) added into the area calculation but is not counted towards the total dwelling unit count (i.e. Lot A = .5 Acres, Lot B = .3 Acres, Lot C = .5 Acres and Open Space Tract D = 1.7 Acres would result in an average lot size of 1 acre)

* Existing vacant properties under .5 acre, with adequate space get credit for one dwelling unit.

** Separate open space must be put in a tract or tracts owned and maintained by all of the property owners of the lots created with the land division. Tract deeds and maintenance agreement(s) must be approved by the City of Gresham prior to the recordation of the final plat or final subdivision.

4.1312 Site Development Requirements

The Site Development Requirements of LDR-5 shall apply unless modified by this section.

A. Development on a Lot of Record

A lot of record may be developed with a permitted use as per the Gresham Community Development Code. Development on a lot of record must be developed with dwellings protected with a fire sprinkler system consistent with **Subsection (B)** below.

B. Fire Suppression Systems Required

All new dwelling units constructed within the Gresham Butte District shall be built with fire suppression systems installed consistent with the Building Code and shall be inspected and approved by the Gresham Fire Marshal.

New construction within the Gresham Butte Plan District involving the addition to or remodeling (requiring building permits under the Building Code) that either adds to or modifies over 50% of the original structure floor area shall be built with a fire suppression system installed as above.

C. Access Requirements

Access to Gresham Butte shall be enhanced through upgrades to the existing SW Walters Road as described in the City of Gresham Capital Facilities Plan.

All development shall be designed to the greatest extent possible to create connectivity between streets and sidewalks and the public trail system as described in the Gresham Trails Master Plan.

D. Area-wide and Basin Specific Utility Facilities

In order to effectively manage stormwater runoff from development on Gresham Butte, new development shall participate in area-wide or basin specific stormwater management solutions where the City of Gresham best design approaches indicates an area-wide solution based on efficiency for long term maintenance and safety considerations.

This participation may also be required for other utilities given the unique topographic and open space features of Gresham Butte. Other facilities preliminarily identified, include but are not limited to sanitary sewer systems and water systems.

E. Modifications to Public Facility Standards

For SW Walters Road and in the Gresham Butte Plan District, standards of **Appendix 5.000 - Public Facilities**, Gresham Community Development Code, may be modified including right of way, width, pavement, sidewalk, and other standards with approval by the Manager.

