



**GLADSTONE PLANNING COMMISSION AGENDA  
GLADSTONE CITY HALL, 525 PORTLAND AVENUE**

**Tuesday, April 21, 2015**

**7:00 P.M. CALL TO ORDER  
ROLL CALL  
FLAG SALUTE**

**CONSENT AGENDA**

All items listed below are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a commission member or person in the audience requests specific items to be removed from the Consent Agenda for discussion prior to the time the commission votes on the motion to adopt the Consent Agenda.

- Letter of Resignation from Commissioner Elliott Veazey

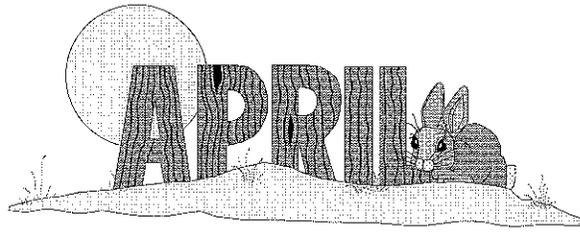
**REGULAR AGENDA**

1. Work Session: Gladstone Code Review

**BUSINESS FROM THE PLANNING COMMISSION**

**ADJOURN**





# **CONSENT AGENDA**



Elliott D. Veazey  
6650 Parkway Drive  
Gladstone, OR 97027

March 23, 2015

Pete Boyce  
525 Portland Avenue  
Gladstone, OR 97027

Re: Planning Commission Resignation

Dear Pete Boyce:

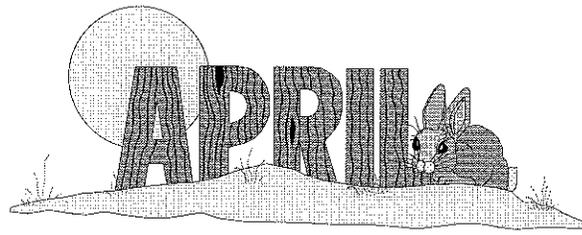
It is with great regret that I must resign my position on the Gladstone Planning Commission. As a result of a recent employment change we will be relocating out of state and thus unable to serve. Please accept this letter as my resignation from the Planning Commission. We have enjoyed living in this great community and are saddened to be leaving. I apologize for such a sudden announcement. I have truly enjoyed my time on the Planning Commission and was looking forward to being part of Gladstone's Renaissance. Best wishes to all going forward.

Sincerely,



Elliott D. Veazey  
801.656.9550  
[elliottveazey@gmail.com](mailto:elliottveazey@gmail.com)





## **REGULAR AGENDA**



**GLADSTONE CODE REVIEW**  
**Suggested Review Procedure**  
Adopted by the Planning Commission  
At the December 17, 2013 Work Session

**INTENT**

As Planning Commission, our intent is to review the current Gladstone Municipal Code in the order outlined below. We will add a work session to each scheduled Planning Commission meeting to address this review. If a meeting is not planned due to lack of agenda items, we will instead have a work session to continue the process.

For all Titles other than 17, we will provide notice to the City Council of our recommendations at the time that particular review is complete.

For all Title 17 recommendations, due to the required noticing procedures, we will provide quarterly updates to the City Council of our progress, and then present the complete Title 17 review at one time to be considered. Our hope is that this will save time and a considerable amount of money.

As the review progresses, if there is documentation a Planning Commission member would like to introduce as informational or examples, we will submit this information to Tami Bannick at least one week prior to our meeting in order for it to be included in the formal packet.

- I Code Analysis Ordinance Review January 2012**  
- After review, this is mostly housekeeping and we should recommend our codes be updated per the suggestions listed in this document.
- II Review Completed Approximately a Year Ago**  
-The city hired a firm approximately a year ago to review our codes to see if there were any issues stopping development. We should look at their suggestions to see what barriers there are for encouraging development in our commercial zones.
- III Title 2 Administration & Personnel**  
Specifically Chapter 2.28 Planning Commission
- IV Title 17 Zoning & Development**  
**Division 4 Section 17.54 Clear Vision Codes**  
-Since this was a specific area directed from the City Council for improvement, we should start with Division 4 Section 17.54.
- V Title 8 Health & Safety**  
**Section 8.04 Nuisances**  
-This topic took up most of the work session, so I feel we should start by looking at this section for clarification and application.

**Section 8.12 Noise Control**

- VI Title 8 Health & Safety**  
**Section 8.06 Chronic Nuisances**  
-As with Section 8.04, this was the main topic of the work session, so we should address this section for clarification and application.
- VII Title 17 Zoning & Development**  
**Division 2 Zoning Districts - Commercial**  
-To continue looking at encouraging development, we should start with the commercial zoning districts C1, C2, C3 + OP and L1. Clackamas County is combining some of their commercial and industrial districts to make it easier to navigate. Is this something we should consider since our commercial zones are so small?
- VIII Title 17 Zoning & Development**  
**Division 2 Zoning Districts – Residential**  
-Review of residential zones R7.2, R5 and MR. What do we want these zones to look like considering what we will most likely see in the future is redevelopment and in-fill. How can we integrate sustainability into these zones? How about storm water management strategies? Heritage Trees? Seattle’s Green Factor concept?
- IX Title 17 Zoning & Development**  
**Division 2 Zoning Districts – Other**  
-HCAD/Habitat Conservation Area, OS/Open Space, WQ/Water Quality Resource Area, FM/Flood Management. Are these up to current state/federal requirements? How can we ensure these areas are protected yet maximized?
- X Title 17 Zoning & Development**  
**Division 4**  
**17.42 General Provisions**  
**17.44 Building Siting and Design**  
**17.46 Landscaping**
- XI Title 17 Zoning & Development**  
**Division 4**  
**17.48 Off-Street Parking and Loading**  
-What have other cities done to allow for an active commercial zone while minimizing parking...encourage pedestrian/bicycles? Our downtown core cannot allow for new development because of our parking requirements.  
**17.50 Vehicular and Pedestrian Circulation**
- XII Title 17 Zoning & Development**  
**Division 4**  
**17.52 Signs**  
**17.53 Billboards**

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- XIII Title 17 Zoning & Development
  - Division 4
  - 17.56 Drainage
    - Progressive storm water management strategies
  - 17.58 Grading and Fill
  
- XIV Title 17 Zoning & Development
  - Division 4
  - 17.60 Utilities
  - 17.61 Wireless Telecommunication Facility
  
- XV Title 17 Zoning & Development
  - Division 4
  - 17.62 Special Uses
  - 17.64 Design Standards and Property Line Adjustments
  
- XVI Title 9 Public Peace, Morals & Welfare
  - Title 10 Vehicles & Traffic
  - Title 12 Streets, Sidewalks & Public Places
  - Recommend we engage the police department on where this section could be changed to support their enforcement needs.



**Gladstone Municipal Code**

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[Title 17 ZONING AND DEVELOPMENT](#)  
[DIVISION II. ZONING DISTRICTS](#)

**Chapter 17.18 C-2—COMMUNITY COMMERCIAL DISTRICT**

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**17.18.010 Purpose.**

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The purpose of a C-2 district is to implement the comprehensive plan and to provide for the establishment of a community shopping center serving most of the occasional retail and specialty shopping needs of area residents and thus service a much larger area and a much larger population than is served by the C-1, local commercial district.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990.

**17.18.020 Uses allowed outright.**

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In a C-2 zoning district, the following uses and their accessory uses are allowed outright:

- (1) Retail trade establishment, except when listed as a conditional use.
- (2) Business, governmental or professional office.
- (3) Medical clinic.
- (4) Financial institution.
- (5) Personal and business service establishments such as a barber shop, tailoring shop, printing shop, laundry or dry cleaning, sales agency, or photography studio, except as listed as a conditional use.
- (6) Eating or drinking establishment.
- (7) Hotel or motel.
- (8) Small appliance repair including radio, television and electronics repair.
- (9) Community service facility such as a fire station, library, community center, park, utility facility or meeting hall.
- (10) Mixed use development.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1289 § 1, 2000; Ord. 1323 §1, 2002.

**17.18.030 Residential accessory uses.**

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Accessory uses allowed in a residential zoning district shall be allowed in connection with single-family, two-family and multi-family dwellings in this zoning district. Such accessory use shall comply with the standards applicable to accessory uses allowed in the R-5 zoning district.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1323 §1, 2002.

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**17.18.040 Conditional uses allowed.**

In a C-2 zoning district, the following uses and their accessory uses are allowed subject to GMC Chapter 17.70 (conditional uses):

- (1) Automobile service station.
- (2) Dwelling subject to GMC Subsections 17.12.050 (1) through (5) except that the minimum lot area for a two-family dwelling shall be five thousand square feet.
- (3) Funeral home.
- (4) Small scale amusement or recreational facility such as a billiard or pool hall.
- (5) School and associated buildings, structures and facilities.
- (6) A use listed as a permitted outright use but not meeting the limitations of GMC Section 17.18.050 (limitations on use).
- (7) Planned unit development (PUD).
- (8) Foster homes.
- (9) Day care center.
- (10) Recreation vehicle park, subject to GMC Section 17.62.100 (recreation vehicle park).
- (11) Business activities conducted in conjunction with a use allowed outright under GMC Section 17.18.020 (uses allowed outright), not conducted wholly within an enclosed building and not specifically provided for under GMC Subsections 17.18.050(1) through (3).
- (12) Uses operating between 12:00 a.m. and 5:00 a.m.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2 (Part), 1990; Ord. 1198 §1(C), 1994; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002; Ord. 1341, 2003.

**17.18.050 Limitations on use.**

All business activities, including service, repair, processing, storage and merchandise display shall be conducted wholly within an enclosed building except for the following:

- (1) Drive-through windows accessory to a use allowed outright;
- (2) Outdoor play areas accessory to a community service facility;
- (3) Display of merchandise along the outside of the walls of a building provided such display does not extend more than three feet (3') from the walls and does not obstruct required pedestrian or bicycle access, emergency access or off-street parking areas; and
- (4) Activities approved in conjunction with a conditional use allowed under GMC Section 17.18.040 (conditional uses allowed).
- (5) The following limitations apply to developments along Portland Avenue:
  - (a) All development shall provide ground floor windows along Portland Avenue. Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances or display windows. Required windows may have a sill no more than 4 feet above grade. Where interior floor levels prohibit such placement, the sill may be raised to allow it to be no more than 2 feet above the finished floor level, up to a maximum sill height of 6 feet above grade.

(b) All buildings shall have their primary entrances face Portland Avenue. Primary entrance is defined as the principal entry through which people enter the building. A building may have more than one primary entry, as defined in the Uniform Building Code.

(6) The use of Portable Storage Containers as defined in Chapter 5.22.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2 (Part), 1990; Ord. 1323 §1, 2002; Ord. 1392 §6, 2008, Ord. 1404, 2008.

### **17.18.060 Dimensional standards.**

Except as provided in GMC Chapter 17.38 (planned unit development), Chapter 17.72 (variances), and Chapter 17.76 (exceptions), the following dimensional standards shall apply in a C-2 zoning district:

(1) Setbacks. There shall be no minimum setback requirements, except a maximum setback of five feet (5') shall be maintained along Portland Avenue frontages.

(2) Off-Street Parking. The boundary of any area developed or intended for off-street parking shall be located a minimum of five feet (5') from all property lines. An exception to the minimum setback standard for off-street parking shall be made for existing parking when the use complies with GMC Section 17.18.070 (off-street parking standards).

(3) Building Height. The maximum building height shall be thirty-five feet (35'). This restriction may be varied as follows:

(a) Maximum building height may be increased by one (1) story if the building is provided with an approved automatic sprinkler system throughout as provided in Section 506 of the Oregon Structural Specialty Code or its successor;

(b) Vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are exempt from the maximum building height standard;

(c) Maximum building height may be increased if the city fire department reports that it possesses sufficient fire-fighting capability to provide emergency response to a structure of the height proposed.

(4) Equipment Setbacks. There shall be no minimum setback requirements for central air conditioners, heat pumps and similar equipment except when a lot line abuts a residential zoning district, in which case the minimum setback requirement from the lot line abutting the residential zoning district shall be ten feet (10').

(5) Density. Residential density shall not exceed that allowed in the R-5 zoning district.

(6) Hotels and Motels:

(a) The minimum lot area shall be five hundred (500) square feet per dwelling unit;

(b) The minimum frontage shall be one hundred feet (100').

(7) Fences and Walls. The following standards shall apply to fences and walls of all types whether open, solid, wood, metal, masonry or other material.

(a) When located between the front lot line and the front building line, fences and walls shall not exceed three feet (3') in height.

(b) Fences and walls not subject to Subsection (7)(a) of this Section shall not exceed six feet (6') in height.

(c) An exception may be granted to the maximum fence or wall height standards pursuant to review of an application for conditional use; alteration, expansion or change of use of a nonconforming use; or design review and when an exception is found necessary to provide adequate screening for the use.

(d) Fences and walls shall comply with GMC Chapter 17.54 (clear vision).

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2 (Part), 1990; Ord.1140 §1, 1991; Ord. 1323 §1, 2002, Ord. 1404, 2008.

[Ed. Note: The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

### **17.18.070 Off-street parking standards.**

(1) Where one commercial use allowed outright is substituted for another in an existing building and the building is not expanded by more than ten percent (10%) of the floor area used for commercial purposes on January 1, 1980, no more off-street parking shall be required than was possessed by the previous commercial use. Where successive expansions of a building are proposed, the total area of all expansions shall not exceed the ten-percent (10%) standard.

(2) When an existing residence in the C-2 zoning district along Portland Avenue is converted to commercial or mixed use development, additional off-street parking shall not be required, subject to the following standards:

(a) The new commercial use shall not exceed a "B" occupancy rating as described in the Oregon Structural Specialty Code or its successor and shall be identified in GMC Section 17.18.020 (2), (5) or (8);

(b) Signs shall be on-building and indirectly illuminated;

(c) The use shall generate low traffic volumes and require minimal off-street parking; and

(d) Structures and landscaping shall retain a residential appearance.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2 (Part), 1990; Ord. 1323 §1, 2002.

### **17.18.080 Exceptions in case of large scale development.**

The standards and requirements of the regulations of this section may be modified by the Planning Commission in the case of a plan and program for a planned unit development, or a large scale shopping center, providing the modifications are not detrimental to the public health, safety and welfare and providing the Planning Commission determines there is provision for adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the developed tract and its relation to adjacent areas and for such covenants or other legal provisions as will assure conformity to and achievement of the plan.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2 (Part), 1990.

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[Title 17 ZONING AND DEVELOPMENT](#)  
[DIVISION II. ZONING DISTRICTS](#)

**Chapter 17.20 C-3—GENERAL COMMERCIAL DISTRICT**

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**17.20.010 Purpose.**

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The purpose of a C-3 district is to implement the comprehensive plan and to provide for general types of business and service establishments which would not likely be compatible with the uses permitted in C-1 and C-2, local and community commercial districts, and which would likely be detrimental to the adjoining residential areas unless effectively controlled.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990.

**17.20.020 Uses allowed outright.**

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In a C-3 zoning district, the following uses and their accessory uses are allowed outright. Outside or open storage shall be an allowed accessory use.

- (1) Automobile service station, car wash or repair garage, body and fender paint shop, sales of new and used vehicles.
- (2) Business, governmental or professional office.
- (3) Community service facility such as a fire station, library, community center, park, utility facility, meeting hall or transit facility.
- (4) Eating or drinking establishment.
- (5) Financial institutions.
- (6) Funeral home.
- (7) Hotel or motel.
- (8) Medical clinic.
- (9) Personal and business service establishment such as a barber shop, tailoring shop, printing shop, laundry and dry cleaning, sales agency or photography studio.
- (10) Recreation vehicles sales, services, rental.
- (11) Recycling center.
- (12) Retail trade.
- (13) Roller rink, bowling alley, motion picture theater or similar extensive commercial amusement or recreational facility.
- (14) School and associated buildings, structures and facilities.
- (15) Small appliance repair including radio, television and electronics repair.
- (16) Small parts wholesaling or retailing.
- (17) Veterinary clinic or small animal hospital, but not including a kennel or a cattery.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1270 §1, 1998; Ord. 1323 §1, 2002.

### **17.20.030 Residential accessory uses.**

(1) Accessory uses allowed in a residential zoning district shall be allowed in connection with single-family, two-family and multi-family dwellings in this zoning district.

(2) Such accessory uses shall comply with the standards applicable to accessory uses allowed in the MR zoning district.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2 (Part), 1990; Ord. 1323 §1, 2002.

### **17.20.040 Conditional uses allowed.**

In a C-3 zoning district, the following uses and their accessory uses are allowed subject to GMC Chapter 17.70 (conditional uses):

- (1) Planned unit development (PUD).
- (2) Wholesale distribution outlet, including warehousing.
- (3) Dwellings, subject to GMC Subsections 17.14.050(1) through (5).
- (4) Foster homes.
- (5) Day care center.
- (6) Off-street parking and storage of truck tractors and/or semi-trailers, subject to GMC Chapter 17.48 (off-street parking and loading) and Section 17.62.120 (off-street parking and storage of truck tractors and / or trailers).
- (7) Light manufacturing as an accessory use to a use allowed outright, subject to GMC Section 17.62.130 (light manufacturing).
- (8) Recreation vehicle park, subject to GMC Section 17.62.100 (recreation vehicle park).
- (9) Indoor mini-storage.
- (10) Uses operating between 12:00 a.m. and 5:00 a.m.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1198§1(D), 1994; Ord.1257 §1, 1998; Ord.1289 §1, 2000; Ord. 1291 §1 (Part), 2000; Ord. 1323 §1, 2002; Ord. 1341, 2003.

### **17.20.045 Screening.**

The following screening standards shall apply:

(1) Off-street parking and loading areas and business activities, such as service, repair, processing, storage and merchandise display, that are conducted outside of a wholly enclosed building, shall be screened from abutting properties where such properties are in a residential zoning district and from abutting unimproved public street rights-of-way where property on the opposite side of the unimproved right-of-way is in a residential zoning district.

(2) Business activities, such as service, repair, processing, storage and merchandise display, that are

conducted outside of a wholly enclosed building, shall be screened from abutting properties where such properties are in a C-1 or C-2 zoning district and from abutting unimproved public street rights-of-way where property on the opposite side of the unimproved right-of-way is in a C-1 or C-2 zoning district.

(3) Storage, with the exception of merchandise display, outside of a wholly enclosed building shall be screened from abutting improved public street rights-of-way. Off-street parking and loading areas for customer vehicles, employee vehicles and vehicles for sale are not required to be screened from improved public street rights-of-way. However, off-street parking and loading areas for other types of vehicle storage (e.g. towed vehicles, recreational vehicles being stored as a service) shall be screened from abutting improved public street rights-of-way.

(4) Required screening shall be accomplished by building placement, a landscaped earth berm or a sight-obscuring fence or hedge.

(5) Required screening shall be reviewed pursuant to GMC Chapter 17.80 (design review). When design review is not required, screening shall be reviewed by the City Administrator or designee.

(6) Required screening shall be a minimum of six feet (6') high. With the exception of equipment and vehicles, stored merchandise and materials shall not exceed the height of required screening. Stored equipment and vehicles may exceed the height of the required screening provided such equipment and vehicles are not stacked on top of one another.

(7) Required screening shall be sited so that it does not conflict with GMC Chapter 17.54 (clear vision). In locations where perimeter landscaping adjacent to a street is required as a condition of land use approval, required screening shall be located behind such landscaping.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1270 §2, 1998; Ord. 1323 §1, 2002; Ord. 1323 §1, 2002.

### **17.20.050 Dimensional standards.**

Except as provided in GMC Chapters 17.38 (planned unit development), Chapter 17.72 (variances) and Chapter 17.76 (exceptions), the following dimensional standards shall apply in a C-3 zoning district:

(1) Front Setbacks. There shall be no minimum front setback requirement except when a front lot line abuts a residential zoning district or abuts a street where property on the opposite side of the street is in a residential zoning district, in which cases the minimum front setback shall be twenty feet (20').

(2) Street Side Setbacks. There shall be no minimum street side setback requirement except when a street side lot line abuts a residential zoning district or abuts a street where property on the opposite side of the street is in a residential zoning district, in which cases the minimum street side setback shall be twenty feet (20').

(3) Side and Rear Setbacks. There shall be no minimum side or rear setback requirements.

(4) Off-Street Parking. The boundary of any area developed or intended for off-street parking shall be located a minimum of five feet (5') from all property lines.

(5) Architectural Features. Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet (2') into a required setback area.

(6) Building Height. The maximum building height shall be thirty-five feet (35'). This restriction may be varied as follows:

(a) Maximum building height may be increased by one (1) story if the building is provided with an approved automatic sprinkler system throughout as provided in Section 506 of the Oregon Structural Specialty Code or its successor; vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are exempt from the maximum building height standard;

(b) Maximum building height may be increased if the city fire department reports that it possesses sufficient fire-fighting capability to provide emergency response to a structure of the height proposed.

(7) Equipment Setbacks. There shall be no minimum setback requirements for central air conditioners, heat pumps and similar equipment except when a lot line abuts a residential zoning district, in which case the minimum setback requirement from the lot line abutting the residential zoning district shall be ten feet (10').

(8) Hotels and Motels:

(a) The minimum lot area shall be five hundred (500) square feet per dwelling unit;

(b) The minimum frontage shall be one hundred feet (100').

(9) Portable Storage Container Setbacks. When a lot line abuts a residential district, a setback does not apply to Portable Storage Containers as defined in Chapter 5.22.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1140§2, 1991; Ord. 1323 §1, 2002; Ord. 1392 § 7, 2007.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

### **17.20.060 Exceptions in case of large scale development.**

The standards and requirements of the regulations of this section may be modified by the Planning Commission in the case of a plan and program for a planned unit development, or a large scale shopping center, providing the modifications are not detrimental to the public health, safety and welfare and providing the Planning Commission determines there is provision for adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the developed tract and its relation to adjacent areas and for such covenants or other legal provisions as will assure conformity to and achievement of the plan.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2 (Part), 1990. Ord. 1392 § 8, 2007.

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**Article I. General Provisions**

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**17.61.010 Title.**

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These regulations shall be known, cited, and referred to as the Wireless Telecommunication Facility Regulations of the City of Gladstone (hereinafter "these regulations").

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998.

**17.61.020 Purposes.**

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The purpose of this section is to establish design and siting standards for telecommunication facilities that:

- (1) Minimize adverse visual effects of towers and ancillary facilities through careful design, siting and screening standards;
- (2) Avoid potential damage to adjacent properties from tower failure and falling ice through structural standards and setback requirements;
- (3) Provide mechanisms for the mitigation of tower proliferation through tower sharing requirements for all new tower applicants and those existing towers that are physically capable of sharing.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998.

**17.61.030 Applicability.**

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These standards shall apply to all new telecommunication facilities and collocated telecommunication facilities and not pre-existing towers or pre-existing antennae.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998.

**17.61.040 Authority.**

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The Planning Commission is vested with the authority to review, approve, conditionally approve, and disapprove applications for wireless communication facilities, including preliminary and final plans.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998.

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### 17.61.050 Definitions.

The following definitions apply to the regulation of telecommunication facilities:

- (1) Telecommunications Facilities. Facilities designed and used for the purpose of transmitting, receiving, and relaying analog and/or digital radio signals from various wireless communication devices.
- (2) Abandoned Facility. A transmission tower and/or ancillary facilities whose use has been discontinued for a period of at least six (6) months.
- (3) Ancillary Facilities. The structures and equipment required for operation of the telecommunication equipment, including but not limited to antennae, repeaters, equipment housing structure, and ventilation and other mechanical equipment.
- (4) Antenna(e). An electrical conductor or group of electrical conductors that transmit or receive radio waves.
- (5) Attachment. An antenna or other piece of related equipment affixed to a transmission tower.
- (6) Collocated Facility. A new attachment, antenna, or tower placed on existing suitable structures or rebuilt transmission towers or facilities or the addition of new ancillary facilities to an existing transmission tower facility site.
- (7) New Facility. The installation of a new transmission tower. New attachments are not new facilities.
- (8) Pre-existing Towers and Pre-Existing Antennas. Any tower or antenna constructed or approved pursuant to city standards in effect prior to the effective date of this ordinance.
- (9) Service Area. The vicinity around a telecommunications facility site that effectively receives signals from and transmits signals to the facility at the strength of signal required by the Federal Communications Commission.
- (10) Shadow. A geographic area that has less than adequate telecommunication service coverage.
- (11) Tower Footprint. The area described at the base of a transmission tower as the perimeter of the transmission tower including the transmission tower foundation and any attached or overhanging equipment, attachments, or structural members but excluding ancillary facilities and guy wires and anchors.
- (12) Tower Pad. The area that encompasses the tower footprint, ancillary facilities, fencing and screening.
- (13) Tower Height. The vertical distance measured from the highest point on the transmission tower or other structure, including any antennae, to the original grade of the ground directly below this point.
- (14) Transmission Tower. The guyed tower, lattice tower, monopole, or similar structure on which transmitting or receiving antennae are located. For purposes of this chapter, ham radio transmission facilities are considered "aerials" and not "transmission towers."
  - (a) Guyed Tower. A tower which is supported by the use of cables (guy wires) which are permanently anchored.
  - (b) Lattice Tower. A tower characterized by an open framework of lateral cross members which stabilize the tower.
  - (c) Monopole. A single upright pole, engineered to be self supporting and does not require lateral cross supports or guys.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998.

**Article II. Approval Criteria for Collocated Facilities****17.61.060 Site size.**

No minimum lot size shall apply when a telecommunication facility is collocated on an existing building or structure. Telecommunication facilities collocated on existing towers or reconstructed existing towers shall not decrease the setback of the existing tower. For the purposes of this section, an increase in tower circumference to accommodate collocated facilities shall not be deemed to decrease setbacks.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998; Renumbered from 17.61.060(1) during codification.

**17.61.070 Suitable facilities for collocation.**

(1) Towers or attachments may be placed on existing structures such as athletic field light poles, utility towers and tall buildings provided that the addition of the antenna equipment will not interfere with the normal operation of utilities or existing transmission facilities and the collocated facility complies with the height limit in CMC Section 17.61.080 (height limit).

(2) Existing structures may be replaced or structurally enhanced when necessary to permit collocation as long as the setback of the reconstructed structure is not decreased as described in GMC Section 17.61.060 (site size) and as long as the height of the reconstructed facility complies with the height limit contained in GMC Section 17.61.080 (height limit) as applied to the existing structure prior to replacement or reconstruction.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998; Renumbered from 17.61.060(2) during codification.

**17.61.080 Height limit.**

Collocated facilities are exempt from the height limits of the underlying zoning district, but shall be no more than ten feet (10') taller than the existing telecommunications structure in a residential zone or no more than twenty feet (20') taller than the existing structure in a commercial or industrial zone.

(1) Exception: A collocated facility shall be no taller than the existing facility where the height of the existing facility has previously been increased in excess of the height limit of the underlying zone as a result of approval of a prior collocation application pursuant to this section.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998; Renumbered from 17.61.060(3) during codification.

**17.61.090 Visual impact.**

(1) All ancillary facilities shall be screened, hidden or disguised.

(2) Antennae shall be screened, hidden or disguised, or shall be painted or colored to blend into the structure or surroundings.

(3) A proposed collocated facility that does not comply with GMC Sections 17.61.100 through 17.61.180 shall be processed as a new facility.

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**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998; Renumbered from 17.61.060(4) during codification.

### **Article III. Approval Criteria for New Facilities**

#### **17.61.100 Setbacks.**

A new facility shall be sited on a parcel with setbacks that comply with the following criteria:

(1) Generally. The tower footprint shall be at least twenty-five feet (25') from any property line other than a residential property line. This setback may be reduced if the applicant can demonstrate that:

(a) The shape or configuration of the parcel prevents compliance with the setback standard or that a reduction in setback is necessary to take advantage of screening opportunities (such as tall trees, tree groves, buildings, or other tall elements) not available within the required setback area;

(b) The reduction in setback is the minimum required to best camouflage the facility;

(c) Adequate clearance between the facility and property line can be provided to accommodate landscaping and fencing; and

(d) The reduction in setback will not cause a greater visual impact to adjacent uses.

(2) Sites bordering on residential property. The tower footprint shall be set back at least two-thirds (2/3) the tower height from any residential property line.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998; Renumbered from 17.61.070(1) during codification.

#### **17.61.110 Supplemental separation requirements.**

(1) The tower pad shall be sited in a location that permits additional expansion to accommodate future collected ancillary facilities. The tower shall be located centrally on this pad. This standard shall not apply to antennae attached to existing structures or towers located on rooftops.

(2) Separation from pre-existing towers: New towers shall be separated from existing towers by at least the following distances, measured in a straight line from the base of the proposed new tower to the base of any pre-existing tower.

**TABLE**

	Lattice	Guyed	Monopole 80% in height	Monopole 80% in height
Lattice	5,000	5,000	1,500	750
Guyed	5,000	5,000	1,500	750
Monopole >	1,500	1,500	1,500	750
Monopole <	750	750	750	750

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998; Renumbered from 17.61.070(2) during codification.

### **17.61.120 Collocation to be explored—Accommodated.**

(1) Before an application for a new transmission tower is accepted, applicants shall demonstrate that they have exhausted all practicable collocation options within the proposed service area pursuant to GMC Sections 17.61.100 through 17.61.140, including placement of antennae on existing tall structures and placing multiple antennae or attachments on a single tower.

(2) New towers shall be constructed so as to accommodate future collocation, based on expected demand for transmission towers in the service area. Towers shall be designed so as to accommodate a minimum expansion of three two-way antennae for every forty (40) vertical feet of tower.

(3) Multiple attachments on utility towers. In conformance with the Telecommunications Act of 1996, Section 703, a utility shall provide any telecommunications carrier with nondiscriminatory access to any pole, duct, conduit, or right of way owned or controlled by it, unless there is insufficient capacity or access cannot be granted for reasons of safety, reliability, and general applicable engineering purposes.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998; Renumbered from 17.61.070(3) during codification.

[Ed. Note: The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

### **17.61.130 Height limit.**

New telecommunications facilities shall not exceed the height limits of the underlying zone, unless the applicant demonstrates that:

(1) There is a service area need for the proposed facility at the proposed location.

(2) The increase in height above the maximum allowed height for the zone is the minimum increase necessary to eliminate service shadows.

(3) That providing coverage with telecommunications facilities which comply with the height requirements of the zone would result in an unacceptable proliferation of such facilities. For purposes of this subsection, "unacceptable proliferation" means an increase in the number of transmission towers by a factor of four in order to achieve the same level of adequate service. An increase in the number of transmission towers shall not include facilities or towers that would qualify as collocated facilities.

(4) The negative visual impacts on adjacent properties can be minimized by screening or disguising the facility.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998; Renumbered from 17.61.070(4) during codification.

### **17.61.140 Visual impact.**

The applicant shall demonstrate the telecommunications facility will have the least practicable visual impact on the environment, considering technical, engineering, economic, and other pertinent factors.

(1) The height and mass of the telecommunications facility shall not exceed that essential for its intended use and public safety, as demonstrated in a report prepared by a licensed structural engineer.

(2) Telecommunications facilities two hundred feet (200') or less in height shall be camouflaged to ensure

the facility is visually subordinate to surrounding objects and colors.

(3) Towers more than two hundred feet (200') in height shall be painted in accordance with the Oregon State Aeronautics Division and Federal Aviation Administration. Applicants shall attempt to seek a waiver from OSAD and FAA marking requirements. When a waiver has been granted, towers shall be painted and/or camouflaged in accordance with subsection (2) above.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998. Renumbered from 17.61.070(5) during codification.

[Ed. Note: The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

#### **17.61.150 Accessory uses.**

Accessory uses shall include only building facilities that are necessary for transmission function and associated satellite ground stations, and shall not include broadcast studios (except for emergency broadcast), offices, vehicle storage areas, nor other similar uses not necessary for the transmission or relay function. No unenclosed storage of material is allowed.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277§1, 1998. Renumbered from 17.61.070(6) during codification.

#### **17.61.160 Lighting.**

No lighting shall be permitted on transmission towers except that required by the Oregon State Aeronautics Division of the FAA. This standard shall not prevent shared use or replacement of an existing light pole. For collocation on existing or replaced light poles, the transmission tower shall have no net increase to the spread, intensity, or direction of the existing light source.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998. Renumbered from 17.61.070(7) during codification.

[Ed. Note: The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

#### **17.61.170 Fences and landscaping.**

(1) The tower(s) and ancillary facilities shall be enclosed by a six foot (6') sight obscuring fence meeting the requirements of GMC Chapter 17.80 (design review).

(2) Landscaping shall be placed outside of fences and shall consist of fast growing vegetation placed densely so as to form a solid hedge with a minimum planted height of six feet (6').

(3) For new towers, landscaping and fencing shall be compatible with other nearby landscaping and fencing.

(4) Where antennae or towers and ancillary facilities are to be located on existing buildings or structures and are secure from public access, landscaping and fencing requirements may be waived.

**Statutory Reference.** ORS Ch. 197 and 227

**History:** Ord. 1277§1, 1998. Renumbered from 17.61.070(8) during codification.

#### **17.61.180 Signs.**

One (1) non-illuminated sign, not to exceed two (2) square feet, shall be provided at the main entrance to the facility stating a contact name and phone number for emergency purposes. Signs shall not be placed on towers or antennae.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 § 1, 1998. Renumbered from 17.61.070(9) during codification.

#### **Article IV. Supplemental Application Requirements**

##### **17.61.190 Collocated facilities.**

In addition to standard required application material, the applicant shall submit the following information in conjunction with an application for a collocated facility:

- (1) Documentation demonstrating that the collocated facility will comply with non-ionizing electromagnetic radiation (NEIR) emissions standards adopted by the FCC; and
- (2) Documentation addressing the specific criteria for compliance contained in GMC Sections 17.61.100 through 17.61.180.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277 §1, 1998. Renumbered from 17.61.080(1) during codification.

[Ed. Note: The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

##### **17.61.200 New facilities.**

In addition to standard required application material, the applicant for a new facility shall submit the following information in conjunction with an application for a new facility:

- (1) A site reconnaissance study containing, at a minimum:
  - (a) A vicinity map depicting the proposed extent of the service area;
  - (b) A graphic simulation showing the appearance of the proposed tower and accessory structures from five (5) points within the impacted vicinity. Such points are to be mutually agreed upon by the Planning Director and applicant; and
  - (c) An inventory within the applicant's proposed service area depicting the height and location of non-habitable structures, including poles, towers, and appurtenances that could accommodate collocation of the proposed antennae.
- (2) Evidence demonstrating collocation has been explored and is impractical on existing structures, existing transmission towers, and existing tower facility sites for reasons of safety, available space, or failing to meet service coverage area needs.
- (3) A report containing the following:
  - (a) A description of the proposed tower and reasons for the tower design and height;
  - (b) Documentation to establish the proposed tower has sufficient structural integrity for the proposed uses at the proposed location in conformance with minimum safety requirements as required by the State Structural Specialty Code, latest adopted edition;
  - (c) Ice hazards and mitigation methods which will be employed, including increased setbacks, and/or deicing equipment;

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(d) The general capacity of the tower in terms of the number and type of antennae it is designed to accommodate;

(e) Documentation demonstrating compliance with non-ionizing electromagnetic radiation (NIER) emissions standards adopted by the FCC;

(f) A signed agreement stating that the applicant will allow collocation with other users, provided all safety and structural requirements are met. This letter shall also state that any future owners or operators will allow collocation on the tower. This agreement is not necessary if the applicant does not own the facility or structure; however, a consent to allow the owner to grant access to other users for the same structure or facility shall be required;

(g) A soils report if the property contains weak foundation soils or has landslide potential;

(h) Identification of any other antenna sites owned or operated by the applicant in the city.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Ord. 1277§1, 1998. Renumbered from 17.61.080(2) during codification.

[Ed. Note: The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

## **Article V. Abandoned Facilities**

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### **17.61.210 Abandoned facilities.**

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(1) The owner of a telecommunication facilities and attachments shall file annually a declaration with the Planning Director as to the continuing operation of every facility installed subject to these regulations. Failure to do so shall be determined to mean the facility is no longer in use and considered abandoned.

(2) The property owner shall remove abandoned or unused facilities no later than 90 days from date of cessation of operations at the site. Failure to remove an abandoned facility is declared a public nuisance and is subject to the penalties established by GMC Section 8.04.200 (violation-penalty). In addition, in the event a tower or associated facility is not removed within ninety (90) days of the cessation of operations at a site, the facilities may be removed by the city and the costs of removal assessed against the property pursuant to GMC Section 8.04.170 (abatement by city).

(3) Unused portions of towers above a manufactured connection shall be removed within ninety (90) days of the time of antenna relocation. The replacement of portions of a tower previously removed requires the issuance of a new wireless facility permit.

**Statutory Reference:** ORS Ch. 197 and 227

**History:** Adopted by Ord. 1277 §1, 1998. Renumbered from 17.61.090 during codification.

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View the [mobile version](#).

# City of Gladstone ZONING

- Local Commercial - C1
- Community Commercial - C2
- General Commercial - C3
- Light Industrial - LI
- Multi-Family Residential - MR
- Office Park - OP
- Open Space - OS
- Single-Family Residential - R-1.2
- Single-Family Residential - R-1.5
- City Limits
- Urban Growth Boundary
- Parcels
- Major Streets
- Railroad
- Rivers



Gladstone County
   
 Planning & Zoning Department
   
 1000 NE Oregon Street, Gladstone, OR 97030
   
 Phone: 503.638.2200
   
 Fax: 503.638.2201
   
 Website: www.gladstonecounty.com
   
 This map is a representation of the zoning map of Gladstone, Oregon, as of the date shown on the map. It is not intended to be used for any other purpose.

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# SMARTCODE

VERSION 9.2



*The term "code" derives from "caudex," which was simultaneously the trunk of a tree and set of laws. It is one of several terms clustering around the idea of power being resident in a sacred tree at the center of a traditional village. A code, then, is etymologically and functionally the trunk around which a settlement arranges itself.*

Patrick Pinnell

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# INTRODUCTION

## About the SmartCode

The SmartCode is a form-based code that incorporates Smart Growth and New Urbanism principles. It is a unified development ordinance, addressing development at all scales of design, from regional planning on down to the building signage. It is based on the rural-to-urban transect rather than separated-use zoning, thereby able to integrate a full range of environmental techniques. Because the SmartCode envisions intentional outcomes based on known patterns of urban design, it is a more succinct and efficient document than most conventional codes.

The model SmartCode is freeware, available in an editable format from the websites [www.smartcodecentral.org](http://www.smartcodecentral.org) and [www.transect.org](http://www.transect.org).

The SmartCode is a model ordinance. It is not persuasive and instructive like a guideline, nor is it intentionally general like a vision statement. It is meant to be law, precise and technical, administered by municipal planning departments and interpreted by elected representatives of local government. The SmartCode is designed to be calibrated to local circumstances, ideally with the participation of the local citizens.

This booklet, *SmartCode Version 9.2*, presents the entire 56-page base code in compact form. Another publication, a printed calibrator's Manual, the *SmartCode Version 9 and Manual*, offers a fully annotated SmartCode Version 9.2, and an extended appendix with sample plans, step-by-step procedures, illustrations, historical commentary, checklists, and resources. In addition, there are numerous supplementary Modules, as listed here in the Table of Contents. The Manual is useful for anyone who is considering calibrating and adopting the SmartCode for a project, city, or region. To date (early 2009), over 100 American municipalities and counties have calibrated the SmartCode, with 25 adoptions and many more in process. These numbers do not include scores of private developments.

The official text of the SmartCode appears in a **sans serif font like this**. The introductory commentary appears in a **serif font like this**. Green text indicates items that should be considered for calibration.

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## Codes and the SmartCode

Consider the most-loved towns of North America. They were either carefully planned, or they evolved as compact, mixed use places because of their geography and the limits of the transportation and economics of their time. However, over the past sixty years, places have evolved in a completely different pattern. They have spread loosely along highways and haphazardly across the countryside, enabled by the widespread ownership of automobiles, by cheap petroleum and cheap land, and by generalized wealth.

Such patterns are enabled by zoning codes that separate dwellings from workplaces, shops, and schools. These codes include design standards that favor the automobile over the pedestrian, and are unable to resist the homogenizing effects of globalization.

These practices have produced banal housing subdivisions, business parks, strip shopping, big box stores, enormous parking lots, and sadly gutted downtowns. They have caused the proliferation of drive-by eateries and billboards. They have made walking or cycling dangerous or unpleasant. They have made children, the elderly, and the poor utterly dependent on those who can drive, even for ordinary daily needs. They have caused the simultaneous destruction of both towns and open space -- the 20th century phenomenon known as sprawl.

The form of our built environment needs a 21st century correction. But in most places it is actually illegal to build in a traditional neighborhood pattern. The existing codes prevent it. In most places people do not have a choice between sprawl and traditional urbanism. Codes favor sprawl and isolated residential subdivisions. It is not a level playing field.

The SmartCode was created to deal with this problem at the point of decisive impact -- the intersection of law and design. It is a form-based code, meaning it envisions and encourages a certain physical outcome -- the form of the region, community, block, and/or building. Form-based codes are fundamentally different from conventional codes that are based primarily on use and statistics -- none of which envision or require any particular physical outcome.

The SmartCode is a tool that guides the form of the built environment in order to create and protect development patterns that are compact, walkable, and mixed use. These traditional neighborhood patterns tend to be stimulating, safe, and ecologically sustainable. The SmartCode requires a mix of uses within walking distance of dwellings, so residents aren't forced to drive everywhere. It supports a connected network to relieve traffic congestion. At the same time, it preserves open lands, as it operates at the scale of the region as well as the community.

# INTRODUCTION

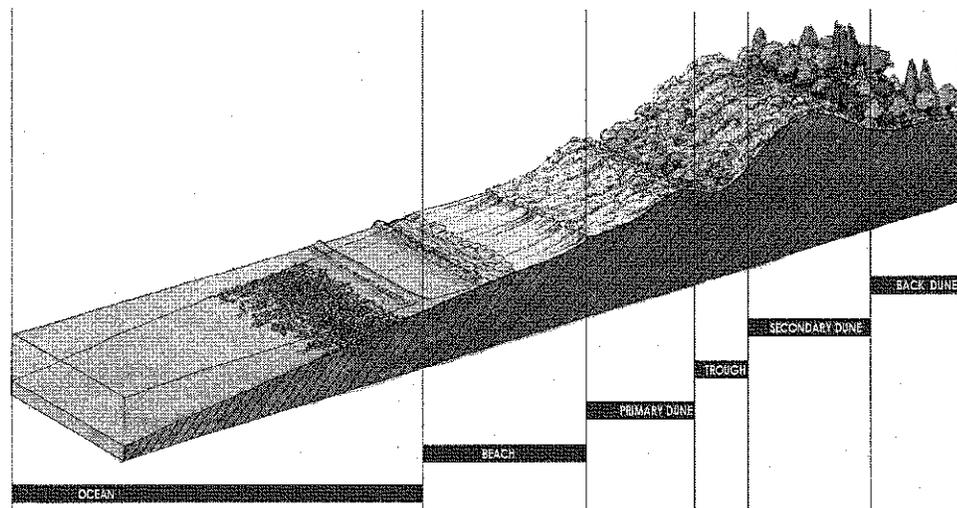
## Transect-Based Planning

*“A town is saved, not more by the righteous men in it than by the woods and swamps that surround it.” – Henry David Thoreau*

The SmartCode is a transect-based code. A transect of nature, first conceived by Alexander Von Humboldt at the close of the 18th century, is a geographical cross-section of a region intended to reveal a sequence of environments. Originally, it was used to analyze natural ecologies, showing varying characteristics through different zones such as shores, wetlands, plains, and uplands. It helps study the many elements that contribute to habitats where certain plants and animals thrive in symbiotic relationship to the minerals and microclimate.

Human beings also thrive in different places. There are those who could never live in an urban center; there are those who would wither in a rural hamlet. Humans need a system that preserves and creates meaningful choices in their habitats. Near the close of the 20th century, New Urbanist designers recognized that sprawl was eradicating the pre-war American transect of the built environment. They began to analyze it and extract its genetic material for replication. In this way, they extended the natural transect to include the built environment, thus establishing the basis for the SmartCode.

The rural-to-urban Transect is divided into six Transect Zones for application on zoning maps. These six habitats vary by the level and intensity of their physical and social character, providing immersive contexts from rural to urban. SmartCode elements are coordinated by these T-zones at all scales of planning, from the region through the community scale down to the individual lot and building.



A TYPICAL NATURAL TRANSECT

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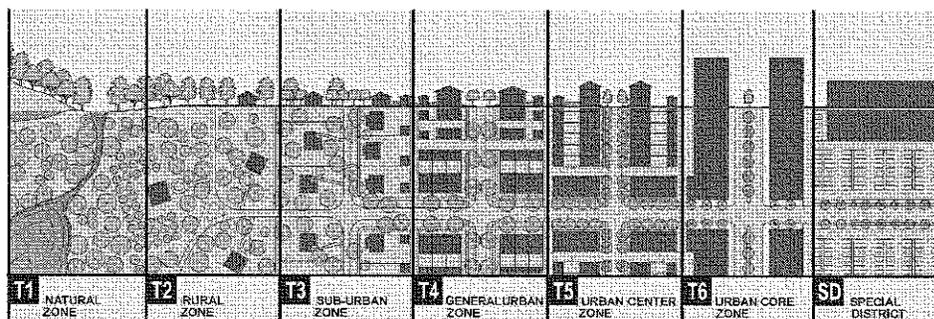
# INTRODUCTION

One of the principles of Transect-based planning is that certain forms and elements belong in certain environments. For example, an apartment building belongs in a more urban setting, a ranch house in a more rural setting. Some types of thoroughfares are urban in character, and some are rural. A deep suburban setback destroys the spatial enclosure of an urban street; it is out of context. These distinctions and rules don't limit choices; they expand them. This is the antidote for the one-size-fits-all development of today.

The Transect is evident in two ways. Zones and communities (1) exist as characteristic places on the Transect and (2) they evolve along the Transect over time. As places, the six Transect Zones display identifiable characteristics, based on normative American urban patterns. They also increase in complexity, density and intensity over a period of years, until a "climax condition" is reached. This is a growth process analogous to succession in natural environments.

The best urbanism requires the sequential influence of many participants. A code allows buildings to be designed and built by many hands over years, or even generations. The single designer or committee leads to a lack of robustness, similar to vulnerable monocultures in nature. A parametric and successional code like the SmartCode allows experience to feed back and become integrated -- the fourth dimension of time. Once adopted, it stays in place, allowing urbanism to evolve and mature without losing its necessary foundation of order.

It also ensures that a community will not have to scrutinize all proposed projects, because the intentions of the citizens will have already been determined in the process that leads to the code. The SmartCode is a comprehensive framework for that process.



A TYPICAL RURAL-URBAN TRANSECT, WITH TRANSECT ZONES

# INTRODUCTION

## Summary: What the SmartCode Does

- It utilizes a type of zoning category that ranges systematically from the wilderness to the urban core.
- It enables and qualifies Smart Growth community patterns that include Clustered Land Development (CLD), Traditional Neighborhood Development (TND), Regional Center Development (RCD), and Transit-Oriented Development (TOD).
- It integrates the scale of planning concern from the regional through the community scale, on down to the individual lot and, if desired, its architectural elements.
- It integrates the design process across professional disciplines.
- It integrates methods of environmental protection, open space conservation and water quality control.
- It integrates subdivision, public works and Transfer of Development Rights (TDR) standards.
- It provides a set of zoning categories common to new communities and to the infill of existing urbanized areas.
- It is compatible with architectural, environmental, signage, lighting, hazard mitigation, and visitability standards.
- It establishes parity of process for existing and new urban areas.
- It integrates protocols for the preparation and processing of plans.
- It encourages the efficiency of administrative approvals when appropriate, rather than decision by public hearing.
- It encourages specific outcomes through incentives, rather than through prohibitions.
- It specifies standards parametrically (by range) in order to minimize the need for variances.
- It generally increases the range of the options over those allowed by conventional zoning codes.

Outline of the SmartCode

	ARTICLE 2 REGIONAL SCALE PLANS	ARTICLE 3 & ARTICLE 4 COMMUNITY SCALE PLANS	ARTICLE 5 BUILDING SCALE PLANS
	A. Regional Sector	B. Community Unit	C. Transect Zones
Open Lands	<b>01</b> Preserved Open Sector	None	<b>T1</b> Natural Zone
	<b>02</b> Reserved Open Sector	None	<b>T2</b> Rural Zone
New Development	<b>G1</b> Restricted Growth Sector	<b>CLD</b> Clustered Land Development	<b>T2</b> Rural Zone
			<b>T3</b> Sub-Urban Zone
			<b>T4</b> General Urban Zone
	<b>G2</b> Controlled Growth Sector	<b>CLD</b> Clustered Land Development	<b>T2</b> Rural Zone
			<b>T3</b> Sub-Urban Zone
			<b>T4</b> General Urban Zone
<b>G3</b> Intended Growth Sector	<b>TND</b> Traditional Neighborhood Development	<b>T3</b> Sub-Urban Zone	
		<b>T4</b> General Urban Zone	
		<b>T5</b> Urban Center Zone	
<b>G4</b> Infill Growth Sector	<b>TND</b> Traditional Neighborhood Development	<b>T3</b> Sub-Urban Zone	
		<b>T4</b> General Urban Zone	
		<b>T5</b> Urban Center Zone	
		<b>RCD</b> Regional Center Development	
Existing Development	<b>G4</b> Infill Growth Sector	<b>INFILL TND</b> Traditional Neighborhood Development	<b>T3</b> Sub-Urban Zone
			<b>T4</b> General Urban Zone
			<b>T5</b> Urban Center Zone
		<b>INFILL RCD</b> Regional Center Development	<b>T4</b> General Urban Zone
			<b>T5</b> Urban Center Zone
			<b>T6</b> Urban Core Zone
Other			<b>CB</b> Civic Building
			<b>CS</b> Civic Space
		<b>SD</b> Special Districts	
			Standards
			Building Disposition
			Building Configuration
			Building Function
			Density Calculations
			Parking Standards
			Landscape Standards
			Signage Standards
			Supplementary Modules

# INTRODUCTION

## The Structure of the SmartCode

**Article 1** contains the general instructions pertaining to all other Articles.

**Article 2** prescribes how Regional Plans designate the Open Sectors intended for open lands and the Growth Sectors intended for development and redevelopment. It also prescribes what Community Unit types belong in each Sector.

**Article 3** prescribes the requirements for New Communities, including the Transect Zones that make up each type.

**Article 4** prescribes the Infill requirements for areas already urbanized.

**Article 5** prescribes lot and building standards within each Transect Zone.

**Article 6** contains diagrams and tables supporting the other Articles.

**Article 7** contains terms and definitions supporting the other Articles.

The SmartCode is a unified planning ordinance that applies to three scales of land use. The three patterns are in a nesting relationship.

**A. Regional Sectors** contain designated types of Communities (Article 2).

**B. Community Units** contain designated ratios of Transect Zones (Articles 3 and 4).

**C. Transect Zones** contain the building elements appropriate to them (Articles 5 and 6).

### A. Regional Scale:

“Sector” is a neutral term for a geographic area. In the SmartCode, six Sectors establish the locations where certain patterns of development are allowed. This system addresses preservation and development at the Regional scale. The Sectors are assigned as follows:

- **O-1 Preserved Open Sector** and **O-2 Reserved Open Sector** for protection of open lands
- **G-1 Restricted Growth Sector**, **G-2 Controlled Growth Sector**, and **G-3 Intended Growth Sector** for New Communities
- **G-4 Infill Growth Sector** for managed growth of existing urbanized areas.

### B. Community Scale:

The Regional Sectors each contain one or more of the three basic Community Unit types (CLD, TND, RCD).

- **CLD - Clustered Land Development** (Hamlet, settlement, cluster) permitted in Growth Sectors G1, G2
- **TND - Traditional Neighborhood Development** (Village, neighborhood) – permitted in Growth Sectors G2, G3, G4
- **RCD - Regional Center Development** (Regional Center, town center, downtown) – permitted in Growth Sectors G3, G4

## C. Transect Zones:

The Transect, as a framework, identifies a range of habitats from the most natural to the most urban. Its continuum, when subdivided, lends itself to the creation of zoning categories. These categories include standards that encourage diversity similar to that of organically evolved settlements. The standards overlap (they are parametric), reflecting the successional ecotones of natural and human communities. The Transect thereby integrates environmental and zoning methodologies, enabling environmentalists to assess the design of social habitats and urbanists to support the viability of natural ones.

- **T-1 Natural Zone** consists of lands approximating or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation.
- **T-2 Rural Zone** consists of sparsely settled lands in open or cultivated state. These include woodland, agricultural land, grassland, and irrigable desert. Typical buildings are farmhouses, agricultural buildings, cabins, and villas.
- **T-3 Sub-Urban Zone** consists of low density residential areas, adjacent to higher zones that some mixed use. Home occupations and outbuildings are allowed. Planting is naturalistic and setbacks are relatively deep. Blocks may be large and the roads irregular to accommodate natural conditions.
- **T-4 General Urban Zone** consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single, sideyard, and rowhouses. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks.
- **T-5 Urban Center Zone** consists of higher density mixed use building that accommodate retail, offices, rowhouses and apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.
- **T-6 Urban Core Zone** consists of the highest density and height, with the greatest variety of uses, and civic buildings of regional importance. It may have larger blocks; streets have steady street tree planting and buildings set close to the wide sidewalks. Typically only large towns and cities have an Urban Core Zone.
- **Civic Zone** consists of Civic Buildings and/or Civic Spaces appropriate to their Transect Zones.
- **Special Districts** consist of areas with buildings that by their Function, Disposition, or Configuration cannot, or should not, conform to one or more of the six normative Transect Zones.

# INTRODUCTION

## Adjusting the Structure of the SmartCode

To create SmartCodes for different purposes, certain Articles may be discarded and the code reassembled.

- All codes will require the inclusion of **Article 1 General To All Plans, Article 6 Standards & Tables** and **Article 7 Definitions of Terms**.
- If a Regional Plan has already been prepared, or if the code will be used entirely for Infill situations, **Article 2 Regional Scale Plans** may be eliminated.
- If a Community Scale plan has already been prepared, or if there is no prospect of greenfield development, **Article 3 New Community Scale Plans** may be adjusted or eliminated. (Note: Article 4 depends on Article 3 for larger Infill parcels.)
- If an Infill Community Plan already has been prepared or if there is no prospect of Infill development, **Article 4 Infill Community Scale Plans** may be eliminated.
- If and when all plans have been prepared, **Article 5 Building Scale Plans** becomes the de facto code for builders and architects. This Article may be used by developers as the guidelines for their private property owners association.
- A calibrated SmartCode for a municipality should include some Thoroughfare standards and large-site provisions even if Article 3 and/or Article 4 are not used. Portions of Section 3.7 and Article 4 may be incorporated into Article 5 or a new Article created for **Thoroughfare Standards** or **Public Space Standards**.
- In **Article 6**, tables may be individually dropped or modified as necessary.
- In **Article 7**, definitions that do not apply should be deleted, and any necessary new ones added.
- **Modules** and their associated definitions may be added as needed.

## Responsibilities for Implementation

The SmartCode requires the preparation of plans that allocate the Sectors, lay out the Communities, and show lot and building placement.

- **Article 2 - Regional Plans** shall be prepared by or on behalf of the Municipal Planning Department.
- **Article 3 - New Community Plans** shall be prepared on behalf of the land owner, the developer, or the Municipal Planning Department.
- **Article 4 - Infill Community Plans** shall be prepared by or on behalf of the Municipal Planning Department.
- **Article 5 - Building Scale Plans** shall be prepared on behalf of a builder or the property owner.
- The Planning Office may include a Development and Design Center (DDC). A DDC may be assigned to advise on the use of the SmartCode and to aid in the design of the Communities and buildings based on it.

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## Calibrating the SmartCode

- The model code in this booklet must be calibrated for local character and metrics. SmartCode calibration should be done in the context of a public charrette with the advice of urban designers, architects, landscape architects, planners, civil engineers and land use attorneys familiar with the SmartCode.
- For free electronic editable files and PDFs of the model SmartCode v9.0 and v9.2, Supplementary SmartCode Modules, case studies, workshop opportunities, and consultant services, please visit [www.SmartCodeCentral.org](http://www.SmartCodeCentral.org) and [www.Transect.org](http://www.Transect.org).
- A fully illustrated and annotated 250-page calibrator's manual is available for purchase. To order *SmartCode Version 9 and Manual* contact New Urban News Publications at 607-275-3087 or [mail@newurbannews.com](mailto:mail@newurbannews.com), or visit [www.newurbannews.com](http://www.newurbannews.com).

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