



**GLADSTONE PLANNING COMMISSION REGULAR AND WORK SESSION AGENDA
GLADSTONE CIVIC CENTER, 18505 PORTLAND AVENUE
Tuesday, June 21, 2022 – 6:30 p.m.**

The City of Gladstone is abiding by guidelines set forth in House Bill 2560, which requires the governing body of the public body, to extent reasonably possible, to make all meetings accessible remotely through technological means and provide opportunity for members of general public to remotely submit oral and written testimony during meetings to extent in-person oral and written testimony is allowed. Therefore, this meeting will be open to the public both in person and virtually using the Zoom platform.

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/85827549381?pwd=ZWdwekNOQnJDUDk1dUZKczBzV2RFZz09>

Passcode: 038962

Or One tap mobile :

US: +12532158782,,85827549381#,,,,*038962# or +13462487799,,85827549381#,,,,*038962#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 346 248 7799 or +1 720 707 2699 or +1 301 715 8592 or +1 312 626 6799
or +1 646 558 8656

Webinar ID: 858 2754 9381

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If members of the public would like to comment on an agenda item (either virtually or in person) please email your comments to bannick@ci.gladstone.or.us prior to 12:00 p.m. (noon) on June 21, 2022.

The Planning Commission will also have *Business from the Audience* at the end of the meeting. To speak during this time, (either virtually or in person) please email bannick@ci.gladstone.or.us prior to 12:00 p.m. (noon) on June 21, 2022 with your name, topic of discussion and city of residence.

(Zoom participant speaking instructions will be emailed to persons who request to speak and posted on the city's website)

6:30 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 be removed from the Consent Agenda for discussion prior to the time the commission votes on the motion to adopt the Consent Agenda.

1. Approval of May 17, 2022 Meeting Minutes

REGULAR AGENDA

2. Monthly Planning Report – May 2022
3. Process for Reporting Code Violations

WORK SESSION

4. File TXT-2022-02 – Proposed Amendments to the C-2 Zoning District and New Downtown Overlay Plan.

BUSINESS FROM THE PUBLIC - Visitors: This is an opportunity for members of the audience to bring to the Commission's attention any item not otherwise listed on the Agenda. Comments will be limited to three (3) minutes per person. Speakers may not yield their time to others and must fill out a speaker card available in the back of the room prior to making a comment.

BUSINESS FROM THE PLANNING COMMISSION

ADJOURN

MEETING ACCESSIBILITY SERVICES AND AMERICANS WITH DISABILITIES ACT (ADA) NOTICE

The Civic Center is ADA accessible. Hearing devices may be requested from the City Recorder at least 48 hours prior to the meeting. Individuals requiring other assistance must make their request know 48 hours preceding the meeting by contacting the City Recorder at bannick@ci.gladstone.or.us. Staff will do their best to respond in a timely manner and to accommodate requests.



CONSENT AGENDA

GLADSTONE PLANNING COMMISSION MEETING MINUTES OF MAY 17, 2022

Meeting was called to order at approximately 6:30 P.M. (In Person and via Zoom)

ROLL CALL:

Chair Natalie Smith, Commissioner Michael Milch, Commissioner Andrew Labonte, Commissioner Thomas Mersereau, Commissioner Jennifer Volbeda, Commissioner Andriel Langston, Commissioner Pat Smith

ABSENT:

None

STAFF:

Jacque Betz, City Administrator; Joy Fields, Senior Planner; Spencer Parsons, City Attorney; John Southgate, Consultant; Tami Bannick, City Recorder;

OATH OF OFFICE – COMMISSIONER PATRICK SMITH:

Ms. Bannick performed the oath of office for Commissioner Patrick Smith.

CONSENT AGENDA:

1. Approval of April 19, 2022 Meeting Minutes

Commissioner Langston said on page 1-3, fourth paragraph, it says Commissioner Langston asked about parking credit, then about clarifications regarding historical buildings – it was actually Commissioner Labonte who asked those questions. Ms. Bannick will make those corrections.

Commissioner Milch made a motion to approve the Consent Agenda. Motion was seconded by Commissioner Langston. Ms. Bannick took a roll call vote: Commissioner Langston – yes. Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.

REGULAR AGENDA:

2. MONTHLY PLANNING REPORT – APRIL 2022:

Ms. Fields went over the report.

In April they had one member of the public come to the customer service counter, responded to 68 phone calls/emails, reviewed eleven building permits that required land use review, no pre-application conferences, and held one administrative action (sign permit for Hollywood Beverage).

3. PUBLIC HEARING: FILE Z0024-22-D – WEBSTER RIDGE APARTMENTS – CONSTRUCTION OF 16 NEW PARKING GARAGES, 26 PARKING SPACES, AND 4,000 SQ. FT. OF LANDSCAPING WITH WALKING PATHS AND A PLAYGROUND – 18181 WEBSTER ROAD:

Chair Smith opened the public hearing.

She asked the members of the Planning Commission if they needed to declare any conflicts of interest – there were none. She asked if there were any ex parte contacts and if they had visited the site. There were no ex parte contacts. Commissioner Volbeda has driven by the site.

Commissioner Milch has driven through the site. Commissioner Langston has been to the site. Commissioner Pat Smith has driven through the site. Commissioner Labonte has driven through the site. Commissioner Mersereau has driven through the site. Chair Smith has driven around the site.

Chair Smith said because this is the initial evidentiary hearing State law grants any party the right to request a continuance of this hearing or ask that the record remain open after the hearing is closed. If you do not raise specific issues at the final evidentiary hearing or by the close of the record or fail to provide statements or evidence to allow the local government or its designee to respond to the issue, you will not be able to appeal the decision to the Land Use Board of Appeals based on that particular issue. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government or its designee to respond to the issues precludes an action for damages in Circuit Court.

Ms. Fields went over the staff report (included in the packet). The application was over 400 pages. The site has no known environmental overlays. In 2020 they went through a rezone application and property line adjustment application for 1.04 acres that was previously zoned low density residential and owned by the church to the north. This is a design review for the proposed garages, additional parking, and playground. She went over the map - the location is just above the Gladstone Nature Park, to the west and north of the existing apartment parking area. When the apartments were built they met the required amount of 1.5 parking spaces per unit – they want to expand that. The code does not have a maximum number of spaces for multi-family residential parking. The entire parcel is now zoned multi-family residential (a total of approximately 5.12 acres). Public noticing was sent to the City departments, WES, Clackamas Fire, and property owners within 250 feet of the property. The parking garages are an allowed use outright in the zoning district. The property meets the dimensional standards. The setbacks are met with the proposed additional development, as well as the existing development. The lot area meets the size requirements. The building height is met. The minimum vegetation requirement is 20% - there is a suggested special condition of approval about landscaping to insure that the previous 20% requirement, as well as the current 20% is met with the proposed development. The applicant provided additional documents this morning – she went over those (updated landscaping plan to include screening, design of the wall, etc.). She went over the special conditions for approval. Commissioner Milch asked for clarification regarding special condition #3 – if there are plans for a similar design on the west-facing wall. Ms. Fields said that would be up to the Planning Commission. There are currently trees and an open space as a buffer between the garages and the low-density residential development - that wall was not included because of those trees. Commissioner Langston asked about the elevation of the garages in relation to the neighbors.

APPLICANT TESTIMONY:

Bob Sanders, Creations Northwest (property owner), said they do plan to plant additional trees. They will provide their lighting plans. They have met the ADA requirements. The sidewalk on the south side (around building #2) will be connected to the new parking area. He went over some issues that will be worked out with Public Works.

PUBLIC TESTIMONY:

Nels Rurey – lives at 1105 Stonewood Court, which looks onto the property. He asked if there will be anything in addition to the arborvitae on the north side of the development – Mr. Sanders said there will also be a fence. Mr. Rurey has a concern regarding the proposed recreational area – that area currently has poisonous weeds/hemlock on it that needs to be sprayed in order to get rid of it.

Staff recommends approval with the special conditions of approval.

Commissioner Langston made a motion to close the public hearing. Motion was seconded by Commissioner Milch. Ms. Bannick took a role call vote: Commissioner Langston – yes. Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.

The Public Hearing was closed.

Commissioner Milch made a motion to approve the design review application Z0024-22-D with the thirteen special conditions of approval provided by staff. Motion was seconded by Commissioner Mersereau. Ms. Bannick took a role call vote: Commissioner Langston – yes. Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.

4. CONTINUED PUBLIC HEARING – FILE TXT-2022-01 – AMENDMENTS TO HOUSING IN CHAPTER 17 OF THE GLADSTONE MUNICIPAL CODE (GMC):

The proposed amendments are intended to bring the code into compliance with House Bill (HB) 2001.

(Chair Smith neglected to open the public hearing.)

Jon Pheanis, Project Manager with MIG, the consultant team assisting the City. He gave a presentation regarding recommendations. He gave a recap of the last meeting – they are looking at growth needs by creating more opportunities for housing choice. They are updating various chapters of the zoning code specifically to take on this need for housing choice, as well as meeting recent State rules for middle housing. They have involved the community, stakeholders, Planning Commission, and City Council in this process. Their goal is to adopt the changes to the code by June 30th, 2022. He gave a recap of what was discussed at the last meeting and went over the comments received from DLCDC (included in the packet). He went over amendments that would be needed related to HB 4064/manufactured dwellings. He went over possible options/recommendations that were discussed at the last meeting.

Ms. Fields gave a presentation identifying more details and follow up items that were discussed at the last meeting – manufactured homes, sidewalks, and conditional uses.

Chair Smith asked if the setbacks would still apply to ADU's. Ms. Fields said currently there is a setback exception for accessory uses in the low-density residential zoning districts if they are 450 sq. ft. or less. The proposed amendments do not change that. So if it's an 800 sq. ft. ADU they would have to meet the setbacks. If they want to go smaller, then they could fall into that exception for the side or the rear, unless there's already a detached accessory structure using that exception. Commissioner Milch pointed out the difference between 82nd Avenue and 82nd Drive. He asked if sidewalks and pedestrian access are the same thing. Ms. Fields said not always – pedestrian access may be a raised platform, markings, etc.

Ms. Fields gave a presentation regarding options going forward. By June 30th, 2022 they have to make amendments to come into compliance with HB 2001. Primarily anywhere they allow a single-family home as an outright primary use they now have to allow middle housing as an outright primary use with just a building permit. However, that has some ramifications for the existing code.

She went over the requirements for sidewalks and possible options. There is not staff capacity in Public Works currently to manage a “fee in lieu of” program. Chair Smith asked which option would be closest to what other cities have. Ms. Fields said Clackamas County requires sidewalks - they have an exception if there’s not sidewalks within 200 feet and certain topographic issues are there - then there is a fee in lieu of option for single-family, duplex, and tri-plex. She believes that all the surrounding jurisdictions require sidewalks. Commissioner Pat Smith asked if these changes apply only to new construction or to conversions. Ms. Fields recommends that it only apply to new construction. Commissioner Milch asked if there is anything in the stormwater master plan that would identify areas where curbs to sidewalks would enhance the stormwater system or if that could be incorporated in an exception like this. Ms. Fields said she is not familiar with the stormwater master plan well enough to speak to that. Ms. Betz said that Public Works has reviewed the draft language.

Ms. Fields went over proposed amendments and options related to manufactured dwellings. Commissioner Milch and Ms. Fields went over the definition of manufactured dwelling. Ms. Fields said that sidewalks are not a requirement of HB 2001, but they would be impacted by the HB 2001 deadline of July 1st.

Commissioner Volbeda asked if they pursue the conditional use changes in the future what does that do now with the passing of HB 2001 with conditional use of single-family housing in the MR zone that automatically allows middle housing as it stands with no changes. Ms. Fields said HB 2001 does not require that we change our multi-family residential zoning district. Currently single-family housing is a conditional use of the MR zone. With HB 2001 we have to treat middle housing the same as we would a single-family. If you allow single-family homes outright as a permitted primary use, you would automatically have to allow middle housing.

There was further discussion regarding making a decision on sidewalks.

Commissioner Langston made a motion to close the public hearing. Motion was seconded by Commissioner Mersereau. Ms. Bannick took a role call vote: Commissioner Langston – yes. Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.

DISCUSSION:

Everyone agreed to go with option B with the exceptions. Ms. Betz said if they want to carry this forward to City Council but need clarity on whether or not we should include language referencing the stormwater master plan, that would be a recommendation they could provide tonight. Everyone agreed. Commissioner Milch brought up the issue of accessory dwelling units that appears in both the R-5 and R-7.2 sections – he proposed that the minimum square footage be amended to 250 square feet rather than 400 square feet. He would also like language added to this same section with an exception for a basement conversion. He also wanted to discuss the language “an accessory dwelling unit shall not contain more than one bedroom” – he thinks a larger ADU could potentially have two bedrooms. Ms. Fields said we can’t require parking spaces for ADU’s. She isn’t sure why they would need a minimum size requirement. Commissioner Milch said there was discussion regarding “tiny homes” being used as ADU’s and that was where the minimum size came up.

Commissioner Milch made a motion to amend the Gladstone Municipal Code, Chapters 17.10.030 and 17.12.030, Accessory Uses Allowed, (5) (b) to change the minimum square footage requirement to 220 square feet and add language that allows a basement conversion to be exempt from the maximum square footage, so long as no additional square footage is added by the conversion, and

also amend (5) (c) to change one bedroom to two bedrooms. Motion was seconded by Commissioner Pat Smith. Ms. Bannick took a roll call vote: Commissioner Langston – yes. Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.

Commissioner Milch made a motion that the Gladstone Planning Commission recommend that the City Council approve the draft amendments proposed for the Comprehensive Plan and Gladstone Municipal Code (GMC) as found in the Planning Commission packet and amended by the Planning Commission File TXT-2022-01. Motion was seconded by Commissioner Langston. Ms. Bannick took a roll call vote: Commissioner Langston – yes. Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.

Commissioner Langston made a motion to recommend the City Council review sidewalk design standard as written in the packet, sidewalk option B, with the exceptions and also determine if stormwater master plan language be considered in that proposal. Motion was seconded by Commissioner Volbeda. Ms. Bannick took a roll call vote: Commissioner Langston – yes. Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.

BUSINESS FROM THE PUBLIC:

None.

BUSINESS FROM THE PLANNING COMMISSION:

Commissioner Milch:

He spoke about the possibility of conflicts of interest in relation to legislative action that they take. All of the amendments they are making as a result of HB 2001 affect virtually all homeowners and even renters. Those who are homeowners could potentially benefit financially from being able to have the freedom to develop our property in ways they weren't able to do prior to this legislation. He said that every city will adopt language of this type and he hopes that with whatever benefits or negative impact it has on us economically that no one will come back and say they voted for this because you were going to do better or worse.

The City Attorney said in a legislative context the standard of conflicts of interest is much different than in the context of a quasi-judicial hearing, because when policy is being implemented there are always going to be certain beneficiaries of it.

Chair Smith:

She said the next meeting will be a work session. She asked if anyone wanted to make any additions to their 2022 work plan. No one did.

Ms. Betz said the Planning Commission has done an outstanding job on their work plan.

ADJOURN:

Commissioner Milch made a motion to adjourn the meeting. Motion was seconded by Commissioner Pat Smith. Ms. Bannick took a roll call vote: Commissioner Langston – yes. Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.

Meeting adjourned at approximately 8:36 P.M.

Minutes approved by the Planning Commission this _____ day of _____, 2022.

Natalie Smith, Chair



REGULAR AGENDA



City of Gladstone Monthly Planning Report May 2022

PUBLIC CONTACTS/PLANNING ACTIONS

CUSTOMER CONTACT/ Planning Actions	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YEAR TOTALS
Customer Service Counter Contacts	1	2	1	1	0								5
Customer phone/email Contacts	47	67	52	68	64								298
Building Permits with Land Use Review	4	4	6	11	1								26
Pre-application Conferences	1	0	0	0	0								1
Administrative Decisions	0	1	1	1	0								2

PLANNING COMMISSION ACTIONS/DECISIONS

- Public Hearing for Z0024-22 - Design Review for Webster Ridge Parking Garages – Approved with conditions
- Gladstone Middle Housing Zoning Code Amendments Public Hearing – Recommended approval of amendments to City Council.

CITY COUNCIL LAND USE ACTIONS/DECISIONS

- None

PRE-APPLICATION CONFERENCES

- None

ADMINISTRATIVE PERMITS

BUILDING PERMITS WITH LAND USE REVIEW

MAY			
Date	Address	Building Permit #	Description
05/13/22	18135 PENNY CT	B0130422	New home

FUTURE ITEMS/PROPERTY UPDATES

Date	Topic
6/21/22	Downtown Overlay District and C-2 Zoning amendments

PROCESS FOR REPORTING CODE VIOLATIONS:

Go to: <https://www.ci.gladstone.or.us/police/page/gladstone-code-enforcement>

Gladstone Code Enforcement

Code Enforcement strives to maintain community safety and neighborhood livability through the use of various municipal codes. The goal is to gain voluntary compliance through education and assistance. If voluntary compliance cannot be achieved, civil or criminal penalties may be imposed on the violator.

The City of Gladstone encourages all its citizens to be good neighbors by taking pride in keeping their properties and neighborhoods safe and well-maintained. Should you see a problem, you can report it using the code enforcement complaint form or by calling the code enforcement hotline.

To report a City of Gladstone code violation, including property maintenance, solid waste or parking violations,

- Call Code Enforcement at 503-557-2763 **OR**
- [File an online complaint](#)

If filing an online complaint below is fillable form:

Code Compliance Complaint

Address of concern: *

House number and Street Name (535 Portland Ave) or intersection (Portland Ave / Dartmouth St)

Additional Location Information:

If you don't have a exact address, please provide either the address closest to the property or cross street and description of the property.

Nature of complaint:

- Scattering Rubbish - GMC 8.04.020
- Junk Inoperable Vehicles on Private Property - GMC 8.04.030
- Solid Waste or Garbage - GMC 8.04.060(7)

- Abandoned Appliances - GMC 8.04.070
- Sidewalk Repair - GMC 8.04.100
- Overgrown Vegetation - GMC 8.04.141

Other Violation:

If you do not see the subject of your complaint listed, please give a detailed description of your concern.

Upload a Photo

Files must be less than **2 MB**.

Allowed file types: **gif jpg jpeg png**.

Upload a Photo

Files must be less than **2 MB**.

Allowed file types: **gif jpg jpeg png**.

Please note that while your submitted photos may be useful to the investigating code compliance officer, they may not be admissible for any action that may result from the investigation. Additional photos taken by the officer may be required for that purpose.

Your Name:

Your Phone:

Your Address:

Your Email:

Confidentiality

- Yes, I wish to keep my name confidential.

Note: The City of Gladstone may be required to release your name and/or information submitted in a complaint pursuant to Oregon public records laws and/or pursuant to court order. The submittal of the public service request is subject to public disclosure according to Oregon public records law. This means that anyone can request the release of documents containing your name and contact information. However, information revealing the identity of persons who are witnesses to crimes or who file complaints with investigative agencies can be withheld from disclosure if you believe the disclosure would endanger your life, physical safety or property. If we are unable to verify an address or violation we will contact you for further details. **If you do not leave a name and a way to contact you for clarification, we will be unable to follow up on your complaint. Inaccurate or incomplete information submitted will delay or prevent further processing.**

Please note: The violation must be visible from the public right of way; or you must indicate that you would like us to contact you for permission to view the site from your property. Thank you for your interest in supporting the livability of our neighborhoods. These complaints are addressed daily and a code enforcement officer will conduct an initial inspection within 3-5 working days. If this complaint is handled by another city department, we will forward your concern to the appropriate department.

Submit

WORK SESSION



memo portland

to **Jacque Betz, City of Gladstone, and John Southgate**

from **Jon Pheanis and Keegan Gulick, MIG**

re **Proposed Amendments to the C-2 Zoning District and New Downtown Overlay Zone**

date **06/14/2022**

The Downtown Gladstone Revitalization Plan (The Downtown Plan) contains recommendations for amendments to Title 17 of the Gladstone Municipal Code to implement the City’s vision for the Portland Avenue corridor in the downtown core. This memo highlights major aspects of the proposed changes to the Municipal Code, including any differences between proposed changes and Downtown Plan recommendations. Attached to this memo are the Recommended Code Amendments from the Downtown Plan (Appendix B).

Overview of the Downtown Core Overlay

The Downtown Revitalization Plan (adopted by City Council in 2017) recommends the creation of a new zoning overlay district in Gladstone’s downtown core to encourage development that is walkable, mixed-use, and higher density than the underlying C-2 zoning district. The Downtown Core Overlay Zone would also provide design standards to ensure that new development complements the creation of an attractive and walkable downtown.

The overlay zone would add an increased height allowance for buildings with a 15’ floor to ceiling height on the ground floor, a requirement for non-residential ground floor uses, maximum parking ratios but no or low minimum parking ratios, and site and building design standards. The overlay zone is intended for more downtown-specific uses than the C-2 district. In situations where there is a conflict between the C-2 zone and Downtown Core Overlay, the overlay zone would apply. The City of Gladstone Zoning Map would need to be amended to add the new Downtown Core Overlay Zoning District.

Overview of the C-2 Zone Amendments

Included in the Downtown Plan are recommended amendments to the underlying C-2 zone. Mixed-use development and middle housing types would be added as permitted in the C-2 district where they are currently not allowed. Proposed changes also include amending dimensional standards such as a reduced minimum setback for residential uses.

Another amendment to the C-2 zone would be an allowance for a reduction in the minimum number of required parking spaces if a new development provides affordable housing and is in close proximity to a transit station. On-street parking spaces could also be counted towards the minimum number of required parking spaces if they are adjacent to the development. There are no suggested changes to the Zoning Map. Except for the changes listed below, these amendments are consistent with the recommendations of the Downtown Revitalization Plan.

Suggested Changes from Downtown Plan Recommendations

The proposed amendments include four general refinements to Downtown Revitalization Plan recommendations.

- Allow for broader range of uses on the ground floor: The proposed amendments include allowing non-residential uses on the ground floor. The Downtown Revitalization Plan recommends that new development be required to have retail uses on the ground floor in the downtown overlay zone. However, by limiting the ground floor uses to only retail, some uses that would be appropriate for an activated downtown space would be excluded such as professional offices or a ground floor lobby/recreational space for residents of apartments. In addition, retail uses may not be feasible especially given market changes in demand for store-front retail.
- Permit a broader range of housing types in Downtown: In the Downtown Core Overlay zone, residential uses are only permitted as a part of a mixed-use development. The intent of this standard is to ensure that high density, mixed-use developments are located along Portland Avenue. Allowing lower density uses such as single-family or middle housing in the downtown core zoning district would be inconsistent with the goals of the downtown revitalization plan.
- Restrict future single-family residential development in Downtown: The Downtown Plan recommends that attached single-family and multi-family uses be allowed outright in the C-2 zone. Currently, residential uses require a conditional use in the C-2 zone. The C-2 zone is intended to accommodate higher intensity uses and serve a larger population than other zoning districts. Because the intent of the C-2 zone is to support higher density, allowing detached-single family uses to this zone would be inconsistent with the goals of increasing density in this area.
- Minimize presence of off-street parking: For buildings that face Portland Avenue, the amendments propose all required off-street parking within a building to be setback at least 20' behind the street facing building façade.

Since non-residential uses are proposed on the ground floor, this additional setback for parking areas within a building is intended to ensure that a use other than a parking garage is along the ground floor of a building along Portland Avenue.

Additional Potential Changes to the Downtown Plan

There are three additional topics for consideration. The following are potential additional changes to zoning not included in the Downtown Plan.

- **Increase the maximum height allowance to four stories, not to exceed 50 feet.** The proposed Downtown Overlay zone would allow a maximum height of three stories, not to exceed 35 feet, with an increased height to 40 feet if the ground floor has a floor to ceiling height of at least 15 feet. To increase the financial feasibility of redevelopment in the downtown overlay district, it would be beneficial to increase the maximum height allowance to four stories, not to exceed 50 feet. The reason for this suggestion is because keeping the maximum height at 40 feet with a 15' floor to ceiling height may not provide sufficient incentive for redevelopment. Increasing the maximum height to 50 feet would be consistent with the goals and intent of the overlay district and lead to more redevelopment opportunity. Any new developments would still be required to abide by the building form and design standards required by the overlay zone.
- **Eliminate minimum parking requirements in the Downtown Overlay Zone.** There are a growing number of cities around Oregon (including North Bend, Madras, and LaGrande, to name a few) that have no minimum parking requirements in their downtowns. Gladstone's proposed Downtown Overlay Zone is intended to provide walkable and pedestrian friendly development in Gladstone's downtown core. Eliminating minimum parking requirements would be consistent with the goal of a less car-dependent, more pedestrian friendly downtown. Requiring parking creates a significant cost for any new development. By eliminating a minimum parking requirement, the cost of development would be reduced, which increases the feasibility of new development and implementing the vision of the Downtown Revitalization Plan. The City may want to link implementation of a zero parking standard with other parking management strategies such as increased parking enforcement and improved access to transit.
- **Extend the boundaries of the Downtown Overlay zone.** The overlay zone is proposed to be bound by W Exeter Street and W Arlington Street. Only parcels that have frontage on Portland Avenue would be within the

proposed overlay zone. The Downtown Revitalization Plan Study Area included a much wider range of properties. There are several commercial and multifamily structures within the study area that are not included in the proposed overlay zone. There is an opportunity to expand the overlay zone to the north or to the side streets, so the district encompasses more properties. This would create a more comprehensive overlay zone by including more properties than the immediate downtown core and provide more opportunities for redevelopment.

Downtown Revitalization Plan

Gladstone, OR

Appendix B

Recommended Code Amendments

Development Code Strategies

Gladstone Downtown Revitalization Plan

1. Incentivize mixed use and community-oriented retail development in the downtown core.

STRATEGY	EXISTING CODE	RECOMMENDATION AND RATIONALE
Establish a downtown core overlay zone	Development regulations apply uniformly across the C-2 zone.	<p>Establish a downtown core overlay zone to promote mixed use and community-oriented retail development.</p> <p>An overlay zone allows specific regulations to be modified for a small area to encourage or require specific development types. The C-2 zone covers a wide area with diverse types of development. The downtown core overlay would allow the City to encourage higher density mixed use development where market demand is highest and where it is most compatible with existing development – on properties fronting Portland Avenue between Exeter Street and Arlington Street. Further, the overlay zone can encourage retail storefront development to concentrate in a smaller area, contributing to a sense of place and marking the area as a destination for visitors.</p>
Require commercial uses on the ground floor in downtown core	Residential and commercial uses permitted throughout the C-2 zone. 17.18.020 17.18.040	<p>Require commercial uses on ground floor.</p> <p>The development code currently permits commercial and mixed use development outright and residential development as a conditional use. Residential uses on the ground floor do not contribute to an active, interesting streetscape as effectively as commercial uses. As the downtown core is intended to concentrate retail activity, residential development should not be permitted on the ground floor. Residential dwellings on the upper floors, as in mixed-use development, would continue to be permitted.</p>
Reduce off-street parking requirements in downtown core	<p><i>Commercial Uses</i> Retail, Bank, or Eating and Drinking Establishment: 1 space per 300 sq. ft. Office: 1 space per 370 sq. ft.</p> <p><i>Residential Uses</i> Multi-Family Residential: 1.5 spaces per unit 17.48.030, Table 1</p> <p>On-street parking spaces may count toward off-street parking requirement 17.48.030(1)(f)</p>	<p>Reduce off-street parking requirements.</p> <p>The opportunity site analyses found that current off-street parking requirements hinder the potential for higher density, mixed use development. Additionally, in some cases, the parking requirements may be prohibitive for single-story commercial development. The code currently permits new development to count on-street spaces toward off-street requirements, but this does not offset the requirements enough to enable higher density, mixed use development on most sites.</p> <p>At the same time, on-street parking in the area is generally underutilized, based on a parking utilization study from 2008 and anecdotal observation throughout this project. By reducing off-street parking requirements, the City will promote more efficient use of land and enable new development to be feasible on more sites. The following parking requirements are recommended for new development in the downtown core area:</p> <ul style="list-style-type: none"> • Residential: 0.5 parking spaces per unit • Office, Retail, Bank, or Eating and Drinking Establishment: 1 space per 600 sq. ft.

STRATEGY	EXISTING CODE	RECOMMENDATION AND RATIONALE
		<p>On-street parking spaces along the frontage of a proposed development could still be counted toward the off-street parking requirements.</p> <p>These requirements are substantially lower than existing requirements, however, they are recommended in the context of other recommended strategies and for managing parking supply and demand in the area:</p> <ol style="list-style-type: none"> 1. First, the City is planning to site a public parking lot somewhere in the downtown core area in conjunction with the redevelopment of the City Hall and Library. This lot will accommodate longer-term users, such as employees of local businesses and visitors to the new City Hall and Library. 2. Second, on-street parking on Portland Avenue is regulated to encourage shorter parking periods and more turnover. For example, the City may enforce a 90-minute or two-hour time limit. 3. Third, the overlay zone limits these lowered requirements to properties fronting Portland Avenue in a four-block area, so that even if multiple new developments are constructed under the requirements, the overall impact on the utilization of on-street parking will be limited.

2. Encourage attached single-family, multi-family, and mixed use development throughout the Portland Avenue corridor

STRATEGY	EXISTING CODE	RECOMMENDATION AND RATIONALE
<p>Permit attached single-family, multi-family, and mixed use residential development outright in the C2 zone</p>	<p>Residential dwellings are a conditional use in C-2 zone. 17.18.040(2)</p>	<p>Permit attached single-family and multi-family residential uses outright.</p> <p>As noted above, commercial or mixed-use development may not be economically feasible on many sites throughout the C-2 zone, particularly lots that do not front Portland Avenue. Additionally, higher density residential development would bring more residents and a larger customer base for local businesses, improving the business climate on the street. However, a proposed residential development would currently need to apply for a conditional use application in the C-2 zone. A conditional use application delays the permitting process and creates uncertainty, possibly deterring development. Permitting residential uses outright would remove some uncertainty from the development process.</p> <p>Concerns about the impacts or design of multi-family residential development could still be addressed through the existing Design Review process. All commercial and multi-family development are currently required to go through Design Review to demonstrate compliance with the city’s design standards (see</p>

STRATEGY	EXISTING CODE	RECOMMENDATION AND RATIONALE
		<p>17.80.021). Design Review includes a Planning Commission hearing.</p> <p>Concurrent to this change, the term “attached single-family” or “townhome” will need to be defined in the code. The term “single-family dwelling” is currently limited to detached housing. Alternatively, the definition of “multi-family dwelling” could be revised to include townhomes. Additionally, the code will need to establish whether attached single-family development is subject to Design Review, similar to multi-family development, or can be approved through an administrative decision, as is the current process for detached, single-family development and duplexes.</p>
	<p>Mixed use development permitted outright, but it is unclear if mixed-use that includes residential is permitted outright. 17.18.020(10)</p>	<p>Permit residential uses as part of mixed use development outright. Mixed-use development is permitted outright; however, given that residential dwellings are a conditional use, it is unclear if mixed-use development that includes residential dwellings are permitted outright. To reduce uncertainty, clarify that all mixed-use development is permitted outright, including development that includes residential units.</p>
<p>Prohibit new single-family detached development in the C2 zone</p>	<p>Single-family residential dwellings are a conditional use in C-2 zone. 17.18.040(2)</p>	<p>Prohibit new single-family detached development. The primary objective of the C-2 zone is to encourage commercial, mixed use, and multi-family residential development in the Portland Avenue corridor. As noted above, higher density residential development is important to the revitalization of the corridor because it expands the customer base for local businesses. New detached, single-family residential development in the C-2 zone would not increase overall density of the corridor, and thus not contribute to the district’s revitalization. Additionally, the C-2 zone is surrounded by a much larger area that is zoned R-5, a primarily single-family zone, so significant land capacity is available for single-family residential development. Preserving land in the C-2 zone for higher density residential, commercial, or mixed-use development is consistent with the revitalization goals of this plan.</p> <p>Renovation, replacement in the event of destruction, or expansion of an existing single-family dwelling would continue to be permitted under the City’s existing provisions for non-conforming uses. See 17.76.020(6) and (8).</p>
<p>Reduce off-street parking requirements in the C2 zone</p>	<p><i>Commercial Uses</i> Retail, Bank, or Eating and Drinking Establishment: 1 space per 300 sq. ft. Office: 1 space per 370 sq. ft.</p> <p><i>Residential Uses</i> Multi-Family Residential: 1.5 spaces per unit 17.48.030, Table 1</p>	<p>Reduce off-street parking requirements As noted above, current off-street parking requirements reduce or eliminate the potential for some forms of higher density development. This can include single-family attached and multi-family developments, such as townhomes, duplexes, or small scale apartment buildings. The requirements recommended for the downtown core are intended to incentivize new development while employing other strategies to manage parking supply. Given that these parking management strategies (new public parking lot, time-limited parking) may not be appropriate for the</p>

STRATEGY	EXISTING CODE	RECOMMENDATION AND RATIONALE
	<p>On-street parking spaces may count toward off-street parking requirement 17.48.030(1)(f)</p>	<p>entire C-2 zone, the off-street parking requirements outside the downtown core should be higher.</p> <p>The following minimum parking requirements are recommended for the C-2 zone, outside of the downtown core:</p> <ul style="list-style-type: none"> • Residential: 1 space per dwelling unit • Office, Retail, Bank, or Eating and Drinking Establishment: 1 space per 600 sq. ft. <p>These requirements will improve the potential for many types of higher density development while appropriately managing the utilization of on-street parking. Some of the highest density developments allowed under the C-2 zone may not be able to meet these requirements, but additional reductions may be approved through discretionary processes where appropriate.</p>
	<p>No parking requirement specific to live/work uses</p>	<p>To address growing demand for live/work development, a parking standard should be developed to specifically address this use. Under the current code, the parking requirement would be a combination of the residential and commercial use. However, the commercial space within the unit may be predominantly used by the residential occupant. Typical commercial parking requirements are based on accommodating spaces for both employees and visitors. The requirement should be calculated to include the residential unit, but the requirement for the commercial space should be reduced. The following standard is recommended:</p> <ul style="list-style-type: none"> • Residential: 1 space per unit • Commercial: 1 space per 1,000 square feet

STRATEGY	EXISTING CODE	RECOMMENDATION AND RATIONALE
	<p>No reductions in parking requirements for affordable housing.</p>	<p>Reduce parking requirements if a development includes affordable housing. Affordable housing for low-income or very low-income people continues to be a challenge across the Portland metro area. Given that lower income people are less likely to own a vehicle or own fewer vehicles per household, and that development in the C2 zone is near transit, a reduction in the minimum parking requirements for affordable housing units may be appropriate. For example, the requirement could be reduced from 1 space per unit to 0.5 spaces per unit. This ratio was found to enable 3-story mixed use development on a 10,000-square foot site, a common lot size in the corridor. Two additional elements of the policy would need further consideration:</p> <ul style="list-style-type: none"> • Eligibility: Units could be defined as affordable if they are affordable to those earning 60% or 80% of the Area Median Income (AMI, established by the US Department of Housing and Urban Development). • Scope: The reduction could apply to every affordable unit that is provided, or could apply to the entire development if only a portion of the units are affordable. If applied to the whole development, a threshold would need to establish the share of units that must be affordable units for the reduction to take effect.
<p>Modify development standards for residential uses to support wider range of development types</p>	<p>Setback requirements:</p> <ul style="list-style-type: none"> • Front: 20' • Side: 5' • Rear: 15' <p>17.12.050(2)</p>	<p>Reduce front setback requirement to 5'. The current front setback requirement of 20' constrains potential for some housing types, including townhomes, duplexes, and small scale apartment buildings. In many cases, a more attractive and economical site layout is to place the building closer to the front lot line. This opens more space in the rear for parking and, if designed appropriately, creates street a frontage that engages the interest of pedestrians. Consider reducing the minimum front setback for residential uses to 5'. Concurrently, develop design standards specific to ground floor residential with a small front setback, as recommended below.</p>
	<p>Minimum landscaping standard:</p> <ul style="list-style-type: none"> • 20% of lot area for multi-family (17.12.050(4)) • 15% of lot area for all other development (17.46.020) 	<p>Reduce landscaping standards for C-2 zone. The code currently requires at least 20% of the lot area be landscaped for all multi-family dwellings, or 15% for all other types of development. This standard may be prohibitive for higher density development, particularly in combination with off-street parking requirements and on smaller sites. Further, this degree of landscaping is not consistent with the vision of downtown Gladstone of a more urban, Main Street character.</p> <p>Many small towns exempt development in the downtown area from landscaping requirements in order to promote efficient use of land and a more urban character. To promote efficient use of land while maintaining compatibility with surrounding development, the landscaping standards for the C-2 zone can vary depending on if the property is fronting Portland Avenue, as follows:</p>

STRATEGY	EXISTING CODE	RECOMMENDATION AND RATIONALE
		<ul style="list-style-type: none"> Development fronting Portland Avenue: No minimum landscaping requirement All other development: 10% of site
	Parking lot landscaping standards: <ul style="list-style-type: none"> 10' strip adjacent to street 5' strip adjacent to parking on another lot Minimum of 10 sq. ft. of landscaping per parking space (if over 10 spaces) 17.46.020(2)	<p>Reduce parking lot landscaping requirements for C-2 zone. Landscaping requirements within parking areas may be difficult to meet for many types of development. While landscaping is an effective way to soften the visual impact of parking lots, extensive landscaping may not be appropriate for the urban character of the Portland Avenue corridor. Consider the following amendments to the parking lot landscaping requirements within the C-2 zone:</p> <ul style="list-style-type: none"> Reduce landscape strip requirement to 5', whether adjacent to street or another parking area. Exempt development in the C-2 zone from minimum overall parking lot landscaping standard.
	Minimum lot area standard: 2,500 sq. ft. per dwelling unit 17.12.050(1)	<p>Reduce minimum lot area to 1,000 sq. ft. per dwelling unit for residential development and provide exemption for mixed-use development. Existing minimum lot area standards are less prohibitive than off-street parking or landscaping requirements. However, in some cases, a proposed development may be able to meet the parking and landscaping standards yet not be permitted due to the minimum lot area standards. Given the emphasis on encouraging higher density development in the corridor, consider lowering the minimum lot area to 1,000 sq. ft. per dwelling unit. This allows for the possibility for developments of higher density, provided the development can satisfy parking standards and other design requirements.</p> <p>To encourage mixed-use development, provide an exemption from the residential density standard. Density is effectively limited for mixed-use development because it is limited to the upper floors, and through other regulations, including the height limit and off-street parking standards.</p>

3. Maintain and enhance standards that promote compatibility with existing development

STRATEGY	EXISTING CODE	RECOMMENDATION AND RATIONALE
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STRATEGY	EXISTING CODE	RECOMMENDATION AND RATIONALE
<p>Maintain existing height limit while allowing for variation in building design.</p>	<p>35' height limit (excludes projections) 17.18.060(3)</p>	<p>Maintain 35' height limit, but allow for heights up to 40' if the ground floor height is at least 15'. The community expressed concern that new development over three stories would be incompatible with existing development. Most buildings in the study area are 1-2 stories. However, some buildings may be 3 stories tall yet exceed 35' because the ground floor is higher than the upper floors in order to create more attractive retail spaces. Ground floors that are at least 15' high create more inviting and visible retail spaces, consistent with the goals of this plan.</p>
	<p>Allowance for additional story above 35' if automatic sprinkler system is provided. 17.18.060(3)(a)</p>	<p>Eliminate height bonus for sprinkler system installation. The current code allows for one additional story above the 35' height limit if an automatic sprinkler system is installed, pursuant to Section 506 of the Oregon Structural Specialty Code. This bonus is inconsistent with the community vision that the height of new development be three stories or less to be compatible with existing development. Additionally, regulations intended to address fire and life safety are more appropriately addressed through the building code.</p>
<p>Clarify and strengthen design standards</p>	<p>No design standards for ground floor residential.</p>	<p>Develop design standards specific to residential uses with a small front setback. As recommended under strategy #2, the minimum front setback for residential uses should be reduced to permit a wider range of attached single-family and multi-family housing types. Design standards should be developed that promote pedestrian-oriented frontages where residential uses are close to the sidewalk, such as limiting garages to a percentage of total façade, limiting the number of driveways, requiring garages to be setback further than the main entrance, and requiring stoops, patios, porches, windows, and landscaping to create interesting street frontages.</p>
	<p>Drive-throughs permitted 17.18.050(1)</p>	<p>Prohibit drive-throughs in the C2 zone. Drive-throughs promote vehicular use of the corridor, conflict with non-motorized uses, and do not fit with the desired character of Portland Avenue.</p>
	<p>Flat roofs not permitted for multi-family buildings 17.44.022(3)</p>	<p>Allow flat roofs with appropriate architectural treatments. Flat roofs can look attractive be consistent with a traditional aesthetic. Consider allowing flat roofs if used with a cornice, parapet, ornamentation, or other treatments.</p>
	<p>Ground floor window standards: <ul style="list-style-type: none"> • 50% of length • 25% of wall area 17.44.024(1)</p>	<p>Increase minimum ground floor window standards. The code generally requires that windows make up 50% of the width and 25% of the area of the ground floor frontage. A higher minimum standard, such as 60% of the width of the ground floor frontage, may be more appropriate for a storefront commercial street such as Portland Avenue.</p>

STRATEGY	EXISTING CODE	RECOMMENDATION AND RATIONALE
	<p>Location of primary entrance not required to be adjacent to sidewalk on Portland Avenue 17.18.050(5)(b)</p>	<p>Specify primary entrance location should be adjacent to sidewalk on Portland Avenue. The existing code allows for the primary entrance to be setback from the street. To promote pedestrian-oriented design, the code should specify that the primary entrance should be adjacent to the sidewalk on Portland Avenue.</p>

C-2—COMMUNITY COMMERCIAL DISTRICT

Sections:

17.18.010 Purpose.

17.18.020 Uses allowed outright.

~~17.18.030 Residential accessory uses.~~

17.18.040 Conditional uses ~~allowed~~.

17.18.050 Limitations on use.

17.18.060 Dimensional standards.

17.18.070 Off-street parking standards.

17.18.080 Exceptions in case of large scale development.

17.18.010 Purpose.

The purpose of a C-2 district is to implement the comprehensive plan ~~by: 1) and to providing~~ 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, ~~and; 2) allowing a range of housing types to encourage more housing in the city's core and promote a greater mixture of uses.~~

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2, 1990.

17.18.020 Uses allowed outright.

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, including outdoor seating related to the primary use.
- (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.

(11) Attached residential dwellings (duplex, triplex, quadplex).

(12) Townhouses.

(13) Cottage clusters.

(14) Multi-household residential dwellings.

(15) Accessory Dwelling Units (ADUs) in connection with a permitted residential use.

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.~~

~~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.~~

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.~~

- (42) Small scale amusement or recreational facility such as a billiard or pool hall.
- (53) School and associated buildings, structures and facilities.
- (64) A use listed as a permitted outright use but not meeting the limitations of GMC Section 17.18.050 (limitations on use).
- (57) Planned unit development (PUD).
- (68) Foster homes.
- (97) Day care center.
- (108) Recreation vehicle park, subject to GMC Section 17.62.100 (recreation vehicle park).
- (119) 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).
- (1210) Uses operating between 12:00 a.m. and 5:00 a.m.

(11) Manufacturing of edible or drinkable products retailed on the same site, including the primary processing of raw materials (e.g., malt, milk, spices) that are ingredients in edible or drinkable products retailed on the same site, and also including the wholesale distribution of edible or drinkable products that are manufactured and retailed on the same site.

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;~~
- (21) Outdoor play areas accessory to a community service facility;
- (32) 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
- ~~(43) Activities approved in conjunction with a conditional use allowed under GMC Section 17.18.040 (conditional uses allowed).~~
- (54) The following limitations apply to developments along Portland Avenue:

(a) All non-residential uses 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) Ground floor residential uses shall provide ground floor windows along Portland Avenue. Required window area must cover at least 25 percent of the ground level wall area of the portion of the building with residential dwelling units on the ground floor.

~~(b)~~ (c) 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.

~~(65)~~ 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:

(a) Non-residential uses and mixed-use development: There shall be nNo minimum setback requirements, except a maximum setback of five feet (5') shall be maintained along Portland Avenue frontages.

(b) Residential uses: five feet (5') maximum front setback; 15 feet minimum rear setback.

(2) Off-Street Parking. The boundary of any area developed or intended for off-street surface 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 feet) or three stories. This restriction may be varied as follows:~~

~~(a) This restriction may be varied as follows: 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** Minimum Lot Area. Residential density shall not exceed that allowed in the R-5 zoning district.~~

~~(a) Attached residential dwellings, townhouses, and cottage clusters uses shall comply with the minimum lot area requirements for the R-5 zoning district.~~

~~(b) Multi-household dwellings shall comply with the minimum lot area requirements for the MR 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 10 percent 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 10 percent standard.

(2) The minimum number of off-street parking spaces shall be provided in accordance with the provisions of Chapter 17.48 except for the following standards:

(a) Residential: 1 space per dwelling unit.

(b) Office, Retail, Bank, or Eating and Drinking Establishment: 1 space per 600 sq. ft.

(23) If a community service facility or civic use allowed outright is substituted for another community service facility or civic use on the same property, whether in the same building(s) or a new building(s) and the total lot coverage is not expanded by more than 10 percent of the lot coverage of the prior building(s) on the property, no more off-street parking shall be required than was possessed by the previous facility or use.

(34) 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.

(5) Required parking reduction. Multi-household development may reduce the total minimum number of required parking spaces by up to 20% if affordable housing is provided as follows:

(a) Affordable housing is defined as housing that is affordable to those earning 60% of the Area Median Income (AMI, established by the US Department of Housing and Urban Development).

(b) The development must be located within one quarter mile, measured radially in a straight line, from a transit stop.

(c) At least 30% of the total number of dwellings units meet the eligibility requirements for affordable housing for a period of at least 30 years.

(6) On-street parking spaces may count towards the minimum number of required parking spaces when 50% or more of the parking space adjoins the property.

(7) Off-street parking areas shall not be located between the building and street or within required setbacks.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2 (Part), 1990; Ord. 1323 §1, 2002; Ord. 1503 §1, 2020.

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.

DC Downtown Core Overlay Zone

Sections:

- XXXX Purpose.**
- XXXX Applicability.**
- XXXX Exceptions and non-conformances.**
- XXXX Objectives.**
- XXXX Uses allowed outright.**
- XXXX Conditional uses.**
- XXXX Site design and landscaping.**
- XXXX Building design.**
- XXXX Off-street parking standards.**

XXXX Purpose.

The purpose of the Downtown Core Overlay Zone is to promote a walkable, mixed-use downtown main street along the four-block section of Portland Avenue from E Exeter Street to E Arlington Street. The overlay encourages higher density residential and mixed-use development where market demand is highest and where it is most compatible with existing development on properties facing Portland Avenue. Land use applications within the Downtown Core Overlay Zone must demonstrate substantial conformance with the standards and criteria below:

- (1) Enhance and protect the city's quality of life and community image through clearly articulated site and building design standards;
- (2) Protect and promote the city's economic vitality by encouraging high-quality development;
- (3) Establish a clear relationship between streets, pedestrian spaces, and buildings; and
- (4) Enhance and protect the security and health, safety, and welfare of the public.

XXXX Applicability.

- (1) Zoning Districts. The provisions of this chapter apply to new development along the four-block section of Portland Avenue from E Exeter Street to E Arlington Street within the Community Commercial (C-2) Zoning District.
- (2) Conflicting Regulations. Where conflicts occur between this chapter and other municipal code regulations or ordinances, the Downtown Core Overlay Zone shall apply.

(3) The provisions of this chapter apply to the development of undeveloped sites, the redevelopment of previously developed sites, and/or new construction of any building or structure.

XXXX Exceptions and non-conformances.

(1) Routine Repairs and Maintenance. Routine repairs and maintenance are exempt from these standards.

(2) Additions or Expansion. Additions to or expansions of an existing building or structure are exempt from standards contained in this chapter that are specific to section XXXX Building Design, provided the addition or expansion is less than 800 square feet of gross floor area. If the addition or expansion consists of 801 square feet or more of gross floor area, then the standards contained in this chapter that are specific to section XXXX Building Design shall apply to the addition or expansion. Existing nonconforming portions of the building shall come into conformity as provided in Chapter XX. As part of the addition or expansion, and regardless of size, all other portions of the site (landscaping, off-street parking and loading, supplementary regulations and exceptions, and nonconformances, etc.) must comply with respective code requirements as applicable.

(3) Nonconformances. See Chapter XX for application of these standards in nonconforming situations.

XXXX Uses allowed outright.

In the Downtown Core Overlay Zone, the following uses and their accessory uses are allowed outright:

(1) Non-residential uses: All non-residential uses permitted in the underlying Community Commercial (C-2) Zoning District unless otherwise specified by this Section.

(2) Residential uses: For parcels along Portland Avenue, permitted in upper floor stories of multi-story development only. Ground floor dwelling units are permitted along side streets.

XXXX Conditional uses.

Uses permitted as conditional uses in the underlying Community Commercial (C-2) Zoning District shall be prohibited unless otherwise specified by this Section. The following uses are permitted as a conditional use in the Downtown Core Overlay Zone.

- (1) Funeral home
- (2) School
- (3) Small scale amusement or recreational facility such as a billiard or pool hall.
- (4) Planned Unit Development (PUD)

- (5) Foster homes
- (6) Day care centers
- (7) Manufacturing of edible or drinkable products retailed on the same site. Including the primary processing of raw materials (e.g., malt, milk, spices) that are ingredients in edible or drinkable products retailed on the same site, and also including the wholesale distribution of edible or drinkable products that are manufactured and retailed on the same site.

XXXX Site design and landscaping.

Intent. Create a sense of enclosure and human scale by orienting buildings to streets or public spaces and prioritize pedestrian circulation and walkable development.

(1) Building Orientation. The street facing building façade must extend along at least 50 percent of the lot's street frontage(s). If the lot has more than one street frontage, this requirement shall apply to all of the lot's street frontages. This required 50 percent building frontage must be at the back of a public sidewalk, public right-of-way, or adjacent to an area dedicated to the public. See Figure 1: Site Design and Landscaping.

(2) Primary Building Entrance.

(a) Corner Building. A primary entrance is required at the corner within 10 feet of right-of-way. Where a corner entrance is not practicable, a primary building entrance must be within 40 feet of the corner and adjacent to Portland Avenue. See Figure 1: Site Design and Landscaping.

(b) Interior Building. A primary entrance is required within 10 feet of public right-of-way and directly connected to a public sidewalk.

(3) Setbacks. No minimum setback requirements, a maximum setback of five feet (5') shall be maintained along Portland Avenue frontages.

(4) Driveways. Each property is allowed a maximum of one (1) driveway regardless of the number of street frontages. Corner lots shall be prohibited from having a driveway entrance along Portland Avenue except for instances where the driveway cannot be located at least twenty feet (20') from the intersection.

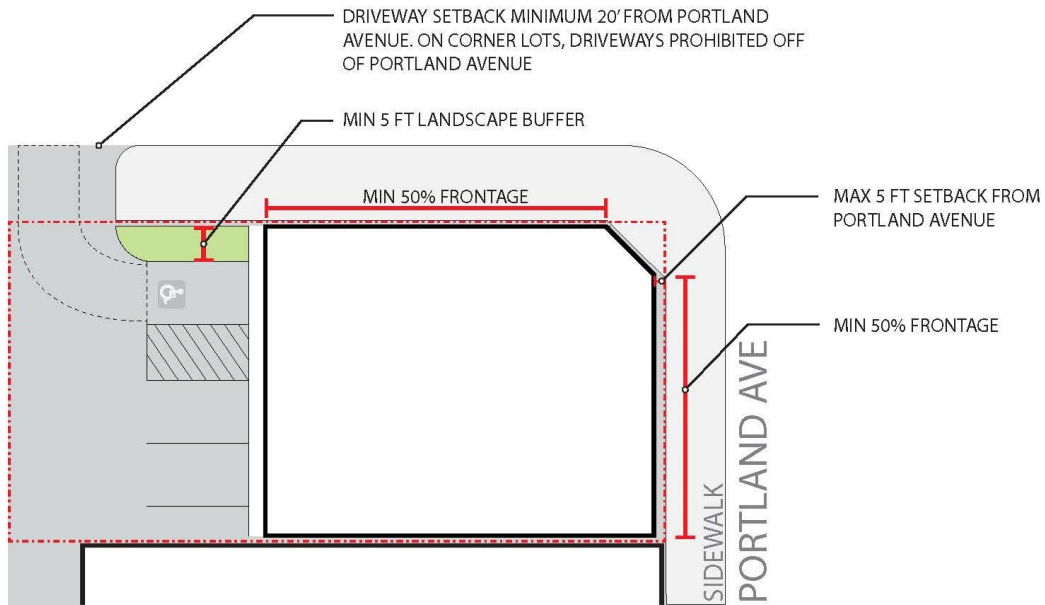
(5) Parking Areas. For buildings that face Portland Avenue, all required off-street parking within a building must be setback at least 20' behind the street facing building façade.

(6) Landscaping. Landscaping shall be provided in accordance with Chapter 17.46 except as follows:

(a) Parcels fronting Portland Avenue. No minimum landscaping requirement along Portland Avenue.

(b) Surface parking areas shall have a five foot (5') wide landscape buffer between the parking area and any adjacent public street. See Figure 1: Site Design and Landscaping.

FIGURE 1: SITE DESIGN AND LANDSCAPING



XXXX Building design.

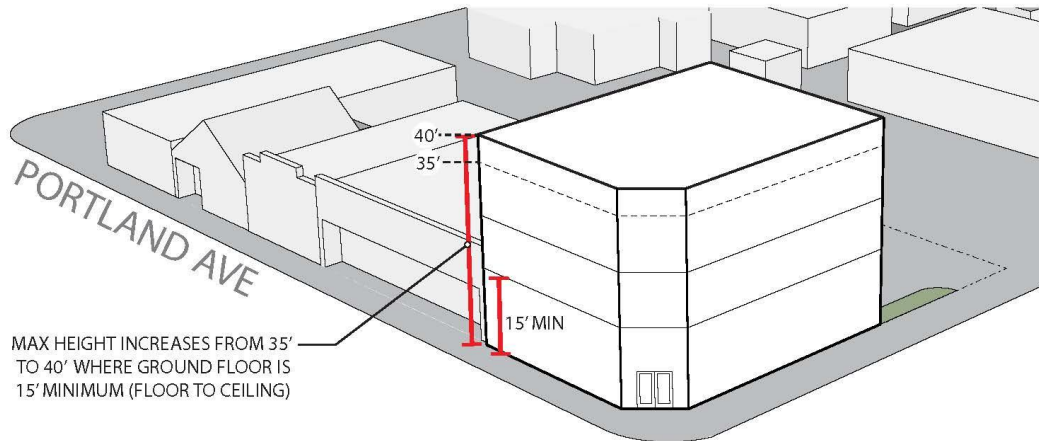
Intent. Articulate building facades to break up large volumes and promote human scale development.

(1) Building height. The maximum building height shall be three (3) stories, not to exceed 35 feet. See Figure 2: Building Design (Building Height). This restriction may be varied as follows:

(a) 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) The maximum building height shall be increased to 40 feet if the minimum floor to ceiling height of the ground floor is 15 feet (measured from finished ground floor to bottom of joists or slab on next floor up). See Figure 2: Building Design (Building Height).

FIGURE 2: BUILDING DESIGN (BUILDING HEIGHT)



(3) Windows/Transparency.

(a) Windows are required for 60 percent of the ground floor façade along public street frontages and 40 percent on facades facing required parking areas. See Figure 3: Building Design (Transparency, Articulation & Building Form).

(b) Upper-floor window orientation must be vertical or have a width that is no greater than the width of the ground-floor window immediately below it. Upper-floor windows should follow the vertical lines of the lower-level piers and the horizontal definition of spandrels and any cornices.

(c) ATMs and Service Windows. ATMs and service windows must be visible from the public right-of-way for security and have a canopy, awning, or other weather protection shelter.

(d) Prohibited Windows. Highly tinted, opaque, or mirrored glass (except stained-glass windows) do not meet the intent of this section and are prohibited.

(4) Building articulation. Each facade of a primary building facing a street shall be articulated through recessing, projecting, banding, articulation of exterior materials, or change of materials, by incorporating patterns that are offset by a minimum depth (projecting or recessing) of at least 16 inches from one exterior wall surface to the other and the offset shall extend the length and height of its module. Articulation patterns shall repeat a minimum of every 20 feet for the entire length of the facade. This standard shall only apply to facades that exceed 40 feet in length.

(5) Pedestrian shelters.

(a) Pedestrian shelters or weather protection shall be provided over all adjacent public sidewalks so that 50 percent of the length of the building frontage and adjacent sidewalk has weather protection.

(b) Pedestrian shelters must match the width of storefronts or window openings and be integral to the overall composition of the building. Designs must address the location and function of the shelter, building codes, architectural compatibility, durability, and right-of-way constraints, if any.

(6) Building form.

(a) Where a wall of a proposed building is 10 feet taller or more than the adjacent building, the taller building must follow the horizontal lines of the shorter building along the ground floor, and reference elements or detailing of the shorter building(s) on its upper stories.

(b) Multi-story buildings must have designs that establish prominent horizontal lines and avoid blank walls. Examples of such horizontal lines include: the base below a series of storefront windows; an existing awning or canopy line, or belt course between building stories; and/or an existing cornice or parapet line.

(c) Corner building. Corner buildings must include at least a two-step hierarchy in the building height, with the tallest portion of the building at the corner, tapering down in height along each street frontage. Buildings must additionally include at least two of the following on building corners facing the public right-of-way:

(A) Bay windows

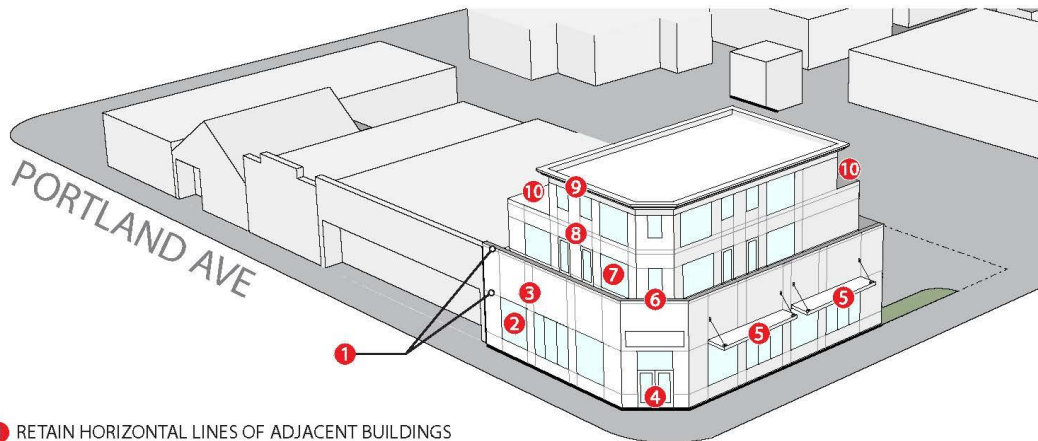
(B) Roof decks or balconies on upper stories

(C) Crowning features to a tower form such as wide cornices, projecting parapets.

(d) Buildings with flat roofs must have projecting cornices to create a prominent edge against the sky. Cornices must be made of a different material and color than the predominate siding of the building, except that brick siding may include matching brick cornices.

(e) Decks and Balconies. Decks and balconies on upper stories should be designed so that they do not significantly increase the apparent mass of the building. Mixed-use building facades adjacent to streets and pedestrian spaces should provide balconies of a sufficient depth that are integrated into the structure and fully functional.

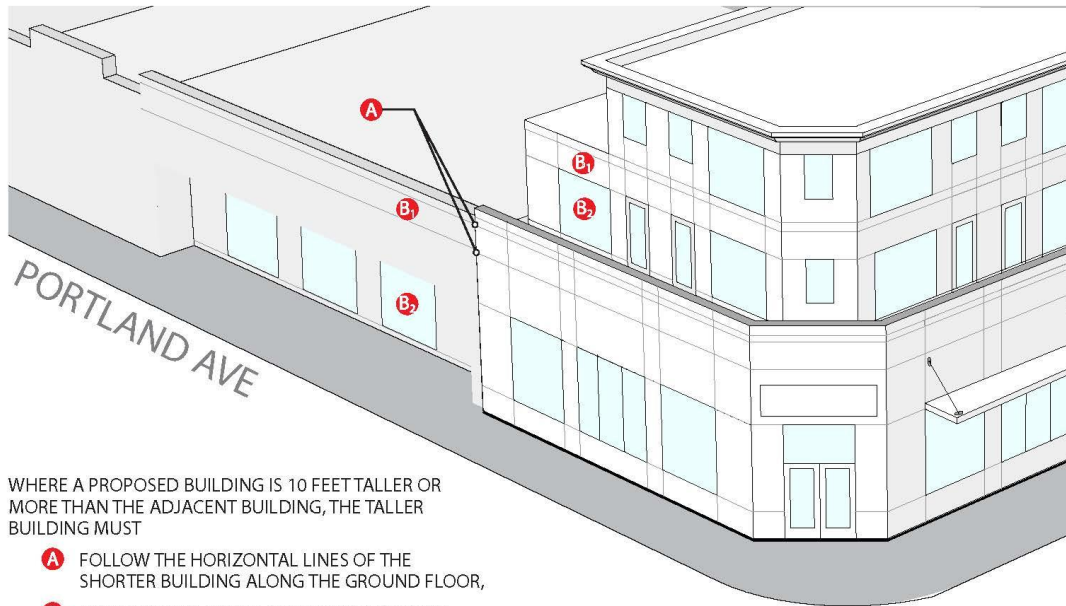
FIGURE 3: BUILDING DESIGN (TRANSPARENCY, ARTICULATION & FORM)



- 1 RETAIN HORIZONTAL LINES OF ADJACENT BUILDINGS ALONG GROUND FLOOR
- 2 60% WINDOWS ON NON-RESIDENTIAL GROUND FLOOR
- 3 ARTICULATION (RECESSING/PROJECTING, BANDING, ARTICULATION OF MATERIALS, CHANGE OF MATERIALS)
- 4 CORNER ENTRANCE
- 5 PEDESTRIAN SHELTERS
- 6 ROOF DECK/BALCONY INTEGRATED INTO STRUCTURE

- 7 UPPER-FLOOR WINDOWS NO WIDER THAN GROUND-FLOOR WINDOW BELOW, FOLLOW VERTICAL LINES OF LOWER-LEVEL PIERS
- 8 PROMINENT HORIZONTAL LINES
- 9 PROJECTING CORNICE
- 10 MINIMUM TWO-STEP HIERARCHY OF BUILDING HEIGHT TAPERING DOWN AWAY FROM CORNER

FIGURE 4: BUILDING FORM



WHERE A PROPOSED BUILDING IS 10 FEET TALLER OR MORE THAN THE ADJACENT BUILDING, THE TALLER BUILDING MUST

- A** FOLLOW THE HORIZONTAL LINES OF THE SHORTER BUILDING ALONG THE GROUND FLOOR,
- B** REFERENCE ELEMENTS OR DETAILING OF THE SHORTER BUILDING(S) ON ITS UPPER STORIES.

(6) Building materials.

(a) Exterior building materials must consist predominantly of unfinished wood, painted or natural-stained wood, fiber cement lap siding, stone, rusticated concrete block, or comparable cladding approved by the Planning Commission.

(b) For buildings three stories or more, elevations must incorporate changes in material that define a building's base, middle, and top and create visual interest and relief.

(7) Color.

(a) Muted and subtle earth tones or neutral colors, that are low-reflectance shades, are preferred as the primary colors of buildings. Natural wood finishes are encouraged. Alternative colors may be approved by the Planning Commission.

(b) Coordinated Color. Color schemes must be simple and coordinated over the entire building to establish a sense of overall composition. Color schemes must tie together signs, ornamentation, awnings, canopies and entrances.

(8) Screening Mechanical Equipment.

(a) Rooftop mechanical equipment shall be screened from the view of adjacent public streets and abutting properties by an extended parapet wall or other roof forms that are integrated with the architecture of the building.

(b) Ground level mechanical equipment shall be screened using vegetation screening or structural screens that are integrated with the materials and colors of the building.

(9) Accessibility. Accessibility must be consistent with Americans with Disabilities Act (ADA) standards and applicable building codes. Wheelchair ramp design must incorporate materials and detailing similar to the base of the building.

(10) Sustainability. Where possible, use materials indigenous to the region and/or manufactured or supplied locally and that have minimal adverse impacts to the environment.

XXXX Off-street parking standards

Off-street parking in the Downtown Core Overlay Zone shall be provided in accordance with the underlying zoning district except for the following standards:

(1) Minimum Parking Required:

(a) Residential Uses: 0.5 parking spaces per unit

(b) Office, Retail, Bank, or Eating and Drinking Establishment: 1 space per 600 sq. ft.

(c) Mixed-Use Development:

(A) Residential: 0.5 spaces per unit

(B) Commercial: 1 space per 600 square feet

(2) Off-street parking screening. Surface parking must be screened from the public right-of-way by one or a combination of the following:

(a) Low walls made of concrete, masonry, or other similar material and not exceeding a maximum height of three feet.

(b) Raised planter walls planted with a minimum 80 percent evergreen shrubs not exceeding a total combined height of three feet.

(c) Landscape plantings consisting of trees, of which at least 80 percent are deciduous, and shrubs and groundcover materials, of which at least 80 percent are evergreen.