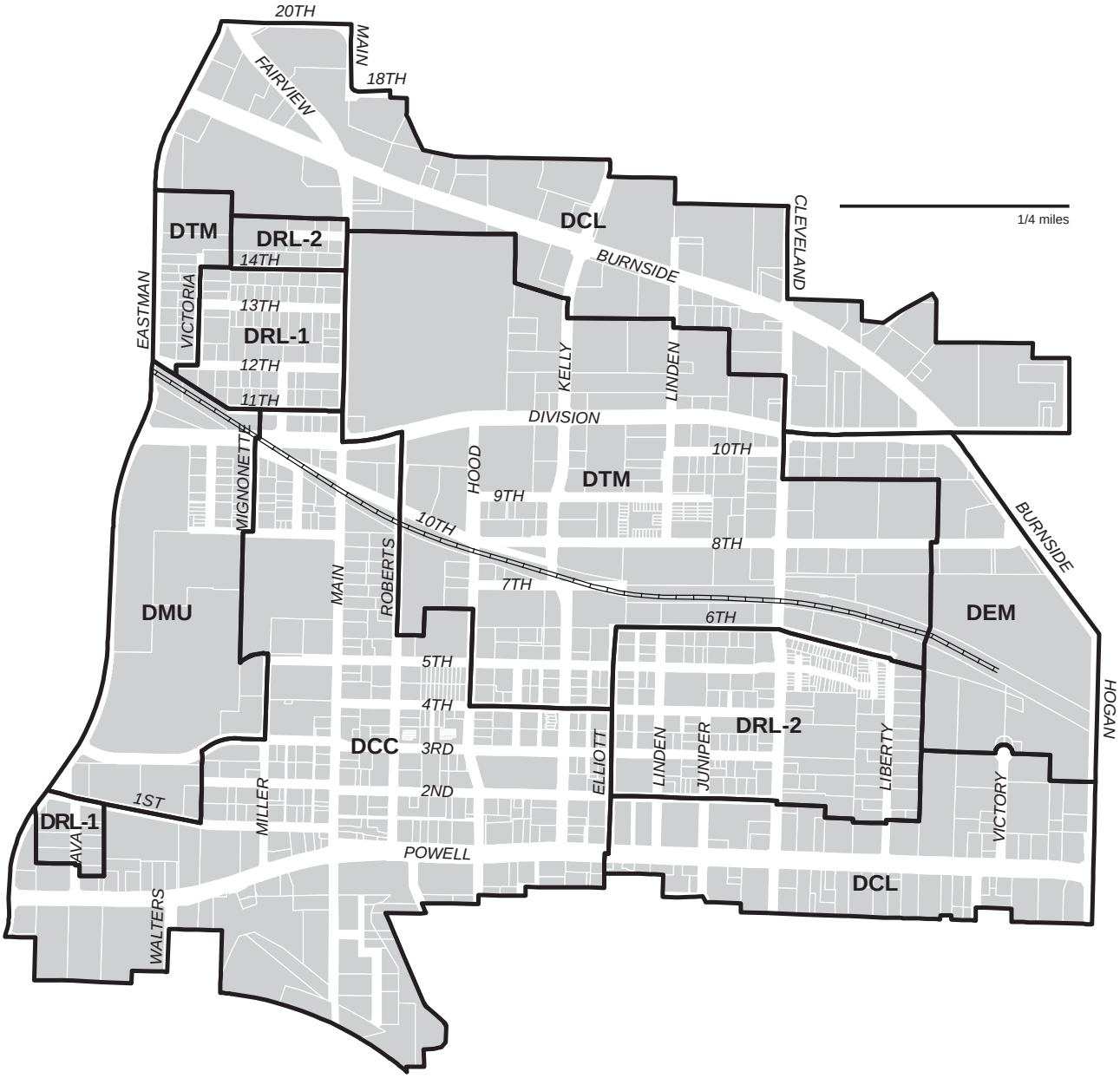
Downtown Sub-Districts Characteristics

Development within each Sub-District is governed by a different combination of basic regulations such as uses, height limits, allowable floor area ratios and densities.

Map 4.1109: Downtown Sub-Districts



Downtown Sub-Districts Characteristics

4.1110 Downtown Commercial Core (DCC):

The DCC is the City's long-standing center and features unique local businesses, small-scale storefronts, and intimate sidewalks. Main Avenue has a small-scale, walkable quality appreciated by residents and visitors. This sub-district is intended to preserve this small-scale character on Main Avenue while encouraging an active, engaging mix of old and new uses.

The DCC sub-district allows a wide range of uses – retail, service, office and residential – that will help create a vibrant sub-district that is active all day and much of the night.

4.1111 Downtown Mixed Use (DMU):

This sub-district is intended to evolve over time from a shopping center largely organized around automobile trips and parking into a mixed-use sub-district with jobs, housing and commercial opportunities. This full-service sub-district will contain new shopping streets, public spaces and better pedestrian and automobile connections to the DCC sub-district and to the Civic Neighborhood.

This DMU sub-district allows a mixture of employment, retail, office and residential uses in a very dense, compact urban form by permitting the most intense, tallest development in Downtown.

4.1112 Downtown Transit Mid-Rise (DTM):

This mixed-use sub-district provides a mid-rise, mixed-use character in the center of Downtown near the light-rail stations. Because of its proximity to transit, this sub-district provides access opportunities for those who live Downtown to use buses and MAX light rail to get to jobs and other destinations. It also supports the creation of employment uses Downtown so those who live outside the Downtown have opportunities and easy access to work Downtown.

This sub-district supports the continued presence of institutional uses, such as government offices. It also allows a mix of residential, commercial and employment uses at a mid-rise intensity.

4.1113 Downtown Employment Mid-Rise (DEM):

This mixed-use area is envisioned as one that could support significant employment, whether retail or office in nature. It has excellent access to light rail as well as several major streets – Hogan, Burnside, and Division. Buildings are allowed to have multiple stories with larger footprints here to accommodate market demand.

This sub-district allows for a substantial amount of general office, financial, corporate and institutional uses that employ large numbers of people. It also allows a significant retail presence and residential uses.

4.1114 Downtown Residential Low-Rise-1 (DRL-1):

This mixed-use sub-district will encourage some residential areas to gently transform into a broader mix of residential uses. This sub-district is intended to create distinctive, walkable neighborhoods within a short distance of transit and the Downtown core.

The sub-district encourages single-family homes to remain and allows duplexes but not townhomes or attached dwellings on a single lot. This sub-district also will allow small-scale commercial uses only on certain streets where it is most appropriate.

4.1115 Downtown Residential Low-Rise-2 (DRL-2):

This mixed-use sub-district will allow a gradual transformation into more varied and full-service residential neighborhoods that can take advantage of their proximity to transit and nearby shopping and job centers.

This predominantly residential sub-district will allow single-family homes to remain while also allowing attached single-family houses, small-scale apartments and condominiums, and small-scale commercial activities.

4.1116 Downtown Commercial Low-Rise (DCL):

This sub-district contains major corridors with the types of businesses, services, stores, and offices that demand a higher level of automobile access to employees and customers. Structures may be single use and aimed at regional traffic. This sub-district will still serve this role, but the corridors will become more balanced over time to meet the needs of pedestrians as well as automobile traffic. The sub-district's character will evolve as buildings and more walkable streets become prominent and parking is located to the side or rear or properties. This sub-district allows commercial, residential, and employment uses, including auto-related uses such as service stations, auto repair, and car washes.

4.1117 Split-Zoned Development Sites:

When a single development site in the Downtown Plan sub-district is affected by two or more of the following sub-districts, the entire site may be developed in conformance with permitted uses and development standards of any of those sub-districts applying to the site: DCC, DMU, DTM, DEM, DRL-1, DRL-2, and DCL.

4.1120 Permitted Land Uses:

Table 4.1120 lists the types of land uses that are permitted in the Downtown Plan District.

1. P = Permitted uses.
2. L = Use is permitted, but it is limited in the extent to which it may be permitted.
3. NP = Use not permitted.
4. SUR = Use permitted subject to a Special Use Review.

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

"NP" is only used if the use category is "P" or "L" in another sub-district within the Development Code. Other categories not listed also are not permitted. Existing uses that are not permitted in a Downtown sub-district may continue in existence, subject to provisions of Development Code **Section 8.0200:** Existing and Nonconforming Uses and Development. Community Service uses are permitted as indicated in Table 4.1120 and as provided in **Section 8.0100:** Community Services.

In addition to permitted commercial and employment land use types listed in Table 4.1120, the Manager may permit other commercial and employment uses found to be supportive of, and consistent with, the Downtown Plan District (**Section 4.1100**), with the findings and conclusions of the Gresham Downtown Plan, and with applicable land use policies and implementation strategies of the Community Development Code.

Table 4.1120: Permitted Uses in the Downtown Plan District

USES	DCC	DMU	DTM	DEM	DRL-1	DRL-2	DCL
RESIDENTIAL							
Single-Family Detached Dwelling	NP	NP	NP	NP	P	P	NP
Duplex	L[1]	L[1]	L[1]	NP	P	P	NP
Single-Family Attached Dwellings	P	L[2]	P	P	NP	P	P
Attached Dwellings on a Single Lot	P	P	P	P	NP	P	P
Elderly Housing	SUR	SUR	SUR	SUR	NP	SUR	SUR
Manufactured Dwelling Park	NP	NP	NP	NP	NP	NP	NP
Residential Facility	P	P	P	P	NP	P	P
Residential Home	NP	NP	NP	NP	P	P	NP
COMMERCIAL							
Auto-Dependent Use	NP	NP	NP	NP	NP	NP	L3
Business and Retail Service and Trade	P	P	P	P	L[4]	L[5]	P
Clinics	P	P	P	P	L[4]	L[5]	P
Commercial Parking	L[6]	L[6]	L[6]	L[6]	NP	L[6]	L[6]
Daycare Facilities	P	P	P	P	SUR	SUR	P
Live/work	P	P	P	P	NP	P	P
Major Event Entertainment	SUR	SUR	SUR	SUR	NP	NP	SUR
Mini-Storage Facilities	NP	NP	NP	NP	NP	NP	NP
Outdoor Commercial	NP	NP	NP	NP	NP	NP	L[7]
INDUSTRIAL							
Construction	NP	NP	NP	NP	NP	NP	NP
Exclusive Heavy Industrial Uses	NP	NP	NP	NP	NP	NP	NP
Industrial Office	NP	NP	NP	NP	NP	NP	NP
Information Services	P	P	P	P	NP	NP	P
Manufacturing	L[8]	L[8]	L[8]	L[8]	NP	NP	L[8]
Miscellaneous Industrial	NP	NP	NP	NP	NP	NP	NP
Trade Schools	NP	NP	NP	NP	NP	NP	NP
Transportation/Distribution	NP	NP	NP	NP	NP	NP	NP
Warehousing/Storage	NP[9]	NP[9]	NP[9]	NP[9]	NP[9]	NP[9]	NP[9]
Waste Management	NP	NP	NP	NP	NP	NP	NP
Wholesale Trade	NP	NP	NP	NP	NP	NP	NP
INSTITUTIONAL USES							
Civic Uses	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Community Services	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Medical	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Parks, Open Spaces and Trails	L/SUR[10]	L/SUR[10]	L/SUR[10]	L/SUR[10]	L/SUR[10]	L/SUR[10]	L/SUR[10]
Religious Institutions	P	P	P	P	SUR	SUR	P
Schools	P/SUR[11]	P/SUR[11]	P/SUR[11]	P/SUR[11]	SUR	SUR	P/SUR[11]

Table 4.1120: Permitted Uses in the Downtown Plan District

USES	DCC	DMU	DTM	DEM	DRL-1	DRL-2	DCL
RENEWABLE ENERGY[14]							
Solar Energy Systems	L/SUR[15]	L/SUR[15]	L/SUR[15]	L/SUR[15]	L[15]	L[15]	L/SUR[15]
Wind Energy Systems	L/SUR[16]	L/SUR[16]	L/SUR[16]	L/SUR[16]	L[16]	L[16]	L/SUR[16]
Biomass Energy Systems	L[17]	L[17]	L[17]	L[17]	L/SUR[17]	L/SUR[17]	L[17]
Geothermal Energy Systems	L/SUR[18]	L/SUR[18]	L/SUR[18]	L/SUR[18]	L[18]	L[18]	L/SUR[18]
Micro-Hydro Energy Systems	L[19]	L[19]	L[19]	L[19]	L[19]	L[19]	L[19]
OTHER							
Basic Utilities Minor basic utilities Major basic utilities	 P SUR	 P SUR	 P SUR	 P SUR	 P L/SUR[12]	 P L/SUR[12]	 P SUR
Heliports	SUR[13]	SUR[13]	SUR[13]	SUR[13]	SUR[13]	SUR[13]	SUR[13]
Wireless Communications Facilities	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Temporary, Intermittent & Interim Uses	P	P	P	P	P	P	P

4.1120 Table Notes

The following describe limitations on use categories marked as limited in Table 4.1120.

1. Duplexes are allowed in the following situations provided density standards are met:
   a. In DTM and DMU on a lot of record that is 6,500 square feet or smaller and has 70 feet of street frontage or less; or
   b. In DCC north of Eighth Street on a lot of record that is 7,600 square feet or smaller and has 70 feet of street frontage or less.
2. Single-family attached residential uses are prohibited in DMU within 320 feet of the centerline of Eastman Parkway.
3. See limits on auto sales and service in the Outdoor Commercial configuration in **Section 4.1120** Table Note 7.
4. Clinics and Business and Retail Service and Trade: The total floor area of all these uses combined is limited to 5,000 square feet per site in DRL-1, and these uses are limited to lots with frontage on Main Avenue or Ava Avenue. In a mixed-use building, the total square footage of Clinics and Business and Retail Service and Trade cannot exceed 5,000 square feet in DRL-1.
5. Clinics and Business and Retail Service and Trade: The total floor area of all these uses combined is limited to 7,500 square feet per site in DRL-2. In a mixed-use building, the total square footage of Clinics and Business and Retail Service and Trade cannot exceed 7,500 square feet in DRL-2.
6. Structured parking only as per Section 9.0852(B)(5).
7. Outdoor Commercial is limited to DCL and allowed only if:
   a. The site has frontage on Burnside Road or Hogan Road; or
   b. The site has frontage on Powell Boulevard east of Cleveland Avenue and west of Hogan Road and the use is not auto sales and service (auto sales and service is allowed if not in a configuration that meets the definition of “Outdoor Commercial”); and
   c. The amount of total site area covered by buildings shall amount to no less than 25 percent of the amount of site area used for outdoor storage or display; and

d. Screening shall be provided along any portion of the site's frontage which is not occupied by a building or parking area, in a manner which satisfies standards for Landscape/Screening along a Public Right-of-Way, as contained in **Section 9.0823(C)(3).**

8. Manufacturing uses shall be compatible with other Downtown uses and are allowed only if all of the following conditions are met:
   a. The manufacturing component shall be allowed in conjunction with an allowed Business and Retail Service and Trade use; and
   b. In DCC, DMU, and DTM, the manufacturing component shall occupy no more than 10,000 square feet of floor area per site. In DEM and DCL, the manufacturing component shall occupy no more than 20,000 square feet of floor area per site; and
   c. The emission of air pollutants and odorous gasses and changes in temperature detectable by the human senses without the aid of instruments at any point beyond the property line is prohibited; and
   d. Electrical disturbances that interfere with the normal operation of equipment or instruments on adjacent properties are prohibited; and
   e. Operations that produce heat or glare shall be conducted entirely within an enclosed building; and
   f. Loud, unnecessary or unusual noise that endangers health, peace or safety is prohibited.
9. The prohibition on warehousing and storage as a stand-alone use does not preclude the on-site storage of materials associated with another use Downtown, such as the storage of goods and supplies as an accessory use to another allowed use. The prohibition on distribution does not preclude the distribution of goods produced on-site to locations off-site as an accessory use to another allowed use or the delivery of goods to an allowed use.
10. Golf courses are not permitted.
11. Schools are permitted without a Special Use Review if they are occupying an existing commercial space. Schools must pursue a Special Use Review if they are proposing new construction.
12. Electrical generating facilities and sewage treatment plants are not permitted through the Special Use Review process.
13. Permitted as an accessory use to Medical and Civic Uses through the Special Use Review.
14. See Section 10.0900 for additional standards that apply.
15. For limitations, see Section 4.1134 Solar Energy System Standards for Downtown Districts.
16. For limitations, see Section 4.1135 Wind Energy System Standards for Downtown Districts.
17. For limitations, see Section 4.1136 Biomass Energy System Standards for Downtown Districts.
18. For limitations, see Section 4.1137 Geothermal Energy System Standards for Downtown Districts.
19. For limitations, see Section 4.1138 Micro-Hydro Energy System Standards for Downtown Districts.

4.1121 Required First-floor uses

A. In the following locations, a minimum of 75 percent of the street-facing ground-floor level shall have Commercial uses or Civic uses that generate a significant number of customer visits:
   1. The north side of Powell Boulevard between Miller and Roberts.

2. Main Avenue: Main between Powell and Fourth.
3. Third Avenue between Main and Hood and the north side of Third Avenue between Hood and Kelly.

4.1130 Downtown Plan Sub-District Standards

Table 4.1130 summarizes development standards that apply in the Downtown Plan District. The standards contained in this Table are supplemented by referenced sub-sections of 4.1100 which provide additional clarification and guidance. Existing developments that do not meet the standards specified for a particular sub-district may continue in existence and be altered, subject to provisions of **Section 8.0200,** Existing and Nonconforming Uses and Development. There are two key factors of development potentially allowable on parcels and development sites for each district with the Downtown: building height and floor area ratio. To determine the development potential of a property, the FAR number is multiplied by the site area. For example: A site area of 20,000 square feet multiplied by an FAR of 3.0 yields 60,000 square feet of floor area that can be built on that site.

A. Development on a site must achieve at least the Minimum Floor Area Ratio and can build up to the Maximum Floor Area Ratio.

B. Additional FAR, shown in the Maximum Floor Area Ratio with Bonuses column, can be achieved by including bonus elements and attributes (described in **Section 4.1131**). Multiple bonus elements can be used in combination to achieve the maximum FARs listed in the Maximum Floor Area Ratio with Bonuses column in Table 4.1130. Each bonus element can be used only once, unless otherwise indicated in the bonus element descriptions. This method allows for many combinations of uses, intensities and different features within each development.

   1. With bonuses, residential-only buildings can achieve a maximum FAR up to what is shown in the Residential column under Maximum Floor Area Ratio with Bonuses. Maximum heights cannot be exceeded in the DRL-1 and DRL-2 districts.
   2. With bonuses, buildings that do not include a residential use can achieve a maximum FAR up to what is shown in the Non-residential column under Maximum Floor Area Ratio with Bonuses.
   3. With bonuses, buildings that combine both residential and non-residential uses can achieve a maximum FAR up to what is shown in the combined column under Maximum Floor Area Ratio with Bonuses.

C. For purposes of minimum floor-area-ratio calculations in DCC, DMU and DTM, applicants may include the following in the ground-level floor area up to a total of 1,000 square feet or 10 percent of the site, whichever is larger:

   1. Publicly accessible open space.
   2. Required minimum setbacks.
   3. Area removed from the first-floor building footprint to create corner features to comply with **Section 4.1151(B)(8).** For example, a beveled corner will have a slightly smaller footprint than a 90-degree corner because of the bevel.
   4. Areas between the minimum and maximum front setbacks for Commercial, Industrial and Institutional uses that are provided for usable, pedestrian-oriented uses such as walkways and outdoor dining areas.

D. For purposes of minimum floor-area ratio calculations in all sub-districts, the following may be counted as ground-level floor area.

   1. Utility easements.
   2. Structured parking at grade or above.

Table 4.1130

		DCC	DCC Main see 4.1130(A)	DMU	DTM	DEM	DRL-1	DRL-2	DCL
Maximum Height [1,2,3,4] (feet)		85	45 [1]	125	85	70	35	50	65
Minimum Floor Area Ratio for non-residential and mixed-use projects (base) [1,5,6]		See **Map 4.1130: Minimum Floor Area Ratio**							
Maximum Floor Area Ratio [5,6]		3.0	1.5 [1]	3.5	3.0	2.5	1.0	1.0	1.0
Maximum Floor Area Ratio with bonuses (see 4.1131) [5,6]	Residential	3.5	2.0 [1]	5.0	3.5	3.0	2.0	2.0	2.0
	Non-residential	4.5	3.0 [1]	6.0	4.5	3.0	3.0	3.0	2.5
	Combined	5.0	4.0 [1]	7.0	5.0	5.0	4.0	4.0	3.0
Minimum Residential Net Density for all-residential projects (not mixed use) (units per acre) (See definition of Net Density in Article 3)		17		20	20	17	8.71	8.71	17
Maximum Residential Net Density (units per acre) (See definition of Net Density in Article 3)		No maximum		No maximum	No maximum	No maximum	12.45	No maximum	60

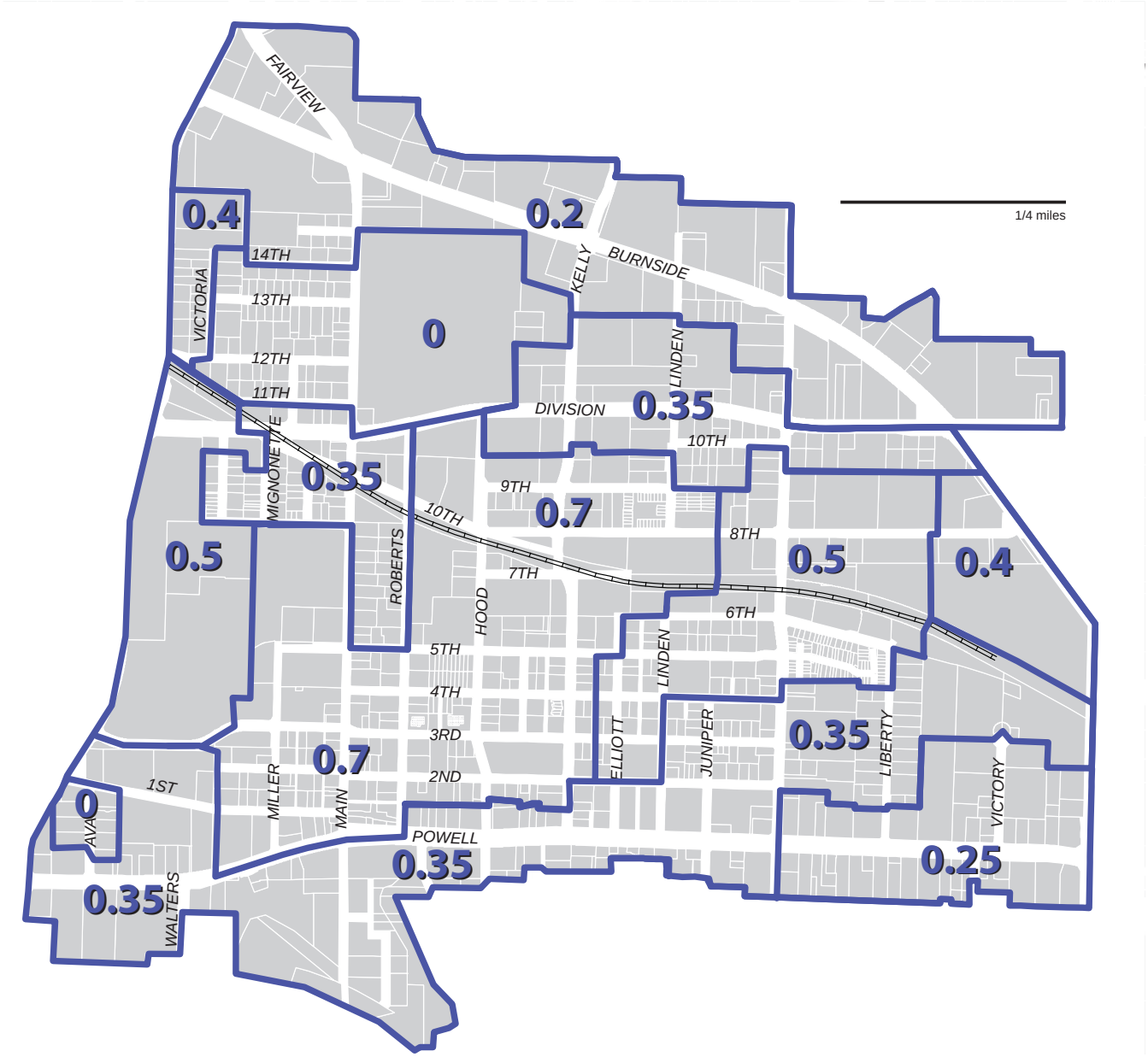
Table 4.1130 (continued)

Street types	Urban Boulevard (in feet)	Urban Commercial (in feet)	Urban Residential (in feet)	Green/ Shared (in feet)	Main (in feet)	Stanley (in feet)	Third (in feet)	Cleveland (in feet)
Commercial, Industrial, Institutional (excluding Parks, Open Spaces and Trails) (including mixed-use building with Commercial or Institutional uses on the first floor)								
Minimum Building Setbacks[8]	Front: 0 Side: 0 [9] Rear: 0 [9] Alley: 3	Front: 0 Side: 0 [9] Rear: 0 [9] Alley: 3	Front: 5 Side: 0 [9, 12] Rear: 5 [9] Alley: 3	Front: 0 Side: 0 [12] Rear: 0 [9] Alley: 3	Front: 0 Side: 0 [12] Rear: 0 Alley: 3	Front: 0 Side: 0 [12] Rear: 0 Alley: 3	Front: 0 Side: 0 [9, 12] Rear: 0 [9] Alley: 3	Front: 5 Side: 0 [9, 12] Rear: 0 Alley: 3
Maximum Building Setbacks[5]	Front: 5 [14]	Front: 5 [14]	Front: 10 [14]	Front: 5 [14]	Front: 5 [14]	Front: 5 [14]	Front: 5 [14]	Front: 10 [14]
Attached dwellings on a single lot								
Minimum Building Setbacks [8]	Front: 10 Side: 0 [9] Rear: 5 [9] Alley: 3	Front: 0 Side: 0 [9] Rear: 5 [9] Alley: 3	Front: 5 Side: 0 [9, 12] Rear: 5 [9] Alley: 3	Front: 5 Side: 0 [12] Rear: 5 Alley: 3	Front: 0 Side: 0 [12] Rear: 0 Alley: 3	Front: 0 Side: 0 [12] Rear: 0 Alley: 3	Front: 5 Side: 0 [9, 12] Rear: 5 [9] Alley: 3	Front: 5 Side: 0 [9, 12] Rear: 5 [9] Alley: 3
Maximum Building Setbacks	Front: 20 [10, 14]	Front: 10 [10, 14]	Front: 15 [10, 14]	Front: 10 [14]	Front: 5 [14]	Front: 10 [10, 14]	Front: 10 [14]	Front: 20 [14]

Table 4.1130 (continued)

Street types	Urban Boulevard (in feet)	Urban Commercial (in feet)	Urban Residential (in feet)	Green/ Shared (in feet)	Main (in feet)	Stanley (in feet)	Third (in feet)	Cleveland (in feet)
Single-Family Attached Dwelling								
Minimum Building Setbacks[8]	**FRONT** Façade: 10 Porch: 6 Garage: 10 [13] **SIDE**[11] Interior: 5 Common: 0 Street porch: 5 **REAR** No alley: 10 Alley: 3	**FRONT** Façade: 5 Porch: 3 Garage: 5 [13] **SIDE**[11] Interior: 5 Common: 0 Street porch: 5 **REAR** No alley: 10 Alley: 3	**FRONT** Façade: 5 Porch: 3 Garage: 5 [13] **SIDE**[11] Interior: 5 Common: 0 Street porch: 5 **REAR** No alley: 10 Alley: 3	**FRONT** Façade: 5 Porch: 3 Garage: 5 [13] **SIDE**[11] Interior: 5 Common: 0 Street porch: 5 **REAR** No alley: 10 Alley: 3	Not allowed on this street type.	**FRONT** Façade: 5 Porch: 3 Garage: 5 [13] **SIDE**[11] Interior: 5 Common: 0 Street porch: 5 **REAR** No alley: 10 Alley: 3	**FRONT** Façade: 5 Porch: 3 Garage: 5 [13] **SIDE**[11] Interior: 5 Common: 0 Street porch: 5 **REAR** No alley: 10 Alley: 3	**FRONT** Façade: 5 Porch: 3 Garage: 5 [13] **SIDE**[11] Interior: 5 Common: 0 Street porch: 5 **REAR** No alley: 10 Alley: 3
Maximum Building Setbacks[5]	Front: 20 [10, 14] Garage: 5	Front: 20 [10, 14] Garage: 5	Front: 20 [10, 14] Garage: 5	Front: 15 [10, 14] Garage: 5		Front: 15 [10, 14] Garage: 5	Front: 15 [10, 14] Garage: 5	Front: 20 [10, 14] Garage: 5
Single-family detached and duplex dwellings								
Minimum Building Setbacks [8]	**FRONT** Façade: 10 Porch: 6 Garage: 20 **SIDE** Interior: 5 Streetside: 10 Street porch: 6 Garage: 5 **REAR** No alley: 10 Alley: 6	**FRONT** Façade: 10 Porch: 6 Garage: 20 [15] **SIDE** Interior: 5 Street-side: 10 Street porch: 6 Garage: 5 **REAR** No alley: 10 [15] Alley: 6	**FRONT** Façade: 10 Porch: 6 Garage: 20 [15] **SIDE** Interior: 5 Street-side: 10 Street porch: 6 Garage: 5 **REAR** No alley: 10 [15] Alley: 6	**FRONT** Façade: 10 Porch: 6 Garage: 20 [15] **SIDE** Interior: 5 Street-side: 10 Street porch: 6 Garage: 5 **REAR** No alley: 10 [15] Alley: 6	**N/A**	**N/A**	**N/A**	**FRONT** Façade: 10 Porch: 6 Garage: 20 **SIDE** Interior: 5 Street-side: 10 Street porch: 6 Garage: 5 **REAR** No alley: 10 Alley: 6
Maximum Building Setbacks	Front: 20 [10]	Front: 20 [10]	Front: 20 [10]	Front: 15 [10]	**N/A**	**N/A**	**N/A**	Front: 20 [10]
Minimum lot size	Single-family detached: 4,000 square feet Duplex in DRL-1 and DRL:-2: 7,000 square feet; Duplex in DCC, DTM, DMU, DEM: 5,000							
Minimum lot dimensions	Width at building line, interior lot: 35 feet Width at building line, corner lot: 40 feet Depth, interior lot: 70 feet Depth, interior lot: 70 feet							
Minimum street frontage	35 feet, except corner lots shall be 40 feet as measured from the corner radius end point to the property corner. A reduction in the minimum street frontage may be approved when the applicant can document compliance with Section 10.1520 of the Community Development Code							

Map 4.1130 Minimum Floor Area Ratio



4.1130 Table Notes:

1. The maximum height and FAR for the portion of development sites within 110 feet of the centerline of Main Avenue between Powell Boulevard and Fifth Street are limited to those shown in Table 4.1130 for DCC - Main. A minimum 10-foot building stepback on Main Avenue is required on all stories above 35 feet.
2. Floor heights by building type for new buildings:
   a. Commercial/industrial/institutional uses: 13 feet minimum height.
   b. Attached Dwellings on a Single Lot, Elderly Housing and Residential Facilities: 10 feet minimum height.
3. Building heights in all Downtown sub-districts except DRL-1 and DRL-2 shall be allowed to exceed the maximum up to 8 feet to allow for architectural elements not suitable for occupancy, such as parapet walls and pitched roofs.
4. For developments abutting a land-use district where the maximum building height is 40 feet or less, the maximum building height within 50 feet of that low-height-limit district or sub-district shall be 45 feet. Maximum building height shall be 50

feet in DCC along the north side of Division Street.

5. The following uses are exempt from minimum floor-area ratio and maximum setback requirements:
   a. Transit facilities such as bus shelters and storage/utility sheds;
   b. Parks, Open Space and Trails;
   c. Basic Utilities;
   d. Wireless Communication Facilities;
   e. Heliports;
   f. Portable classrooms;
   g. Cemeteries and mausoleums;
   h. Sewer and water utility structures such as storage reservoirs and pump stations; and
   i. Museums.
6. Flag pole portions of lots, which allow access to the portions of the lot away from streets, are not counted as part of the site size in floor-area ratio calculations. The remainder of the lot not needed for access would be required to meet FAR requirements.
7. Civic Uses and schools that comply with **Section 4.1151(A)(1)(d)(14)** are exempt from maximum setback requirements.
8. For purposes of Table 4.1130 side setbacks:
   a. Interior means interior side (not common wall)
   b. Common means interior side with common wall
   c. Street façade means streetside façade
   d. Street porch means streetside porch
   e. Garage means streetside garage face
9. Side setback is 10 feet when side yard abuts DRL-1, DRL-2, LDR-5, LDR-7, TR or TLDR; rear setback is 10 feet when rear yard abuts DRL-1, DRL-2, LDR-5, LDR-7, TR or TLDR.
10. Courtyard-type developments are exempted from maximum setbacks for that portion of the building or buildings having a courtyard area between it and the street.
11. For attached single-family dwellings, the street façade and garage side setbacks shall be equal to the front façade setback on the street type that applies to the side street.
12. For Commercial, Industrial, Institutional and attached dwellings on a single lot, the streetside setbacks shall be equal to the front façade setback on the street type that applies to the side street.
13. Single-family attached dwellings are encouraged to be accessed from a rear alleyway on all street types where single-family attached dwellings are allowed. Parking on driveways in front of single-family attached dwellings is only permitted on the Urban Residential street type in sub-districts DRL-1 and DRL-2. If parking is to be provided in front of these units on the Urban Residential street type in DRL-1 and DRL-2, the minimum front setback for the garage is 20 feet.
14. Maximum front setbacks do not apply on a site once all minimum building frontage requirements of the street type have been satisfied. For example, if a street type requires that 75% of the frontage must be occupied by a building and that requirement has been satisfied, other buildings can be constructed behind that building beyond the maximum setback.
15. If rear and garage setbacks combine to leave less than 22 feet for a garage depth, the Manager or Design Commission may reduce setbacks on a case-by-case basis to provide adequate room for a garage. First, the rear setback may be reduced by 5 feet to reach the 22-foot area for garage depth. If that is not sufficient, the

Manager or Design Commission may approve a maximum garage setback of 5 feet so the garage can be brought near the street.

16. Encroachments may project into the public right-of-way provided that the encroachments are between 9 and 12 feet above the sidewalk height, subject to City approval. They must not obstruct or prevent the placement of street trees or other improvements within the public right-of-way.

4.1131. Bonus Elements:

The future vision for Downtown Gresham calls for a series of amenities that will lead to a more livable and complete community. As a means of encouraging new development to incorporate these amenities, a series of development bonuses are included in the Code that offer additional development potential in the form of floor area. Most projects will require a mixture of various elements.

A. **For each of the following, an FAR increase of .5 shall be granted:**

1. LEED Silver Certification
   A development shall be LEED Silver Certified, according to criteria established by the U.S. Green Building Council (USGBC). The applicant is responsible for providing LEED Silver Pre-Certification documentation and an annotated checklist to the City to receive this bonus. The applicant also must provide documentation of LEED compliance 9 months after building occupancy and, if certification was not attained within 9 months, at the time of LEED certification or denial.
2. Exterior Art Elements
   Exterior art element(s) shall be equivalent to at least 1% of the total value of the project's construction cost. Such elements include but are not limited to free-standing sculptures, bas-reliefs on walls, metalwork on walls and murals. Documentation shall be provided of the construction value and the value of the art as appraised by an art appraiser. Art elements shall be visible to the public at all times and will be reviewed and approved for artistic merit by an arts review body designated by the City.
3. Water Feature(s)
   Any decorative water feature(s) shall be equivalent to at least 1% of the total value of the project's construction costs. Documentation shall be provided of the construction value and the cost of the water feature. Water features shall be directly accessible by the public or shall be visible to the public by being adjacent to a sidewalk or through-block connection.
4. Alley Enhancements
   Enhancements to an alley shall include elements that create a pedestrian-friendly setting such as stone, brick, unit pavers or textured paving; pedestrian-scaled lighting that could be wall-mounted; and landscape plantings such as vines splayed on walls, trees, and irrigated planters that do not obstruct the movement of vehicles. The result shall be a place that appears safe, inviting and allow for public enjoyment. Features such as entrances with canopies or stoops shall also qualify so long as vehicular movement is maintained. Entrances to uses are permitted and encouraged.
5. Canopy Over Sidewalks Where Not Otherwise Required
   A canopy shall be a permanent structure of steel and glass that projects over a public sidewalk from a building face at least 5 feet in horizontal distance. The height of a canopy above the sidewalk shall be between 8 and 12 feet. Canopies may be intermittent or continuous provided the total length is at least 75% of the frontage along the public sidewalk.
6. Through-Block Connection
   A through-block connection is a pedestrian walkway and accompanying landscaping that shall be at least 15 feet wide and extend along a property line or through a site to allow the public to pass from one street to either another street or an alley that is either parallel or perpendicular. The surface shall be accessible and consist of stone, unit pavers or textured concrete. The connection shall

include pedestrian scaled lighting along the length at intervals no less than 50 feet, that can either be wall-mounted or freestanding.

7. Public Meeting Room
   This is a room that shall be available to the community for meetings and events. The size shall allow for at least 30 people to occupy it (300 square feet) and it shall be accessible either directly from the outside or from a controlled lobby that allows public access. There shall be no fees imposed on user groups, other than for basic maintenance. The room shall have windows on at least one side.
8. Multi-Modal Pathway:
   A multi-modal pathway shall be a pathway for the movement of pedestrians and bicyclists that is consistent with the City's Parks and Recreation Master Plan and approved by the City staff.
9. MAX Pathway Landscaping
   MAX pathway landscaping shall include landscape elements such as trees, shrubs, groundcovers and perennials that are consistent with the City's Parks and Recreation Master Plan and approved by City staff. The entire development frontage on the Pathway shall be landscaped.

B. **For each of the following, an FAR increase of 1.0 shall be granted:**

1. LEED Gold Certification
   A development shall be LEED Gold Certified, according to criteria established by the U.S. Green Building Council (USGBC). The applicant is responsible for providing LEED Gold Pre-Certification documentation and an annotated checklist to the City to receive this bonus. The applicant also must provide documentation of LEED compliance 9 months after building occupancy and, if certification was not attained within 9 months, at the time of LEED certification or denial.
2. Structured Parking, On-Grade or Above-Grade
   At least 80% of the parking shall be contained within a structure. The structure may be part of the building or a separate structure. The structure shall be designed so that no parked cars are visible from the street and active commercial, employment, mixed-use, live/work or residential uses occupy the street level if the structure is on a street frontage. Any wall openings necessary for ventilation shall be screened with decorative metalwork or irrigated planters. Interior lighting shall be shielded to obscure visibility from outside.
3. Public Plaza
   This is an outdoor space available to the public at all times. It shall be equivalent to at least 2% of the interior floor area but shall not be less than 400 square feet. No dimension shall be less than 10 feet. At least 70% of the area shall be paved with stone, brick, unit pavers or textured paving. One tree (with a minimum caliper of 2 ½ inches) shall be provided for every 600 square feet of area. A quantity of one bench or seating unit at least 24 inches wide shall be provided for each 100 square feet of area. Seating placement shall be artfully designed. If a project includes more than one Public Plaza that meets these standards, each can generate bonus FAR.
4. Public Greenspace
   This is an outdoor space available to the public at all times. It shall be visible and accessible from a public sidewalk. It shall be equivalent to at least 2% of the interior floor area but shall not be less than 400 square feet. No dimension shall be less than 10 feet. At least 70% of the space shall be planted with grass or walkable ground cover. One tree (with a minimum caliper of 2 ½") shall be provided for every 600 square feet of area. One seating unit, which may be in the form of benches or ledges at lest 24 inches wide, shall be provided for each 100 square feet of area. If a project includes more than one Public Greenspace that meets these design standards, each can generate bonus FAR.
5. Public Indoor Wintergarden
   This is an interior space available to the public during normal business hours. It

shall be equivalent to at least 2% of the interior floor area but shall not be less than 1000 square feet. No dimension shall be less than 20 feet. At least 50% of the ceiling and at least one wall of the wintergarden shall be glass to allow for day lighting. One seating unit, which may be in the form of benches or ledges, shall be provided for each 100 square feet of area.

C. **For each of the following, an FAR increase of 1.5 shall be granted:**

1. LEED Platinum Certification
   A development shall be LEED Platinum Certified, according to criteria established by the U.S. Green Building Council (USGBC). The applicant is responsible for providing LEED Platinum Pre-Certification submittal documentation and an annotated checklist to the City to receive this bonus. The applicant also must provide documentation of LEED compliance 9 months after building occupancy and, if certification was not attained within 9 months, at the time of LEED certification or denial.
2. Roof Garden
   Roof gardens shall provide usable outdoor space and gardening opportunities to the building residents, tenants and/or visitors. The roof garden shall occupy a minimum of 50% of the roof surface and result in an accessible rooftop terrace with defined growing areas, seating and additional landscaping.
3. Eco (Green) Roof
   A roof garden shall be a combination of landscape plantings and a growing medium installed on a roof deck that performs functions of collecting, absorbing and filtering rain water and shall occupy a minimum of 50% of the roof surface. The result shall be visually interesting and it shall accomplish environmental objectives such as reducing the amount of run-off that reaches the ground, reducing heat gains and losses from the building, and recycling gray water.
4. Underground Parking
   At least 80% of the parking shall be contained within a structure that is below grade with an energy efficient system developed to maintain the parking underground. Any parking stalls not located in the below-grade structure shall be within a structure that is on-grade or above-grade that shall meet the design standards for the bonus feature of Structured Parking, On-Grade or Above-Grade.

4.1132 Limitations on Outdoor Commercial Activity

In all Downtown sub-districts except the DCL sub-district, the amount of site area for outdoor display of materials for retail sales shall not exceed 15% of the ground-floor area of buildings on the site with which the display is associated or 1,000 square feet, whichever is less.

4.1133 Limitations on Drive-Throughs

A. New drive-through facilities are limited in DCC, DMU and DEM and allowed only under the following conditions:

1. In DCC, no new drive-through facility can be constructed unless there was a legal drive-through on the site on July 16, 2009.
2. In all sub-districts where drive-throughs are limited:
   a. Direct drive-through lane access onto an Urban Boulevard street type is prohibited; and
   b. The drive-through shall be part of a development that meets the minimum FAR requirements of the sub-district; and
   c. Drive-through stacking lanes and service areas shall not be located between the street and the building and shall be located to the rear of the property; and
   d. Goods and services provided to drive-through customers also must be available to pedestrian customers inside a building on the same site.

B. Drive-through uses are permitted in the DCL district.

4.1134 Solar Energy Standards for Downtown Districts

Solar energy systems are limited in Downtown districts as follows:

A. Scale.

1. DRL-1 and DRL-2: Small scale solar energy systems are permitted in these districts.
2. DCC, DMU, DTM, DEM, and DCL: Small and medium scale solar energy systems are permitted in these districts. Large scale systems are permitted with a Special Use Review.

B. Type.

1. DRL-1 and DRL-2: Roof-top, flat-roof, integrated and ground-mounted solar energy systems are permitted in these districts.
2. DCC, DMU, DTM, DEM, and DCL: Roof-top, flat-roof, integrated and ground-mounted solar energy systems are permitted in these districts.

C. Height.

1. DRL-1 and DRL-2: The following limitations on maximum height apply to all solar energy systems in these districts:
   a. Roof-top, Flat-roof and Integrated. Solar energy systems shall not exceed the district height limit in which they are located and shall not exceed the roof height on which the system is installed.
   b. Ground-mounted. Ground-mounted solar energy systems shall not exceed 6 feet in height.
2. DCC, DMU, DTM, DEM, and DCL: The following limitations on maximum height apply to all solar energy systems in these districts:
   a. Roof-top, Flat-roof and Integrated.
      1. For roofs that are flat or the horizontal portion of mansard roofs, the solar energy systems on frames shall not exceed 10 feet above the roof height on which the system is installed.
      2. For pitched, hipped or gambrel roofs, the solar energy system panels shall not exceed 18 inches in height from the surface of the roof on which the system is installed.
   b. Ground-mounted. Ground-mounted solar energy systems shall not exceed 20 feet in height.

D. Setbacks and Yards.

1. DRL-1 and DRL-2: Solar energy systems are not allowed in the required front, street-side or side setbacks and are not allowed in the front yard between the building and the street in these districts.
2. DCC, DMU, DTM, DEM, and DCL: Solar energy systems are not allowed in the required front or street-side setback.

4.1135 Wind Energy Standards for Downtown Districts

Wind energy systems are limited in Downtown districts as follows:

A. Scale

1. DRL-1 and DRL-2: Small scale wind energy systems are permitted in these districts.
2. DCC, DMU, DTM, DEM, and DCL: Small and medium scale wind energy systems are permitted in these districts. Large scale systems are permitted with a Special Use Review.

B. Type.

1. DRL-1 and DRL-2: Roof-top wind energy systems are permitted in these districts.
2. DCC, DMU, DTM, DEM, and DCL: Roof-top and ground-mounted wind energy systems are permitted in these districts.

C. Height.

1. DRL-1 and DRL-2: The following limitations on maximum height apply to all wind energy systems in these districts:
   a. Roof-top. Wind energy systems shall not exceed the district height limit in which they are located and shall not exceed 10 feet above the height of the roof on which the system is installed.
2. DCC, DMU, DTM, DEM, and DCL: The following limitations on maximum height apply to all wind energy systems in these districts:
   a. Roof-top. The height of roof-top wind energy systems shall not exceed a value equal to the building height when the building height is 45 feet or less. For buildings which exceed 45 feet in height, the wind energy system shall not exceed 45 feet maximum.
   b. Ground-mounted. The height of ground-mounted wind energy systems shall not exceed 45 feet as measured from the grade at the base of the equipment to the top of the system. The height limit of 45 feet can be exceeded up to 110 feet with a Special Use Review.

D. Setbacks and Yards.

1. DRL-1 and DRL-2: Wind energy systems are not allowed in the required front, street-side, side or rear setbacks or in any yards in these districts.
2. DCC, DMU, DTM, DEM, and DCL: Wind energy systems are not allowed in the required front, street-side, side or rear setbacks and are not allowed in the front yard or street-side yard between the building and the street in these districts.

4.1136 Biomass Energy Standards for Downtown Districts

Biomass energy systems are limited in Downtown districts as follows:

A. Scale.

1. DRL-1 and DRL-2: Small scale biomass energy systems are permitted in these districts with a Special Use Review.
2. DCC, DMU, DTM, DEM, and DCL: Small scale biomass energy systems are permitted in these districts.

B. Type.

1. DRL-1 and DRL-2: Non-hazardous biomass systems are permitted in these districts.
2. DCC, DMU, DTM, DEM, and DCL: Non-hazardous biomass systems are permitted in these districts.

C. Height.

1. DRL-1 and DRL-2: Biomass energy systems shall not exceed the maximum district height limits in these districts.
2. DCC, DMU, DTM, DEM, and DCL: Biomass energy systems shall not exceed the maximum district height limits in these districts.

D. Setbacks and Yards.

1. DRL-1 and DRL-2: Biomass energy systems are not allowed in the required front, street-side, side or rear setbacks, and are not allowed in the front or street-side yards between the building and the street, or in the side yards in these districts.
2. DCC, DMU, DTM, DEM, and DCL: Biomass energy systems are not allowed in the required front, street-side, side or rear setbacks and are not allowed in the front yard or street-side yard between the building and the street in these districts.

4.1137 Geothermal Energy Standards for Downtown Districts

Geothermal energy systems are limited in Downtown districts as follows:

A. Scale.

1. DRL-1 and DRL_2: Small scale geothermal energy systems are permitted in these districts.
2. DCC, DMU, DTM, DEM, and DCL: Small scale geothermal energy systems are permitted in these districts. Large scale systems are permitted with a Special Use Review.

B. Type.

1. DRL-1 and DRL-2: Closed-loop geothermal energy systems that are not in any well field protection areas are permitted in these districts.
2. DCC, DMU, DTM, DEM, and DCL: Closed-loop geothermal energy systems that are not in any well field protection areas are permitted in these districts.

C. Height

1. DRL-1 and DRL_2: Geothermal systems shall not exceed the maximum district height limits in these districts.
2. DCC, DMU, DTM, DEM, and DCL: Geothermal systems shall not exceed the maximum district height limits in these districts.

D. Setbacks and Yards.

1. DRL-1 and DRL-2: Geothermal systems are not allowed in the required front, street-side, side or rear setbacks in these districts, except that small geothermal heating and cooling units such as heat pumps, can project into the setbacks per Section 9.0900 Projections.
2. DCC, DMU, DTM, DEM, and DCL: Geothermal systems are not allowed in the required front, street-side, side or rear setbacks in these districts, except that small geothermal heating and cooling units like heat pumps can project into the setbacks per Section 9.0900 Projections.

4.1138 Micro-Hydro Energy Standards for Downtown Districts

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

A. Scale.

1. DRL-1 and DRL-2: Small scale micro-hydro energy systems are permitted in these districts.
2. DCC, DMU, DTM, DEM, and DCL: Small scale micro-hydro energy systems are permitted in these districts.

B. Type.

1. DRL-1 and DRL-2: In-pipe micro-hydro energy systems such as systems within water, stormwater or wastewater pipe are permitted in these districts.
2. DCC, DMU, DTM, DEM, and DCL: In-pipe micro-hydro energy systems such as systems within water, stormwater or wastewater pipe are permitted in these districts.

C. Height.

1. DRL-1 and DRL-2: Generally the district height limits apply. However, in-pipe systems may exceed the district height limit as allowed for mechanical equipment in these districts. If supplemental equipment structures accompany the in-pipe systems, then the district height limit would apply.
2. DCC, DMU, DTM, DEM, and DCL: Generally the district height limits apply in these districts. However, in-pipe systems may exceed the district height limit as allowed for mechanical equipment. If supplemental equipment structures accompany the in-pipe systems, then the district height limit would apply.

D. Setbacks and Yards.

1. DRL-1 and DRL-2: Micro-hydro energy systems contained within piping are allowed and pipe can run within the required setbacks in these districts. However, if supplemental equipment structures accompany the in-pipe systems, then the district setbacks limits apply.
2. DCC, DMU, DTM, DEM, and DCL: Micro-hydro energy systems contained within piping are allowed and pipe can run within the required setbacks in these districts. However, if supplemental equipment structures accompany the in-pipe systems, then the district setbacks limits apply.