ARTICLE 3 GENERAL TERMS
SECTION 3.0100 DEFINITIONS

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3.0101 General Provisions

The purpose of Definitions is to define terms that are used frequently in the City of Gresham Development Code (Code) and to assist decision makers in interpreting and applying the Code. Those words used in the Community Development Code, shall be subject to the generally accepted dictionary definitions, unless otherwise noted in **Section 3.0100.** Those words listed in **Section 3.0100** shall be subject to those definitions provided, unless the context clearly implies differently. In such cases, the context in which a term is used will indicate its intended meaning, and that intent shall control. Terms not defined here shall have their ordinary accepted meaning as identified in the latest edition of Webster's Dictionary of the English Language.

As used in this ordinance, "shall" and "must" are mandatory. "May" and "should" are permissive.

3.0102 List of Terms

Terms used in the Development Code are presented below. General terms that apply throughout the Code are listed in **Section 3.0102**. Terms that are specific to a Development Code section are listed after the General Terms. These categories are:

A. Habitat Conservation Area Terms and Definitions. **Section 3.0120**

B. HCA, ESRA, Floodplain and Article 5 Terms and Definitions. **Section 3.0130**

C. Renewable Energy Related Terms and Definitions. **Section 3.0140**

D. Tree Related Terms and Definitions. **Section 3.0150**

E. Temporary, Intermittent and Interim Uses Terms and Definitions. **Section 3.0160**

If a term is defined in both the General Definitions and in a Section-specific category, the Section-specific definition shall be used if the application of the term is within the parameters of the Code Section.

General Terms

A-Board Sign – *See Signs*
Abandoned Sign – *See Signs*
Abut
Access
Access Aisle
Accessory Dwelling – *see Dwelling Unit*
Accessory Structure – *see Structure, Accessory*
Accessory Use – *see Use, Accessory*
Accessway
Acreage, Net
Adjacent
Adjustments
Affordable Housing – *See Housing, Affordable*
Agriculture
Alteration
Alteration, Structural
Amateur ("Ham") Radio
Amenity Zone
Ancillary Dwelling – *see Dwelling Unit*
Animated Sign – *See Signs*
Antenna
Antenna Support Structure
Apartment
Applicant
Application, Qualifying
Aquatic Habitat – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Arboriculture
Arborist
- Certified Arborist
- Consulting Arborist

Arcade
Archaeological Object
Archaeological Site
Archaeologist
Area of Shallow Flooding
Area of Special Flood Hazard
Areal Cover – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Approved Tree List
Assisted Living Housing – *See Elderly Housing*
Attached Dwelling – *see Dwelling Unit*
Awning
Awning Sign – *See Signs*
Balcony
Balloon Sign – *See Signs*
Balustrade
Banner Sign – *See Signs*
Base – *See Façade*
Baseline
Basement
Battery Charging Station – *See Renewable Energy Related Definitions,* ***Section 3.0140***
Battery Charging Unit – *See Renewable Energy Related Definitions,* ***Section 3.0140***
Battery Exchange Station – *See Renewable Energy Related Definitions,* ***Section 3.0140***
Bay (building façade)
Bed and Breakfast Inn
Belt Course
Bench Sign – *See Signs*
Berm
Biogas – *See Renewable Energy Related Definitions,* ***Section 3.0140***
Blade – *See Renewable Energy Related Definitions,* ***Section 3.0140***
Block
Boarding House
Buffer Area
Buffer Tree – *See Tree*
Building
Building Area of Building Envelope
Building Code
Building Code Accessible
Building, Contiguous
Building Coverage
Building Footprint
Building Height
Building Line
Building Massing – *See Massing, Building*
Building Modulation – *See Modulation, Building*
Building Site – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Bulkhead
Butterfly Roof – *See Roof*
Canopy
Carpool/Vanpool Parking
Carport
Ceiling Height
Centralized Stormwater Management Facilities
Certified Arborist – *See Arborist*
Certified Child Care Facility
Change of Use – *See Use, Change of*
Children's Play Equipment
Circulation Path
Citizen Band (CB) Radio
City
Civic Neighborhood Design District – *See Design District*
Clear Cutting – *See Tree Related Definitions,* ***Section 3.0150***
Clear Vision Area
Clearing
Co-locate
Commercial Development
Common Wall
Community Garden
Composting Facility
Comprehensive Plan – *See Gresham Community Development Plan*
Condominium
Condominium Unit
Condominium Conversion
Congregate Housing – *See Elderly Housing*
Construction Contractor
Consulting Arborist – *See Arborist*
Continuing Care Retirement Community – *See Elderly Housing*
Corner Lot – *See Lot*
Cornice
Corridor Design District – *See Design District*
Court
Courtyard
Courtyard Development
Critical Root Zone – *See Tree Related Definitions,* ***Section 3.0150***
Crosswalk

Crown Cover – *See Tree Related Definitions,* ***Section 3.0150***
Curb Cut
Curb Ramp
Customer
Dead Tree – *See Tree*
Dead-End Street
Deciduous
Deciduous Tree – *See Tree*
Deck
Dedication
Density
Density, Net
Density Rounding
Design District
- Civic Neighborhood Design District
- Corridor Design District
- Downtown Design District
- Pleasant Valley Design District
- Rockwood Design District
- Springwater Design District

Design Guidelines
Design Principles
Design Standards
Design Storm
Design Streets
Detention
Development
Development Areas not Providing Vegetative Cover– *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Developed Flood Area – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Development Permit
Development Site
Diameter Breast Height – *See Tree Related Definitions,* ***Section 3.0150***
Digital Flood Insurance Rate Map (DFIRM)
Direct Illumination Sign – *See Signs*
Directional Sign – *See Signs*
Directional Signs, Institutional Campus – *See Signs*
District
Disturb – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Disturbance Area – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Double Frontage Lot – *See Lot*
Downtown Design District – *See Design District*
Dripline – *See Tree Related Definitions,* ***Section 3.0150***
Drive-through Use
Driveway
Driveway Approach
Driveway, Shared
Dwelling Unit
- Accessory Dwelling
- Attached Dwelling
- Duplex
- Single Family Dwelling
  - Single Family Attached Dwelling
  - Single Family Detached Dwelling
- Temporary Health Hardship Dwelling

Easement
Easement, General Utility
Easement, Public Access
Eco-Roof
Ecological Features – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Ecological Functions– *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Effective Impervious Area– *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Elderly Housing
- Assisted Living Housing
- Congregate Housing
- Continuing Care Retirement Community
- Immediate Care Facility
- Retirement Housing
- Skilled Nursing Facility (Nursing Home)

Electric Vehicle – *See Renewable Energy Related Definitions,* ***Section 3.0140***
Electric Vehicle Charging Station – *See Renewable Energy Related Definitions,* ***Section 3.0140***
Electric Vehicle Charging Unit – *See Renewable Energy Related Definitions,* ***Section 3.0140***
Electrical Generating Facility
Electronic Message Center Sign – *See Signs*
Elevated Building
Emergency – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Emissivity or Emittance
Employees
Engineer – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Enhancement – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Entry
Entry, Primary
Erosion
Erosion and Sediment Control
Erosion Prevention and Sediment Control Manual
Erosion Prevention and Sediment Control Plan
Evergreen
Evergreen Tree – *See Tree*
Exit
Façade
- Base
- Top
- Prominent Façade Sections

Face of a Building
Face Sign – *See Signs*
Family
Fascia Sign – *See Signs*
Fast Food Service
Fence
Fill – *See HCA, ESRA, Article V Definitions,* ***Section 3.0130***
Findings
Fin Sign – *See Signs*
Flag Lot – *See Lot*
Flag Pole – *See Lot*
Flap Sign – *See Signs*
Flashing Illumination Sign – *See Signs*
Fleet Vehicle – *See Motor Vehicle*
Flood or Flooding
Flood Areas – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***

Flood, Base
Flood Insurance Rate Map (FIRM)
Flood Insurance Study
Flood Management Areas – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Flood Prone
Floodplain
Floor Area
Floor Area Ratio
Food and Beverage Carts
Fore-Court
Forest Canopy – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Forestry Stewardship Council (FSC) Rating
Free-Standing Sign – *See Signs*
Front Lot Line - *See Lot Line*
Front Yard – *See Yard*
Frontage
Future Street Plan
Gable Roof – *See Roof*
Galleria
Garage
Geologist, Registered
Grade
Green Development Practices
Green Street
Gresham Community Development Plan, or Community Development Plan
Gresham Development Plan Map
Gresham Public Works Standards
Grocery Store
Ground Floor
Groundcover
Grubbing
Habitable Floor
Habitat Conservation Area or HCA – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Habitat Friendly Development – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Habitat Tree – *See Tree*
Hazardous Tree – *See Tree*
Height Transition Area
Helicopter Trip
Hipped Roof – *See Roof*
Historic and Cultural Landmark
- Class 1 Historic and Cultural Landmarks
- Class 2 Historic and Cultural Landmarks

Hogan Cedar Tree – *See Tree*
Home Occupation
Hotel
Housing, Affordable
Housing, Needed
Illumination Awning Sign – *See Signs*
Immediate Care Facility – *See Elderly Housing*
Imminent Hazard Tree – *See Tree*
Indirect Illumination Sign – *See Signs*
Infiltration or Stormwater Infiltration
Installation Sign – *See Signs*
Institutional Campus
Institutional Master Plan
Intent
Interior Lot – *See Lot*
Intermittent Stream – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Internal Illumination Sign – *See Signs*
Internal Signs, Institutional Campus – *See Signs*
Invasive Non-Native or Noxious Vegetation – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Irregular Shaped Lot – *See Lot*
Joint Development
Kitchen
Laboratories/Research and Development Facilities
Land Division
Landing
Landscape Tree – *See Tree*
Landscaping
- Parking Area Landscaping

LEED ™
Legal Description of Property Description
Level of Service (LOS)
Light Cut-off
Liner Space
Lintel
Local Review
Lot
- Corner Lot
- Double Frontage Lot
- Flag Lot
- Flag Pole
- Interior Lot
- Irregular Shaped Lot
- Rectilinear Lot
- Subdivision Lot

Lot Depth
Lot Line
- Front Lot Line
- Northern Lot Line
- Rear Lot Line
- Side Lot Line
- Zero-lot Line

Lot Line Adjustment
Lot of Record
Lot Width
Low Structure Vegetation or Open Soils – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Lowest Floor
Maintain
Major Tree – *See Tree*
Maintenance Sign – *See Signs*
Manager
Mansard Roof – *See Roof*
Mansard Wall Sign – *See Signs*
Manufactured Dwelling
Manufactured Home Park/Subdivision
Marijuana Business
Market Area
Marquee Sign – *See Signs*
Massing, Building
Master Plan
Medallion
Micro/Mini Wireless Communication Facility (WCF)
Mitigation – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Mixed Use Development
Model Home
Modulation, Building
- Horizontal Modulation
- Vertical Modulation

Monument Sign – *See Signs*
Motor Vehicle
- Fleet Vehicle
- Passenger Vehicle
- Truck

Moving Parks Sign – *See Signs*
Mulch
Mullion – *See Window Mullion*
Munton
Mural
Multi-Business Complex Sign – *See Signs*
Multi-family Structure
Native Tree – *See Tree*
Native Vegetation or Native Plant – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Natural State
Needed Housing – *See Housing, Needed*
New Construction
Nonconforming Development
Nonconforming Sign – *See Signs*
Nonconforming Use
Non-Native Tree – *See Tree*
Non-Woody Vegetation – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Northern Lot Line- *See Lot Line*
Nuisance
Occupied Space
Offices
On-Site Directional Sign – *See Signs*
On-Site Stormwater Management
Open Space – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Ornamental Tree – *See Tree*
Outdoor Advertising Sign – *See Signs*
Outdoor Area
Outdoor Sales Display
Outdoor Storage
Owner
Painted Highlights Sign – *See Signs*
Painted Wall Decoration Sign – *See Signs*
Painted Wall Sign – *See Signs*
Parapet or Parapet Wall
Parcel
Parking Lot Tree – *See Tree*
Partition Parcel
Parent Parcel or Parent Lot
Park and Ride Facility
Parking Lots
Parking Module
Parking Space
Parking Structure
Partition land
Passenger Vehicle – *See Motor Vehicle*
Pedestrian facilities
Pennant Sign – *See Signs*
Perennial (or Perennial Plant)
Perennial Streams – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Perimeter Tree – *See Tree*
Permanent Sign – *See Signs*
Person
Pervious (Porous) Pavement
Phased Development Project
Photovoltaic Panel – *See Renewable Energy Related Definitions,* ***Section 3.0140***
Planned Development
Planter Strip
Plat
Plaza
Pleasant Valley Design District – *See Design District*
Plinth
Porch
Portable Sign – *See Signs*
Portico
Premises
Practicable – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Primary Building Entrance/Entry
Primary Feeder Line
Principal Building
Principal Use, Primary Use
Project
Projecting Sign – *See Signs*
Pruning – *See Tree Related Definitions,* ***Section 3.0150***
Public Community Park
Public Neighborhood Park
Public Path
Public Open Space
Public Place
Public Trail
Public Trail Access Points
Public Trailheads
Public Urban Plaza
Public Use Areas
Qualified Arborist – *See Arborist*
Qualifying Application – *See Application, Qualifying*
Radio
Radio Frequency (RF) Energy
Radio Frequency (RF) Facility
Rain Garden
Readerboard Sign – *See Signs*
Rear Lot Line- *See Lot Line*
Rear Yard – *See Yard*
Receive-only Antenna
Rectilinear Lot – *See Lot*
Redemption Center
Redevelopment
Reflectivity or Reflectance
Registered Child Care Facility
Registered Consulting Arborist – *See Arborist*
Regulated Tree – *See Tree*
Regulatory Floodway
Remodel
Renewable Energy Systems - *See Renewable Energy Related Definitions,* ***Section 3.0140***
Rental Unit
Repair Sign – *See Signs*
Required Tree – *See Tree*
Reservation Line
Residentially Designated Land
Restaurant
Restoration – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Retirement Housing – *See Elderly Housing*
Revegetation
Right-of-Way
Riparian – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Rockwood Design District – *See Design District*
Roof
- Butterfly Roof
- Gable Roof
- Hipped Roof

- Mansard Roof
- Shed Roof

Roof Sign – *See Signs*
Roof Line Sign – *See Signs*
Rotating Sign – *See Signs*
Routine Repair and Maintenance – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Same Ownership
Scoring
School, Commercial
Service Station
Sensitive Species – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Setback
Setback Adjustment – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Severe Crown Reduction– *See Tree Related Definitions,* ***Section 3.0150***
Shade Tree – *See Tree*
Shed Roof – *See Roof*
Shelter
Shrub
Side Lot Line - *See Lot Line*
Sidewalk
Side Yard – *See Yard*
Significant Negative Impact – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Significant Tree, Significant Grove – *See Tree*
Signs

- A-Board Sign
- Abandoned Sign
- Animated Sign
- Awning Sign
- Illuminated Awning Sign
- Balloon Sign
- Banner Sign
- Bench Sign
- Direct Illumination Sign
- Directional Sign
- Directional Signs, Institutional Campus
- Electronic Message Center Sign
- Face Sign
- Fascia Sign
- Fin Sign
- Flap Sign
- Flashing Illumination Sign
- Free-Standing Sign
- Indirect Illumination Sign
- Installation Sign
- Internal Illumination Sign
- Internal Signs, Institutional Campus
- Maintenance Sign
- Mansard Wall Sign
- Marquee Sign
- Monument Sign
- Moving Parks Sign
- Multi-Business Complex Sign
- Nonconforming Sign
- On-Site Directory Sign
- Outdoor Advertising Sign
- Painted Highlights Sign
- Painted Wall Decoration Sign
- Painted Wall Sign
- Pennant Sign
- Permanent Sign
- Portable Sign
- Projecting Sign
- Readerboard Sign
- Repair Sign
- Roof Sign
- Roof Line Sign
- Rotating Sign
- Special Event Banner Sign
- Structural Alteration Sign
- Structure Sign
- Temporary Lawn Sign
- Temporary Rigid Sign
- Temporary Sign
- Under Marquee Sign
- Unsafe Sign
- Wind Sign
- Window Sign, Inside
- Window Sign, Outside

Single Family Dwelling – *See Dwelling Unit*
Single Family Attached Dwelling – *See Dwelling Unit*
Single Family Detached Dwelling – *See Dwelling Unit*
Single-Loaded Street
Site
Site Plan
Site Tree – *See Tree*
Skilled Nursing Facility – *See Elderly Housing*
Slope, Cross
Slope, Running
Solar Electric System – *See Renewable Energy Related Definitions,* ***Section 3.0140***
Solar Reflective Index (SRI) – *See Renewable Energy Related Definitions,* ***Section 3.0140***
Solar Water Heating System - *See Renewable Energy Related Definitions,* ***Section 3.0140***
Spandrel Glass
Special Event Banner Sign – *See Signs*
Springwater Design District – *See Design District*
Stand - *See Tree Related Definitions,* ***Section 3.0150***
Start of Construction
Steep Slopes – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Storefront Window
Stormwater Filtration
Stormwater Management Manual
Stormwater Planter
Stormwater Report
Stormwater Runoff
Stormwater Treatment
Stormwater Treatment Facility
Story
Story, First
Stream – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Street, Road or Highway
Street Tree – *See Tree*
Structural Alteration Sign – *See Signs*
Structural Sign – *See Signs*
Structural Soil
Structure
Structure, Accessory
Stucco
Subdivide Land
Subdivision Lot – *See Lot*
Substantial Damage
Substantial Improvement
Sun Screen/Sun Shade
Temporary Health Hardship Dwelling – *See Dwelling Unit*

Temporary Lawn Sign – *See Signs*
Temporary Rigid Sign – *See Signs*
Temporary Sign – *See Signs*
Tenant
Tentative Plan
Theme Park
Top – *See Façade*
Top of Bank – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Townhouse
Tract
Transit Facility
Transit Streets and Routes
Transit Supportive Use
Transitional Housing
Transitional Setback Space
Transitway
Transom Window
Transportation Facility
Tree
- Buffer Tree
- Canopy Tree – *See Shade Tree*
- Dead Tree
- Deciduous Tree
- Evergreen Tree
- Habitat Tree
- Hazardous Tree
- Hogan Cedar Tree
- Imminent Hazard Tree
- Landscape Tree
- Major Tree
- Native Tree
- Non-Native Tree
- Ornamental Tree
- Parking Lot Tree
- Perimeter Tree
- Regulated Tree
- Required Tree
- Shade Tree
- Significant Tree, Significant Grove
- Site Tree
- Street Tree
- Tree Caliper
- Tree Head Height

Tree Caliper – *See Tree*
Tree Head Height – *See Tree*
Tree Protection Plan – *See Tree Related Definitions,* ***Section 3.0150***
Tree Removal– *See Tree Related Definitions,* ***Section 3.0150***
Tree Survey– *See Tree Related Definitions,* ***Section 3.0150***
Tree Topping– *See Tree Related Definitions,* ***Section 3.0150***
Tree Well - – *See Tree Related Definitions,* ***Section 3.0150***
Truck – *See Motor Vehicle*
Underground Injection Control System
Under Marquee Sign – *See Signs*
Undevelopable Area
Unsafe Sign – *See Signs*
Urban Development Value – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Urban Services
Use, Accessory
Use, Change of
Utility Facilities – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Variance
Vehicle, Recreation
Vehicle Repair
Vehicle Sales and/or Rental Lot
Vehicular Way
Visible
Visible Transmittance
Walk, or Walkway
Wall
Water Dependent – *See Habitat Conservation Area Definitions,* ***Section 3.0120***
Water Feature – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Water Quality Resource Area – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Waters of the State – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Watershed– *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Wet Weather Season
Wetland
Wind Sign – *See Signs*
Window Mullion
Window Sign, Inside – *See Signs*
Window Sign, Outside – *See Signs*
Wireless Communication Facility Tower or WCF Tower
Wood Vegetation – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Wood Vegetation Area – *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130***
Xeriscaping
Yard
- Front Yard
- Rear Yard
- Side Yard

Zero Lot Line- *See Lot Line*

Habitat Conservation Area Terms

- Building Footprint
- Building Site
- Developed Areas not Providing Vegetative Cover
- Developed Flood Area
- Disturb
- Disturbance Area
- Effective Impervious Area
- Habitat Conservation Area or HCA
- Low Structure Vegetation or Open Soils
- Open Space
- Practicable
- Riparian
  - Class I Riparian Area
  - Class II Riparian Area
- Routine Repair and Maintenance
- Setback Adjustment
- Significant Negative Impact
- Steep Slopes
- Urban Development Value
- Utility Facilities
- Water-dependent

HCA, ESRA, Floodplain and Article 5 Terms

- Appeals
- Aquatic Habitat

- Areal Cover
- Basement
- Below-Grade Crawl Spaces
- Critical Facility
- Development
- Ecological Features (or Features)
- Ecological Functions (or Functions)
- Emergency
- Engineer
- Enhancement
- Fill
- Flood Areas
- Flood Management Areas
- Floodplain
- Forest Canopy
- Habitat-friendly Development
- Intermittent Streams
- Invasive Non-native or Noxious Vegetation
- Mitigation
- Native Vegetation or Native Plant
- Non-Woody Vegetation (Herbaceous Plants)
- Perennial Streams
- Recreational Vehicle
- Restoration
- Sensitive Species
- Stream
- Structure
- Subsidized Rates
- Substantial Improvement
- Top of Bank
- Water Dependent
- Water Feature (Body)
- Waters of this State
- Water Quality Resource Area
- Watershed
- Woody Vegetation Area
- Woody Vegetation

Renewable Energy Related Terms

- Battery Charging Station
- Battery Charging Unit
- Battery Exchange Station
- Biogas
- Blade
- Electric Vehicle
- Electric Vehicle Charging Station
- Electric Vehicle Charging Unit
- Photovoltaic Panel
- Renewable Energy Systems
- Solar Electric System
- Solar Reflective Index (SRI)
- Solar Water Heating System

Tree Related Terms

- Clear Cutting
- Critical Root Zone
- Crown Cover
- Diameter Breast Height
- Dripline
- Pruning
- Severe Crown Reduction
- Stand
- Tree Protection Plan
- Tree Protection Zone
- Tree Removal
- Tree Survey
- Tree Topping
- Tree Well
- Urban Forest

Temporary, Intermittent and Interim Uses Terms

- Agricultural Products Sales
- Christmas Tree Sales
- Commercial Stand
- Farmers' Markets
- Film Production Studios and Trailers
- Fireworks Sales
- Intermittent Lodging
- Mobile Unit
- Real Estate Sales Office
- Special Event
- Temporary Commercial, Institutional or Industrial Building
- Temporary Dwelling
- Warming/cooling Shelter

3.0103 General Terms and Definitions

A-Board Sign. *See Signs.*

Abandoned Sign. *See Signs.*

Abut. Contiguous to; adjoining with a common boundary line or right-of-way.

Access. The place, means or way by which pedestrians, vehicles or both shall have safe, adequate and usable ingress and egress to a property or use. A private access is an access not in public ownership or control by means of deed, dedication or easement.

Access Aisle. Is an accessible pedestrian space between elements, such as parking spaces, seating and desks, that provides clearances appropriate for use of the elements.

Accessory Dwelling. *See Dwelling Unit.*

Accessory Structure. *See Structure, Accessory.*

Accessory Use. *See Use, Accessory.*

Accessway. A pathway designed for pedestrian and bicycle movement to provide direct and continuous access between transportation facilities and points of interest.

Acreage, Net. The area proposed for development measured to the property lines of the parcel(s) or development site boundary or lot after all deductions are made. Deductions include the area of streets, existing and proposed common easements for access, and new street dedications.

Adjacent. Near or close. For example, an Industrial District across the street from a Residential District shall be considered as "adjacent."

Adjustments. Modifications and reductions or additions to code standards which do not include variances.

Affordable Housing. *See Housing, Affordable.*

Agriculture. A commercial enterprise that consists of farming, including plowing, cropping, seeding, cultivating or harvesting for the production of food or fiber products; the grazing and raising of livestock; aquaculture, sod production, orchards, nurseries, and the cultivation of products. Home Occupations are not included in this definition.

Alteration. An "alteration" may be a change in construction or a change of occupancy. Where the term "alteration" is applied to a change of construction, it is intended to apply to any change, addition, or modification in construction. When the term is used in connection with a change of occupancy, it is intended to apply to changes of occupancy from one trade or use to another or from one division of trade or use to another.

Alteration, Structural. Any change or repair to the supporting members of a building or structure, such as alteration of bearing walls, foundation, columns, beams or girders. In addition, any change in the external dimensions of the building shall be considered a structural alteration.

Amateur ("Ham") Radio. Radio facilities operated for non-commercial purposes by licensed individuals interested in the construction and operation of radio equipment, usually as a hobby or avocation.

Amenity Zone. The area beginning at the back of the curb or outside edge of the street shoulder and extending to the property line, lying within the public right-of-way or on publicly owned property or in an easement. This area typically can include a planter strip with landscape plantings, street trees, and/or site furnishings like benches and lighting.

Ancillary Dwelling. *See Dwelling Unit.*

Animated Sign. *See Signs.*

Antenna. A structure designed for transmitting signals to a receiver or receiving station or for receiving television, radio, data, communication, or other signals from other antennas, satellites, or other transmission facilities.

Antenna Support Structure. A tower, pole, mast, buildings supporting existing Wireless Communication Facilities, or other structure that is intended to support an antenna.

Apartment. Any building or portion thereof located on a single lot which is designed or built, rented or leased, and occupied as residence of three or more families, living and cooking independently of each other.

Applicant. A person submitting an application for development, a permit, or other required approval under the Code. "Applicant" includes the owner of the property subject to the application and any person designated by the owner to represent the owner, including a developer.

Application, Qualifying. An application for multi-family housing that shall be decided upon pursuant to **Section 11.0402**, **Section 11.0502**, **Section 11.0904** and **Section 11.1013** that is characterized by:

1. Five or more new residences in a building, and
2. At least 50% of the multi-family units being affordable to households with incomes at or below 60% of median family income in Multnomah County or the State of Oregon (whichever is greater), and
3. A covenant appurtenant that restricts the owner and each successive owner of the development or residential unit within the development from selling or renting any unit described in 2. above as housing that is not affordable housing for a period of 60 years from the date of the certificate of occupancy.

Approved Tree List. Trees approved by the City for the available planting space for required Street Trees, Parking Lot Trees and Buffer Trees.

Aquatic Habitat. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Arboriculture. The care and maintenance of trees.

Arborist. A person possessing the education and technical competence through experience and related training to provide for or supervise the management of trees in a landscape setting.

- **Certified Arborist.** An individual who is certified as an arborist by the International Society of Arboriculture (ISA) with a current and active ISA certification number. A Certified Arborist will agree in writing to perform all work in accordance with ANSI A300 standards such as pruning, treating or removing trees.
- **Consulting Arborist.** A professional in arboriculture who is a member of the American Society of Consulting Arborists (ASCA) or International Society of Arboriculture (ISA) and is qualified to bring a comprehensive, objective viewpoint to the diagnosis, appraisal, and evaluation of arboricultural issues.

Arcade. A covered pedestrian passageway or walkway, especially one lined with shops or store fronts; an arcade may be completely enclosed, partially enclosed, or an open air walkway. The arcade must be accessible for public circulation purposes.

Archaeological Object. An object that is at least 75 years old; comprises the physical record of an indigenous and subsequent culture; and is material remains of past human life or activity that are of archaeological significance including, but not limited to, monuments, symbols, tools, facilities, technological by-products, and dietary by-products.

Archaeological Site. A geographic locality, including but not limited to submerged and submersible lands, that contains archaeological objects and the contextual associations of the archaeological objects with each other, or biotic or geological remains or deposits.

Archaeologist. A person having the following qualifications:

1. A post-graduate degree in archaeology, anthropology, history, classics or other germane discipline with a specialization in archaeology or a documented equivalency of such a degree;
2. Twelve weeks of supervised experience in basic archaeological field research, including both survey and excavation and four weeks of laboratory analysis or curating; and
3. Has designed and executed an archaeological study, as evidenced by a Master of Arts or Master of Science thesis, or report equivalent in scope and quality, dealing with archaeological field research.

Area of Shallow Flooding. A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard. Is the land in the flood plain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the flood insurance rate map, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, or V1-30, VE or V. For purposes of these regulations, the term "special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

Areal Cover. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Assisted Living Housing. *See Elderly Housing.*

Attached Dwelling. *See Dwelling Unit.*

Awning. A shelter that provides weather protection, usually constructed of non-rigid canvas or canvas-like materials on a supporting framework that projects from the exterior wall of a building.

Awning Sign. *See Signs.*

Balcony. An exterior floor projecting from and supported by a structure without additional independent supports and is surrounded by a railing or balustrade.

Balloon Sign. *See Signs.*

Balustrade. A railing with its supporting balusters or decorative railing posts at the side of a staircase or balcony.

Banner Sign. *See Signs.*

Base. *See Façade.*

Basement. A space wholly or partly underground and having more than one-half (1/2) of its height, measured from its floor to its ceiling, below the average adjoining finished grade. See also HCA, ESRA, Floodplain Article 5 definitions in **Section 3.0130** for specific applications of this term in those areas.

Battery Charging Station. *See Renewable Energy Related Definitions,* ***Section 3.0140****.*

Battery Charging Unit. *See Renewable Energy Related Definitions,* ***Section 3.0140****.*

Battery Exchange Station. *See Renewable Energy Related Definitions,* ***Section 3.0140****.*

Bay (of building façade). Any division of a building between vertical lines or planes, especially the entire space between two adjacent supports.

Bed and Breakfast Inn. A structure occupied as a single family residence in which sleeping rooms and a breakfast meal for overnight guests are provided on a daily or weekly basis for a fee.

Belt Course. A continuous row or layer of stone, brick, tile, shingles, etc. in a wall that may or may not protrude from the wall. Typically it forms a horizontal band around the building.

Bench Sign. *See Signs.*

Berm. An earthen mound with landscaping designed to provide visual interest, screen undesirable views, provide drainage, and/or decrease noise.

Biogas. *See Renewable Energy Related Definitions,* ***Section 3.0140****.*

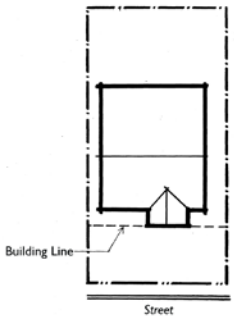
Blade. *See Renewable Energy Related Definitions,* ***Section 3.0140****.*

Block. A parcel of land bounded by streets, railroad rights-of-way, parks, unsubdivided acreage, or a combination thereof.

Boarding House. A structure that provides living units that have separate sleeping areas and some combination of shared bath or toilet facilities. The structure may or may not have separate or shared cooking facilities for the residents. Boarding houses includes structures commonly called residential hotels, rooming houses and single room occupancy housing.

Buffer Area. An area adjacent to the property line intended to provide separation between uses that reduces the impacts on adjacent uses. The horizontal distance may include screening and landscaping such as trees, shrubs, ground cover, fences, walls and berms.
Buffer Tree. *See Tree.*
Building. Any structure with a roof built for the support, shelter or enclosure of persons, animals, chattels, or property of any kind. See also "Structure."
Building Area or Building Envelope. The area of a lot, exclusive of setbacks, easements and other restrictions, where buildings may be constructed.
Building Code. The City of Gresham Building Code as adopted in the Gresham Revised Code, Article 10.0500.
Building Code Accessible. Describes a site, building, facility or portion thereof, that complies with the guidelines for accessibility in Chapter XI of the Building Code.
Building, Contiguous. A contiguous building for purposes of the Commercial Design Standards is a single building or combination of buildings planned as a single development, regardless of structural independence, development phase or final lot lines which have a continuous and/or common wall plane. Referred to herein as Building within **Section 7.0600**.
Building Coverage. That percentage of the total lot area covered by buildings, including covered parking areas.
Building Footprint. The total area of the building ground floor measured from the exterior faces of the building. See also **Section 3.0120** for Building Footprint as it applies to the Habitat Conservation Area.
Building Height. The vertical distance from the average elevation of the finished grade to the highest point of the structure (see also "Grade").

Building Line. A line parallel to the front lot line and passing through the most forward point or plane of a building.



Building Site. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Bulkhead. The solid portion of wall below the glass of a storefront window whose purpose is to protect against abrasion or impact loads. The bulkhead is also commonly referred to as a knee-wall.

Butterfly Roof. *See Roof.*

Canopy. An architectural projection that provides weather protection, identity or decoration and is supported by the building to which it is attached. A canopy is comprised of a rigid structure over which a rigid covering is attached. See also "Sun Screen/Sun Shade."

Carpool/Vanpool Parking. A parking space for a vehicle with two or more riders.

Carport. A roofed structure open on at least two sides, designed for or occupied by private passenger vehicles. Carports shall not include structured parking. See also "Garage."

Ceiling Height. The clear vertical distance from the finished floor to the finished ceiling.

Centralized Stormwater Management Facilities. Stormwater management facilities designed to detain stormwater from large areas. Centralized Facilities provide stormwater detention for large storm events that exceed the capacity of On-Site Green Development Practices. They work in conjunction with Green Development Practices and Green Streets to manage stormwater in a comprehensive way to best mimic pre-development hydrology. Design standards and requirements for regional management facilities are included in the City of Gresham's Stormwater Management Manual.

Certified Arborist. *See Arborist.*

Certified Child Care Facility. In-home childcare for not more than 16 children and certified by the Child Care Division of the State of Oregon.

Change of Use. *See Use, Change of.*

Children's Play Equipment. A manufactured play structure on public or private land that is of commercial quality.

Circulation Path. An exterior or interior way of passage from one place to another for pedestrians, including, but not limited to, walks, hallways, courtyards, stairways and stair landings.

Citizen Band (CB) Radio. Two-way radio facilities operated for short-range personal and business communication at low power levels (15 W PEP TPO maximum) in the 27 megahertz (11 meter) band, without necessity of federal license, pursuant to 47 CFR Part 95.

City. The City of Gresham.

Civic Neighborhood Design District. *See Design District.*

Clear Cutting. *See Tree Related Definitions,* ***Section 3.0150.***

Clear Vision Area. A triangular area at the intersections of streets with another street or with railroads or driveways. The purpose of the area is to provide drivers and bicyclists with an unobstructed cross-view for purposes of traffic safety.

Clearing. The act of removing vegetation or an existing impervious surface, such as but not limited to asphalt, concrete or buildings, so that bare earth or other surface that could potentially erode is exposed to the elements.

Co-locate. The mounting or installation of antennas and/or associated equipment on an existing antenna support structure.

Commercial Development. Offices and clinics; retail trade establishments engaged in selling goods or merchandise to the general public for personal or household consumption; retail services establishments providing services or entertainment to the general public such as eating and drinking places, hotels, banks, theater; business establishments engaged in rendering services to other businesses on a fee or contract basis, such as advertising, data processing, employment services, and consulting services.

Common Wall. A continuous unbroken interior wall of at least 10 feet in length separating functional spaces of multiple attached dwellings. It must be a fire rated wall extending from foundation to or through the connected roof as required by applicable building codes. Other non-common wall sections for each unit need to be offset enough to meet normal yard setbacks.

Community Garden. A garden in which any kind of plant is grown for personal use or donation, and several individuals or households garden assigned plots. The land may be publicly owned or may be privately owned, such as by a religious institution or a medical center.

Composting Facility. A facility where organic matter that is derived primarily from off-site is to be processed by composting and/or is processed for commercial purposes. Activities of a composting facility may include management, collection, transportation, staging, composting, curing, storage, marketing, or use of compost.

Comprehensive Plan. *See Gresham Community Development Plan.*

Condominium. Any building containing one or more units which is: a) subject to a declaration filed pursuant to ORS 100.005 to 100.990 and; b) in which there is a private ownership of individual units and common ownership of common areas.

Condominium Conversion. The filing of a declaration pursuant to ORS 100.005 to 100.990, or the sale by a declarant or condominium units that were previously rental units. This is also known as conversion to unit ownership.

Condominium Unit. Any individually owned unit in a condominium.

Congregate Housing. *See Elderly Housing.*

Construction Contractor. A general contractor or builder engaged in the construction of buildings or components of buildings, as well as heavy construction contractors engaged in activities such as paving, highway construction and utility construction. This use may include inside or outside storage of materials and equipment.

Consulting Arborist. *See Arborist.*

Continuing Care Retirement Community. *See Elderly Housing.*

Corner Lot. *See Lot.*

Cornice. The uppermost section of projecting ornamental moldings along the top of a building just below a roof or the top of a wall.

Corridor Design District. *See Design District.*

Court. An open, unoccupied space extending not more than 24 inches below finish grade and bounded on two or more sides by the walls of the building. An inner court is a court entirely within the exterior walls of a building. All other courts are outer courts.

Courtyard. An open and uncovered space that is typically landscaped and includes walkways and lawn or garden ornamentations, is pedestrian friendly, is either enclosed or bordered on at least three sides by a building or buildings, and is at grade with said building(s). Courtyards are generally larger and more multifunctional than courts (see also "Court").

Courtyard Development. A development consisting of a single building or multiple buildings that border an open area, court, or courtyard, on three or more sides. The courtyard area may or may not be open to the street and is generally landscaped and includes walkways, but does not include parking areas or vehicle access ways. Courtyard developments may contain attached housing (multi-family or condos), single family attached housing, elderly housing, commercial, institutional or mixed uses.

Critical Root Zone. *See Tree Related Definitions,* ***Section 3.0150.***

Crosswalk. A portion of the public right-of-way used primarily for pedestrian travel through or across any portion of a transportation facility.

Crown Cover. *See Tree Related Definitions,* ***Section 3.0150.***

Curb Cut. The entire variation from curb grade, including driveway approach and the area of transition from the sidewalk and curb grades to the driveway approach ramp grades.

Curb Ramp. An area, typically part of a pedestrian accessible route, designed to transition non-vehicular traffic from one elevation to another, such as sidewalk transitions to street crossings. Curb Ramps are limited to maximum running slopes of 1:12 and cross slopes of 1:50.

Customer. An individual who purchases, or is looking to purchase, goods and/or services for themselves, family members, or others. For home occupations, customer visits shall be measured in terms of trips per day.

Dead-End Street. A street or series of streets which can be accessed from a single street. Dead-end streets can be either temporary (intended for future extension as part of a future street plan) or permanent.

Deciduous. A plant with foliage that is shed annually.

Deck. An exterior floor system supported on at least two opposing sides by an adjoining structure and/or posts, piers, or other independent supports.

Dedication. The designation or transfer of land by its owner for any general or public use.

Density. The density for any lot is computed by dividing the number of dwelling units by the parcel acreage or, if specified, net acreage.

Accessory dwelling units: Accessory dwelling units do not count toward density requirements in LDR-5, LDR-7, TR, TLDR, LDR-PV, VLDR-SW and LDR-SW. Accessory dwelling units count toward minimum density but not maximum density requirements in all other districts.

Density, Net. The net density for any lot is computed by dividing the number of dwelling units by the quotient of the net square footage of the parcel divided by 43,560. The equation for units per acre is:

Net Density = Units ÷ (Net square footage ÷ 43,560)

To calculate net square footage, the following are subtracted for areas in LDR-5, LDR-7, TLDR and TR:

When calculating minimum density: Habitat Conservation Area; slopes 25 percent and greater; square footage dedicated to public streets, private streets, the flag pole portion of a flag lot and the portion of non-standard lots encumbered by an access easement. Non-standard lots are defined in **Section 4.0138(B)**.

When calculating maximum density: Square footage dedicated to public streets, private streets, the flag pole portion of a flag lot and the portion of non-standard lots encumbered by an access easement. Non-standard lots are defined in **Section 4.0138(B)**.

To calculate net square footage, the following are subtracted for areas not in LDR-5, LDR-7, TLDR and TR:

When calculating minimum density: Habitat Conservation Area; slopes 25 percent and greater; and square footage dedicated to public streets.

When calculating maximum density: Square footage dedicated to public streets.

The land area dedicated without compensation for the widening or the extension of a public street may, at the applicant's discretion, be included in calculating the minimum and maximum number of attached dwelling units on a single lot permitted on land not in LDR-5, LDR-7, TR or TLDR.

Accessory dwelling units: Accessory dwelling units do not count toward density requirements in LDR-5, LDR-7, TR, TLDR, LDR-PV, VLDR-SW and LDR-SW. Accessory dwelling units count toward minimum density but not maximum density requirements in all other districts.

Density Rounding. A method to determine the whole number of units permitted in a development. Rounding for total units allowed is done in the following manner:

Minimum density: To determine the number of units permitted, the results of a calculation for the minimum number of units allowed shall be rounded down to the nearest whole number. For example, if a calculation results in 4.8 units, the minimum number of units required would be 4.

Maximum density: To determine the number of units permitted, the results of a calculation for the maximum number of units allowed shall be rounded down for a decimal that is less than 0.50 and rounded up for a decimal 0.50 or greater. For example, if a calculation resulted in 4.45 units, the maximum number of units allowed would be 4. If a calculation resulted in 4.55 units, the maximum number of units allowed would be 5.

Design District. Provides guidelines and standards for development activity in clearly defined special design areas. It can be used to ensure the conservation, continuity, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district and to promote quality development in centers, near transit facilities, and similar areas. Six initial design districts are generally described as:

- **Civic Neighborhood Design District** is all of the Civic Neighborhood Plan District (CNPD) lands as described in **Section 4.1200**. This area generally encompasses properties between Wallula on the west, Burnside to the north, Eastman on the east, and Division to the south, including both sides of Division at the intersection of Division and Eastman.
- **Corridor Design District** is generally those corridor districts -- Corridor Multi-Family (CMF); Corridor Mixed Use (CMU); Moderate Commercial (MC) and Community Commercial (CC); and those residential districts – Moderate Density Residential-12 (MDR-12), Moderate Density Residential-24 (MDR-24) and Office/Residential District (OFR) that are not included in another Design District.
- **Downtown Design District** is all of the Downtown Plan District (DPD) lands as described in **Section 4.1100**. This area generally encompasses properties between Eastman on the west, Hogan on the east, both sides of Burnside to the north and both sides of Powell to the south.
- **Pleasant Valley Design District** is generally the Pleasant Valley Town Center (TC-PV) and the Medium Density Residential-Pleasant Valley (MDR-PV) and High Density Residential-Pleasant Valley (HDR-PV).
- **Rockwood Design District** is generally the Rockwood Town Center (RTC) lands and the Station Center (SC) lands along the MAX line from the west City limits to Birdsdale including the Station Center-Ruby Junction (SC-RJ) lands.
- **Springwater Design District** is generally the Springwater Village Center (VC-SW) and the abutting Townhouse Residential (THR-SW) land to the east of the VC-SW.

Design Guidelines. A set of design parameters for development in design districts that are based on the established design principles. The design guidelines are discretionary in nature and are used to evaluate the acceptability of a project's design. Design guidelines provide the opportunity for creative design flexibility.

Design Principles. General statements that will guide the design of the built environment in design districts. They are the connection between general planning goals and policies and implementing design guidelines and standards.

Design Standards. A set of objective requirements for development in design districts that are based on design principles. Design standards provide a clear and objective way of evaluating the acceptability of a project's design.

Design Storm. A rainfall event of a specified duration (e.g., 6-, 12-, 24-hour) and return frequency (e.g. 2-, 10-year) that is used to calculate the runoff volume and/or discharge rate to be used for design of stormwater systems.

Design Streets. Design Streets are designated on Figure 7.0210 and are subject to special criteria and standards intended to help foster a pedestrian-friendly environment and effective transit access. They may be designated along transit streets or other streets with significant pedestrian activity.

Detention. The temporary storage of stormwater runoff to control peak discharge rates and/or provide gravity settling of sediment and other pollutants prior to discharge to the storm sewer or natural drainage channel (e.g., stream).

Developed Areas not Providing Vegetative Cover. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Developed Flood Area. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Development. Any man-made change to improved or unimproved real estate, including but not limited to construction, installation or alteration of buildings or other structures; condominium conversion; land division; establishment or termination of a right of access; storage on real property; tree removal; drilling; and site alteration such as that due to land surface mining, dredging, grading, paving, excavation, or clearing. See also HCA, ESRA, Floodplain Article 5 definitions in **Section 3.0130** for specific applications of this term in those areas.

Development Permit. A permit issued by the Manager for a development which is in compliance with the requirements of the Community Development Code and the Comprehensive Plan.

Development Site. The total area of a parcel(s) or lot(s) where development is proposed on a property or group of properties that may or may not be under the same ownership.

Diameter Breast Height. *See Tree Related Definitions,* ***Section 3.0150.***

Digital Flood Insurance Rate Map (DFIRM). The official digital map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Direct Illumination Sign. *See Signs.*

Directional Sign. *See Signs.*

Directional Signs, Institutional Campus. *See Signs.*

District. A portion of the territory of the City within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this ordinance.

Disturb. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Disturbance Area. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Double Frontage Lot. *See Lot.*

Downtown Design District. *See Design District.*

Dripline. *See Tree Related Definitions,* ***Section 3.0150.***

Drive-Through Use. A drive-through use is a business activity involving buying or selling of goods or the provision of services where one of the parties conducts the activity from within a motor vehicle. Facilities usually associated with a drive through use are queuing lanes, service windows, and service islands for vehicular use.

Driveway (Drive). A private roadway providing access for vehicles to a parking space, garage, dwelling, or other structure.

Driveway Approach. The portion of the driveway which connects to a street and generally is within the public right-of-way. See also the Public Works Standards.

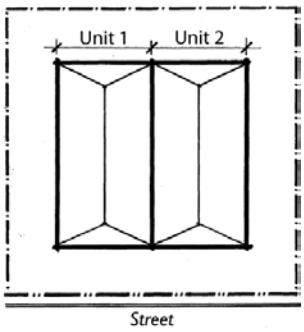
Driveway, Shared. A single driveway serving two or more lots.

Dwelling Unit. One or more rooms designed for residential occupancy by one family and having only one cooking facility. A single-family house and an apartment unit are each considered to be a dwelling unit as per this definition.

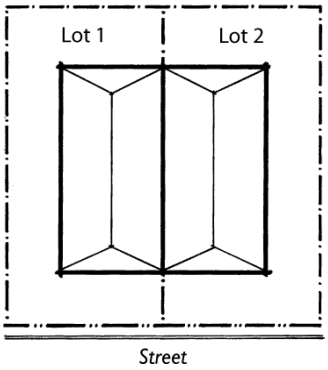
- **Accessory Dwelling.** An interior, attached, or detached residential structure that is used in

connection with, or that is accessory to, a single-family home. The accessory unit functions as a complete, independent living facility with provisions within the unit for a separate kitchen, bathroom and sleeping area.

- **Attached Dwelling.** A dwelling unit in a multi-family structure that shares a common wall, floor or ceiling with another dwelling unit within a residential building on a single lot, or, as permitted by the district, within a mixed-use building on a single lot.
- **Duplex.** A building on a single lot containing two dwelling units that share a common wall, floor or ceiling.

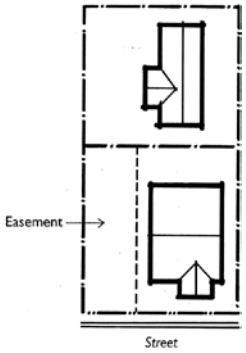


- **Single Family Dwelling.** A detached building designed for occupancy by one family.
- **Single Family Attached Dwelling.** A single family dwelling unit, located on its own lot, that shares one or more common walls with one or more single family attached dwelling units. It does not share common floors or ceilings with other single family attached dwelling units and multiple single family attached units are typically constructed in a linear design. Townhouses that locate each dwelling unit on its own lot are also single family attached dwellings.



- **Single Family Detached Dwelling.** A detached building designed for occupancy by one family. A detached single-family dwelling on a single lot is often referred to as a single-family house, home, or residence.
- **Temporary Health Hardship Dwelling.** A manufactured home temporarily placed with an existing single-family dwelling and intended to provide convenient, temporary housing for persons with a demonstrated health hardship.

Easement. The recorded right that allows others to use a defined area of property for specific purpose(s), such as access or utilities.



Easement, General Utility. A specific described area of land that is dedicated and recorded for public utility uses including water, sewer, stormwater, electricity, natural gas, communications and for maintenance access to such uses.

Easement, Public Access. A recorded right that allows the public to use a defined area of property for access.

Eco-Roof. Also known as Green Roof. A roof that has been constructed with an impermeable barrier, overlain with a layer of planting media (such as soil or other) and vegetation, with the purpose of slowing and filtering stormwater, insulating the building, and reducing the urban heat-island effect.

Ecological Features. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Ecological Functions. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Effective Impervious Area. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Elderly Housing. Housing for individuals 55 years old or older, or for married couples where at least one of the spouses is 55 years old or older or for disabled persons. Elderly housing shall qualify as housing exempt from the prohibition against discrimination based on familial status as set forth in the Fair Housing Act and the rules and regulations of the United States Department of Housing and Urban Development, as set forth in 24 C.F.R. Chapter 1, Part 100, Sections 302-304.

The term "elderly housing" does not include a single-family detached dwelling, a single-family residential subdivision, residential facility or residential home. Elderly housing may consist of any one or any combination of the following:

- **Assisted Living Housing.** Assisted living housing contains separate living units and is designed to support resident independence in a residential setting and to promote the concept of "aging in place." Assisted living housing offers a range of services, available on a 24-hour basis, for support of resident choice, dignity, privacy, individuality, independence and home-like surroundings.
- **Congregate Housing.** Congregate housing is a specially planned, designed, and managed multi-unit rental housing with self-contained apartments. It is designed to provide supportive environments, but also to accommodate a relatively independent lifestyle. Typically, a limited number of support services, such as meals, laundry, housekeeping, transportation, and social and recreational activities, are provided.
- **Continuing Care Retirement Community (CCRC).** A housing development that is planned, designed, and operated to provide a full range of accommodations and services, including independent living, congregate housing, and medical care. Residents may move from one level to another as their needs change. Such facilities may offer a guarantee of lifetime care, including health care, secured by contracts that require payment of an entrance fee, as well as regular monthly

maintenance fees. Other CCRCs include a limited amount of health care as part of the standard fee or they may charge on a pay for service basis. CCRCs may offer rentals as well as ownership options.

- **Immediate Care Facility.** An Immediate Care Facility is designed for persons who do not require round-the-clock nursing, but who do need "preventive care" with less than continuous licensed nursing care or observation. It provides 24-hour service with physicians and nurses in supervisory roles. Such facilities emphasize personal and social care.
- **Retirement Housing.** Retirement housing is designed for independent living and each unit has a full kitchen and bath. Retirement housing generally is located in multi-unit structures, similar to multi-family structures, although seniors only manufactured dwelling parks would also qualify for this category. A few services such as group trips or recreation or other services may be offered.
- **Skilled Nursing Facility (Nursing Home).** A skilled nursing facility provides a full range of 24-hour direct medical care, nursing, and other health services. Nurses provide services prescribed by a resident's physician. It is for persons who need health supervision but not hospitalization. The emphasis is on nursing care, but restorative physical, occupational, speech, and respiratory services are also provided. Common eating and cooking facilities are provided.

Electric Vehicle. *See Renewable Energy Related Definitions,* ***Section 3.0140****.*
Electric Vehicle Charging Station. *See Renewable Energy Related Definitions,* ***Section 3.0140****.*
Electric Vehicle Charging Unit. *See Renewable Energy Related Definitions,* ***Section 3.0140****.*
Electrical Generating Facility. A stand-alone facility with the primary purpose of generating electric energy on a large scale for sale. Also known as a power station or generating plant.
Electronic Message Center Sign. *See Signs.*
Elevated Building. For insurance purposes, a nonbasement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.
Emergency. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***
Employees. All persons, including proprietors, working on the premises of a business.
Emissivity or Emittance. Infrared emissivity (or emittance) is a measure of the ability of a surface to shed some of its heat (in the form of infrared radiation) away from the surface (i.e., roofing membrane). High infrared emissivity helps keep surfaces cool. Metallic surfaces have a low infrared emissivity.
Engineer. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***
Enhancement. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***
Entry. Any access point to a building or portion of a building or facility used for the purpose of entering. An entry includes the approach walk; the vertical access leading to the entry platform; the entry platform itself; vestibules, if provided; the entry door(s) or gate(s); and the hardware of the entry door(s) or gate(s). A primary entry is a type of entry.
Entry, Primary. A principal entry for people into a building which faces a public street.
Erosion. The movement of soil particles resulting from actions of water or wind.
Erosion and Sediment Control. Practices and methods employed to reduce or prevent soil erosion and sedimentation (accumulation or buildup of sediments) resulting from soil disturbing activities or weather events. See the Erosion Prevention and Sediment Control Manual for local requirements.
Erosion Prevention and Sediment Control Manual (EPSC Manual). A manual adopted by the City to specify requirements and acceptable methods for erosion prevention and sediment control in the City.
Erosion Prevention and Sediment Control Plan. A plan for providing erosion prevention and sediment control as described in the EPSC Manual.

Evergreen. Varieties of plants (including groundcover, shrubs and trees) with foliage that persists and remains green year-around.

Exit. A way of departure from the interior of a structure to the open air outside at the ground level. It should be a continuous and unobstructed means of egress to a public way and shall include intervening doorways, corridors, ramps, stairways, smoke proof enclosures, horizontal exits, exit courts, and yards.

Facade. All exterior walls or faces of a building. This may include the front, sides and/or rear of the building.

- Base. The lower portion of the building façade adjacent to the ground. This may include windows, texture, projections, awnings, canopies, ornamental detailing, etc. to enhance the pedestrian realm at the street level.
- Top. The upper portion of a building façade. This may include cornice detailing, roofs, dormers, and gable ends, etc.
- Prominent Façade Sections. Select areas of buildings which shall receive special design attention due to their location. These include building corners that front intersections of public streets or façade sections facing an intersection of two arterials that are a higher classification than minor arterial and façade sections that terminate the view down a right-of-way or primary internal drive.

Face of a Building. All window and wall areas of a building in one elevation.

Face Sign. *See Signs.*

Family. An individual or group of people living together in a dwelling unit in which meals or lodging are provided. Residents and staff of residential homes as defined in ORS 197.660(2) shall be considered a family for purposes of this ordinance.

Fascia Sign. *See Signs.*

Fast Food Service. The retail sales in a building of convenience food or specialty menu items, and ordered and served at a counter or window, whether for consumption on or off the premises, when the facility is designed primarily to serve customers arriving by automobile. Such food items include, but are not limited to, dairy products, donuts, fish and chips, fried chicken, hamburgers, hot dogs, ice cream, pizza, sandwiches, soft drinks or tacos.

Fence. An artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas. For purposes of **Section 9.0100**, walls are a type of fence.

Fill. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Findings. A written statement of facts, conclusions and determinations based on the evidence presented in relation to the approval criteria and prepared by the approval authority in support of a decision.

Fin Sign. *See Signs.*

Flag Lot. *See Lot.*

Flag Pole. *See Lot.*

Flap Sign. *See Signs.*

Flashing Illumination Sign. *See Signs.*

Fleet Vehicle. *See Motor Vehicle.*

Flood or Flooding.

A. A general and temporary condition of partial or complete inundation of normally dry land areas from:
   1. The overflow of inland or tidal waters.
   2. The unusual and rapid accumulation or runoff of surface waters from any source.
   3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (A)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

B. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (A)(1) of this definition.

Flood Areas. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Flood, Base. A flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood".

Flood Insurance Rate Map (FIRM). An official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

Flood Insurance Study. An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Flood Management Areas. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Flood Prone. Areas of land not shown on the FIRM but known to have suffered documented watercourse related flooding.

Floodplain. Any land area susceptible to being inundated by flood waters from any source. See also "Flood or Flooding." See Also the HCA, ESRA, Article 5 Definition in **Section 3.0130** for use of this term in those areas.

Floor Area. The gross area, under roof, of all of the habitable floors of a building, measured from the interior of exterior walls, excluding only space devoted to off-street parking or loading and excluding basement area.

Floor Area Ratio. The amount of floor area in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of 2 to 1 means two square feet of floor area for every one square foot of site area.

Food and Beverage Carts. The sale of goods or merchandise from a location outside of a building in a mobile unit where at least 50 percent of the sales is a combination of food and beverages. Examples include coffee carts and carts or trailers designed to serve food. Exceptions include residential lemonade stands and similar short-term sales associated with residential uses.

Fore-Court. An open area in front of a building's main entrance.

Forest Canopy. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Forestry Stewardship Council (FSC) Rating. This is a rating system for wood products whereby certification is granted from the Forestry Stewardship Council's accredited independent certifiers that evaluate forest management for environmental responsibility, social benefit and economic viability.

Free-Standing Sign. *See Signs.*

Frontage. That portion of a parcel of lot which abuts a transportation facility. Frontage may also refer to: other types of frontage, the façade of a building, or a frontage road, depending on the context of the term in the Code.

Front Lot Line. *See Lot Line.*

Front Yard. *See Yard.*

Future Street Plan. An approved plan for continuation of streets into adjacent property.

Galleria. A functional interior open space accessible to the public during business hours. It must connect areas of pedestrian activity.

Garage. An accessory building or portion of a principal building intended for the parking of vehicles. A carport shall also be considered a garage.

Geologist, Registered. Shall mean that person registered with the State of Oregon under the provisions of ORS 672.505 to 672.705.

Grade. The lowest point of elevation of the finished surface of ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.

Green Development Practices. Stormwater management techniques that utilize the processes of retention, infiltration, and evapotranspiration to treat runoff and reduce the volume of stormwater. Design standards and requirements for Green Development Practices are included in the City of Gresham's Stormwater Management Manual.

Green Street. A street that incorporates Green Development Practices within or adjacent to the right-of-way to treat, retain, and infiltrate stormwater runoff. Green Street section and design standards are included in the City of Gresham's Public Works Standards for each street classification. Green Streets typically use rain gardens, stormwater planters, or porous pavement to manage stormwater runoff.

Gresham Community Development Plan, or Community Development Plan. A plan adopted by the City which is intended to guide the future development of this community. It is also known as the Comprehensive Plan. This plan includes five volumes:

1. Volume 1 - Findings Document
2. Volume 2 - Policies
3. Volume 3 - Gresham Community Development Code, also known as the Development Code or Code
4. Volume 4 – Transportation System Plan
5. Volume 5 – Capital Improvement Plan

Gresham Development Plan Map. The Plan Map identifies the land use designations assigned to all property within the City of Gresham. The Plan Map is included as Appendix C of Volume II of the Gresham Community Development Plan.

Gresham Public Works Standards. The Gresham Public Works Standard Details, Construction Specifications, and Design Standards.

Grocery Store. A retail trade establishment in which more than 50% of the public floor area is dedicated to the sale of perishable and non-perishable food items which are intended for preparation and consumption off site.

Ground Floor. Any occupiable floor less than one story above or below grade with direct access to grade. A building or facility always has at least one ground floor and may have more than one ground floor where a split-level entry has been provided or where a building is built into a hillside.

Ground Floor Height. The vertical distance from the upper surface of the ground floor to the upper surface of the floor immediately above. (See also Story).

Groundcover. Turf grass and low plants that cover the ground in place of turf grass. Low plants normally reach an average maximum height of not more than 24 inches at maturity. For required landscaping, groundcover does not include any substitution of bark mulch, bark chips, gravel, or rock in place of living plant materials except as prescribed in the city's Erosion Prevention and Sediment Control Manual.

Grubbing. The removal of any type of rooted vegetation from land by digging, raking, dragging, or otherwise disturbing the roots of such vegetation and soil.

Habitable Floor. Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor." This term "habitable floor" does not apply to the provisions of **Section 5.0100** Floodplain Overlay District.

Habitat Conservation Area or HCA. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Habitat Friendly Development. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***
Hazardous Tree. *See Tree.*
Height Transition Area. A horizontal distance requirement between building and property line.
Helicopter Trip. Each landing or take-off of a helicopter. A landing and a take-off is counted as two trips.
Hipped Roof. *See Roof.*
Historic and Cultural Landmark. A site, building, structure, district or object found to be of historic significance because it meets the criteria in the Community Development Code for being added to the Historic and Cultural Landmarks List. These include being associated with a significant historical person or a significant past event; having distinctive architectural features representative of an architectural period or a method /type of construction; or likely to yield information important in prehistory or history.

- **Class 1 Historic and Cultural Landmarks**. These are the most significant historic resources (site, building, structure, district or object) found on the Historic and Cultural Landmarks List and include all resources that are listed on the National Register of Historic Places. The exteriors of Class 1 Landmark buildings have been relatively unaltered since the time they were built and closely resemble their historic appearance.
- **Class 2 Historic and Cultural Landmarks**. These are historic resources (site, building, structure, district or object) found on the Historic and Cultural Landmarks List that are of lesser significance than Class 1 Historic and Cultural Landmarks but are still of considerable value to the community because of their age or architecture. In general, the exterior appearance of Class 2 Landmark buildings have been altered to a greater degree than Class 1 Landmarks since the time they were built.

Hogan Cedar Tree. *See Tree.*
Home Occupation. A business or commercial activity conducted within a dwelling unit by the permanent residents thereof, said use being secondary to the use of the dwelling for living purposes, and which complies with the terms and conditions of the Gresham Community Development Code.
Hotel. A building or portion thereof, with rooms designed or intended to be used, subletted, or hired out for the purpose of offering lodging on a day-to-day basis to the general public. Motels and apartment hotels shall be classified as hotels.
Housing, Affordable. Housing that is affordable to households with incomes equal to or less than 60 percent of the median family income for Multnomah County or the State of Oregon, whichever is greater.
Housing, Needed. All housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes, and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. "Needed Housing" includes the following housing types:

a) Attached and detached single-family housing and multiple-family housing both owner and renter occupancy;
b) Government assisted housing;
c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490;
d) Housing for farmworkers.

Illuminated Awning Sign. *See Signs.*
Immediate Care Facility. *See Elderly Housing.*
Imminent Hazard Tree. *See Tree.*
Indirect Illumination Sign. *See Signs.*
Infill Lots and Parcels. *See Lot.*

Infiltration (in the context of stormwater), or Stormwater Infiltration. Also referred to as stormwater retention. The permanent storage and disposal of stormwater, through percolation into the ground. This may occur via the soil surface or the subsurface. The stormwater hierarchy in the Water Quality Manual applies, and a DEQ authorization is required for subsurface infiltration that meets the definition of an Underground Injection Control system.

Installation Sign. *See Signs.*

Institutional Campus. An institutional use consisting of one or more contiguous lots or site at least 20 acres in size owned or managed by a single entity and providing public/semi-public and private services such as higher educational facilities and hospital campuses with affiliated health care services.

Institutional Master Plan. A development plan for multiple phases of certain institutional uses; parks; and public, multi-use trails that include one or more sites.

Intent. A statement indicating the purpose of what the Design Guidelines and Standards regulations are designed to achieve.

Interior Lot. *See Lot.*

Internal Signs, Institutional Campus. *See Signs.*

Intermittent Streams. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Internal Illumination Sign. *See Signs.*

Invasive Non-Native or Noxious Vegetation. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Irregular Shaped Lot. *See Lot.*

Joint Development. Joint development is real estate development that is closely linked to public transportation services and light rail station facilities and takes advantage of the market and locational benefits provided by them. Joint development can include the physically related or air rights development of a light rail station, and park and ride lots, or the development of properties directly abutting and functionally linked with light rail stations and park and ride lots.

Kitchen. A room used or designed to be used for the preparation of food.

Laboratories/Research and Development Facilities. Firms which undertake scientific, medical and/or high tech research, development and product or equipment design activities in a setting which combines offices and laboratories and may include small-scale manufacturing.

Land Division. The process of dividing land to create lots or parcels.

Landing. Is a level area, within or at the terminus of a stair or ramp.

Landscaping. Site improvements which include lawn, groundcover, trees, plants and other natural and decorative features, including but not limited to, patios or plazas open to the public or open commonly to residents and street furniture and walkways which are contiguous and integrated with plant material landscaped areas.

Except as allowed elsewhere in the Community Development Code, all areas to be credited towards landscaping must be installed with growing plant materials. Mulch, bark chips, and similar materials may be used only as a temporary groundcover at the time of planting.

The verification of plant materials requiring specific characteristics can be achieved by any of the following methods:

1. Description in Sunset Western Garden Book (Editor Sunset Books, 1988 or later edition), or
2. By an appendix or definition in the Community Development Code, or
3. By specific certification by a licensed landscape architect.

- **Parking Lot Landscaping.** Landscaped areas that are located within ten (10) feet of parking modules, internal drive aisles or parking stalls. This landscape area includes parking area perimeter buffers, landscaped islands, major landscape islands, tree wells and landscaping on internal public

streets, primary internal drives and site buffers. Paved surfaces and walkways do not count toward any landscape area calculations for commercial developments in the Corridor Design District.

LEED ™. The Leadership in Energy and Environmental Design Green Building Rating System developed by the U.S. Green Building Council (USGBC) which provides standards for environmentally sustainable design, construction and operation of buildings and neighborhoods.

Legal Description or Property Description. The metes and bounds description, recorded subdivision lot and block number, or parcel number and the recorded number for a partition plat, or tax lot, section, township and range description for a property.

Level of Service (LOS). A standard of a street's carrying capacity, based upon prevailing roadway, traffic, and traffic control conditions during a given time period. The Level of Service range, from LOS A (free flow) to LOS F (forced flow), describes operational conditions within a traffic stream and their perception by motorists/passengers.

Light Cut-off. An outdoor lighting fixture designed to direct light (usually downward) and prevent light from being emitted outside the area intended for lighting.

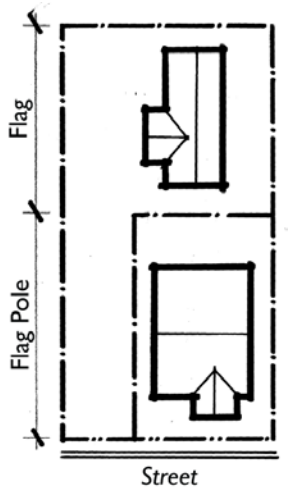
Liner Space. Small commercial tenant space along the perimeter of a large commercial building. A liner space typically has an individual storefront and an entry from the exterior of the building. This space(s) can be used to conceal outdoor loading areas.

Lintel. A horizontal structural beam above an opening, such as a window or door that may be expressed externally as an architectural feature.

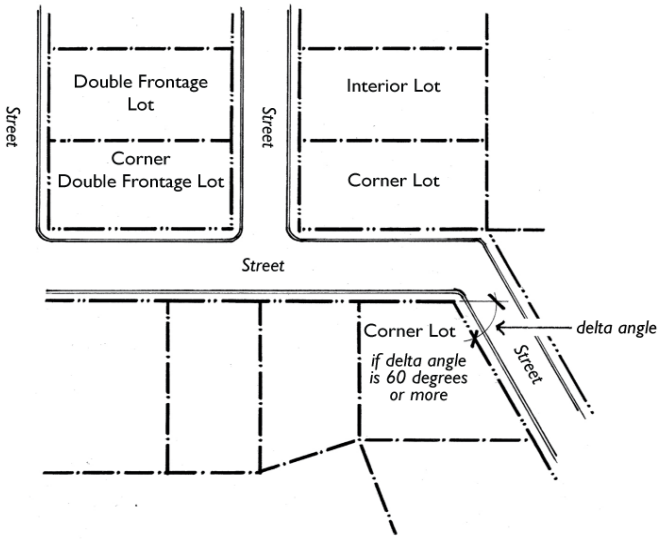
Local Review. The review of a development permit through all City review levels, including appeals, terminating with the City Council.

Lot. A generic term that describes any unit of land.

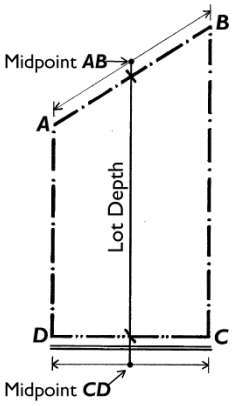
- **Corner Lot.** A lot that has frontage on two or more streets. A corner lot also includes a lot abutting the inside curve of a street with a delta angle, as used on plats, of 60 degrees or more.
- **Double Frontage Lot.** A lot with street frontage along two opposite boundaries.
- **Flag Lot.** A lot with two distinct parts: the flag, which is the only building site, located behind another lot; and the flag pole, which connects the flag to the street, provides the only street frontage for the lot and is narrower than the street frontage required for that district.



- **Flag Pole.** The narrow portion of a flag lot needed to provide vehicular access from the street to the remainder of the parcel. A flag pole is typically under parent parcel ownership, but may be allowed as an easement for shared access across an adjacent ownership or as interim access pending future street development.
- **Interior Lot.** A lot other than a corner lot, with frontage only on one street.
- **Irregular Shaped Lot.** A lot that is other than rectangular in shape.
- **Rectilinear Lot.** A lot where the side lot lines are perpendicular to the street upon which it faces, or are radial to the street in the case of a curved street.
- **Subdivision Lot.** A single unit of land legally created by a subdivision in accordance with the City of Gresham subdivision regulations.



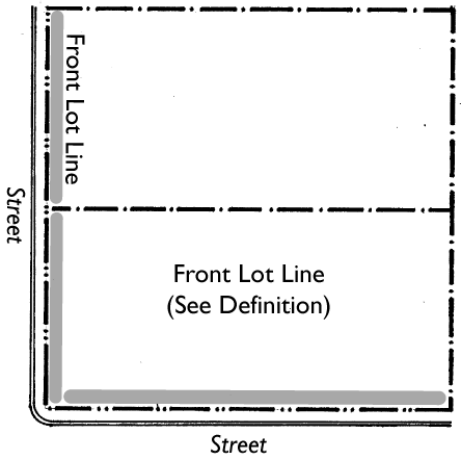
Lot Depth. The perpendicular distance measured from the mid-point of the front lot lines to the mid-point of the opposite, usually the rear, lot line. See also Lot Width.



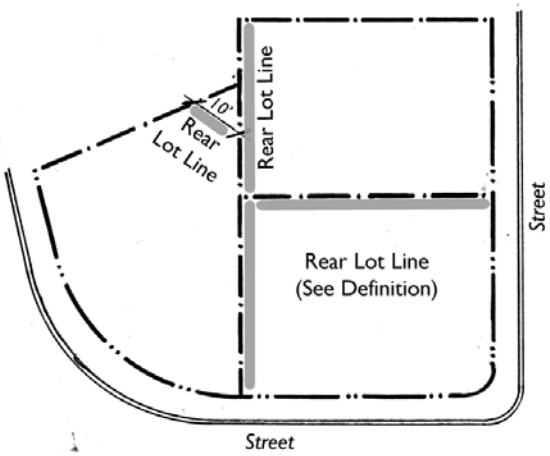
Lot Line. Any property line bounding a lot.

- **Front Lot Line.** For an interior lot, the lot line abutting a street;. In the case of a corner lot, where there is an existing building, the front lot line is determined by the orientation of the front door. For a corner lot where there is no existing building, the front lot line is determined by the orientation necessary to achieve lot depth. If lot depth may be met in both directions, then the applicant may

determine which lot line is the front lot line. In cases where the front lot line is disputable, the Manager shall determine the front lot line. For double frontage lots, the front lot line shall be determined by the Manager except when an access control strip has been required along one of the streets of a double frontage lot by a governmental agency. In that instance, the line separating the lot from this street shall become the rear property line. A lot line abutting an alley is a rear lot line. For flag lots and non-frontage lots where lot depth is met in both directions, the front lot line shall be determined by the Manager.



- **Northern Lot Line.** The lot line that is the smallest angle from a line drawn east-west and intersecting the northernmost point of the lot, excluding the pole portion of a flag lot. If the north line adjoins an undevelopable area other than a required yard area, the northern lot line shall be at the north edge of such undevelopable area. If two lot lines have an identical angle relative to a line drawn east-west, then the northern lot line shall be a line 10 feet in length within the lot parallel with and at a maximum distance from the front lot line.
- **Rear Lot Line.** A lot line which is opposite to and more distant from the front lot line. In the case of an irregular or triangular shaped lot, an imaginary lot line ten feet in length shall be drawn within the lot parallel to and at the maximum distance from the front lot line. In the case of a double frontage lot, each street has a front lot line except when an access control strip has been required along one of the streets by a governmental agency, in which case the line separating the lot from this street becomes the rear property line. A lot line abutting an alley is a rear lot line.



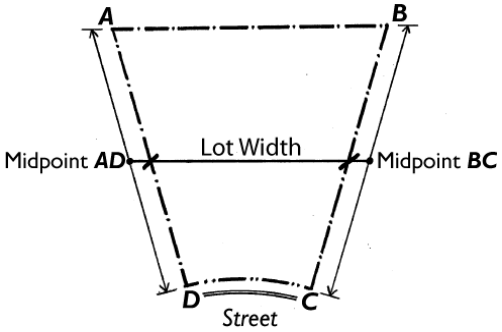
- **Side Lot Line.** Any lot line which is not a front or rear lot line.
- **Zero-Lot Line.** A condition created through a land division process where the lots have setbacks less than that required in the underlying land use district.

Lot Line Adjustment. An adjustment of a property line by the relocation of a common lot line where no additional lots are created or where lots are consolidated resulting in fewer lots.

Lot of Record.

1. A platted lot. Platted lots that were recorded with Multnomah County after December 16, 1975, where City of Gresham approval was required but not sought and granted prior to recordation, are not recognized as lots of record.
2. Land for which a deed or other instrument describing the land was recorded with Multnomah County prior to December 16, 1975, or either approved by Multnomah County or recorded prior to July 26, 1979, if annexed after that date.

Lot Width. The perpendicular distance measured between the mid-points of the two principal opposite side lot lines and at approximately right angles to the lot depth. See also Lot Depth.



Low Structure Vegetation or Open Soils. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR Section 60.3.

Maintain. To cause or allow to continue in existence; when the context indicates, maintain shall mean to preserve and care for a structure, improvement, conditions or landscape area so that it remains attractive, safe and presentable and carries out the purposes for which it was installed, constructed or required.

Maintenance Sign. *See Signs.*

Major Tree. *See Tree.*

Manager. The City Manager of the City of Gresham acting either directly or through authorized representatives.

Mansard Wall Sign. *See Signs.*

Manufactured Dwelling. The term "Manufactured Dwelling" means:

1. Residential trailer, a structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962.
2. Mobile home, a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962 and June 15, 1976, and met

the construction requirements of Oregon mobile home law in effect at the time of construction.

3. Manufactured home, a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards regulations in effect at the time of construction and constructed after June 15, 1976;
4. Manufactured dwelling does not mean any building or structure subject to the structural specialty code in the one and two-family dwelling code adopted pursuant to ORS 455.100 to 455.450 and 455.610 to 455.690 or any unit identified as a recreational vehicle by the manufacturer.

See also HCA, ESRA, Floodplain Article 5 definitions in **Section 3.0130** for specific applications of this term in those areas.

Manufactured Home Park/Subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Marijuana Business. A medical marijuana business, a recreational marijuana business, a marijuana testing laboratory or a marijuana research facility.

Market Area. A market area is the geographic area which provides most of the continuing patronage necessary to support a shopping center or commercial district.

Marquee Sign. S*ee Signs.*

Massing, Building. The mass or bulkiness of a building is its three-dimensional form, and its relationship to exterior spaces.

Master Plan. A development plan for multiple projects to be built in two or more phases. A master plan may involve multiple blocks provided that the blocks are contiguous.

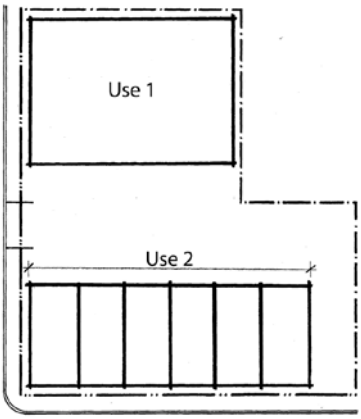
Medallion. An ornamental plaque on which is represented an object in relief such as a figure, head, flower, etc.

Micro/Mini Wireless Communication Facility (WCF). A Wireless Communication Facility located on private property characterized by small antennas that are located on utility poles, light poles or buildings, are designed to provide enhanced communication to a geographically limited area and are generally limited to a maximum of three cubic feet in size.

Mitigation. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Mixed Use Development. The combination on a site, of residential uses with commercial or institutional uses.

Mixed-Use Development - Vertical



Mixed-Use Development - Horizontal

Model Home. A non-occupied single-family detached dwelling representative of a product line available to consumers; which is not available for occupancy until the public facilities have been approved and accepted by the Manager.

Modulation, Building. Design technique that breaks the massing of large buildings down into smaller units by providing varying depths for exterior walls.

- **Vertical Modulation:** Used to make large buildings appear to be an aggregate of smaller elements or to add visual relief to long stretches of facades. Techniques can include the use of architectural features, setbacks or varying rooflines.
- **Horizontal Modulation:** Used to reduce the apparent mass of multi-story buildings and provide continuity at the ground level of a large building. Building facades can be divided with horizontal elements so that the façade appears less massive than those with sheer, flat surfaces. Techniques can include step-backs, balconies, and roof treatment.

Monument Sign. S*ee Signs.*

Motor Vehicle. A motorized device used to transport people and/or goods on streets. Such vehicles include motorcycles/mopeds, passenger vehicles, trucks and recreational vehicles with motorized power. Specific characteristics of classes of vehicles include:

- **Fleet Vehicle:** A motor vehicle which is owned by a company, used primarily if not exclusively for the conducting of the company's business, and stored on the company's site when not in use. Fleet vehicles include company cars, repair and delivery vans. The term also applies to the inventory of vehicles at car/truck rental agencies.
- **Passenger Vehicle:** A motor vehicle designed to carry ten persons or less including the driver. Passenger vehicles also include those designed to carry ten persons or less that are constructed either on a truck chassis or with special features for occasional off-road use. Vehicles in this category are commonly referred to as cars or automobiles, minivans, passenger vans and jeeps.
- **Truck:** A motor vehicle which is designed primarily for the movement of goods, equipment or property, or that is designed to carry more than ten persons. Vehicles in this category are commonly referred to as trucks, pick-ups, delivery vans, buses, and motor homes.

Moving Parks Sign. S*ee Signs.*

Mulch. Non-living organic and synthetic materials such as compost, barkdust or bark chips customarily used in landscape design to retard erosion and retain moisture. Mulch may not be used as a substitute for living plants as part of required landscaping (see also “Landscaping”).

Mullion. S*ee Window Mullion.*

Multi-Business Complex Sign. S*ee Signs.*

Multi-family Structure. A building that is located on a single lot and has three or more dwelling units. This includes apartments and may include condominiums.

Mural. A painting applied to a wall surface that will be reviewed and approved for artistic merit by an arts reviewing body designated by the City.

Munton. A vertical member between the casements or panels of a window or panels of a screen.

Native Vegetation or Native Plan. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Natural State. A physical state for a property or portion of property, where upon no development or improvements have occurred, and natural, unmaintained native vegetation is prevalent.

Needed Housing. *See Housing, Needed.*

New Construction. For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

Nonconforming Development. An element associated with a use of land which may have been permitted in the district in which it is located, but which does not conform to current applicable development standards and requirements of the Community Development Code. For this purpose, the term "development" includes all improvements on a site, including, but not limited to, buildings, other structures, parking and loading areas, landscaping, paved or graveled areas, and areas devoted to exterior display, storage, or activities. Development also includes improved open areas such as plazas and walkways, but does not include natural geologic forms or unimproved land.

Nonconforming Sign. S*ee Signs.*

Nonconforming Use. A use of land lawfully existing at the time the Community Development Code was enacted, but which is not listed as a permitted land use in the current land use district for the site in question.

Non-Woody Vegetation. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Northern Lot Line. *See Lot Line.*

Nuisance. Any thing, substance, or act that creates an imminent threat to the public health, safety, or welfare. Every building or part thereof which is found to be a dangerous building, or building found to be substandard in terms of space and occupancy or deferred maintenance, shall be cited by the City Manager for civil action.

Occupied Space. The total area of all buildings or structures on any lot or parcel of ground projected on a horizontal plane excluding permitted projections as allowed by this ordinance, used to compute percentage of lot coverage allowed.

Offices. A room or group of rooms used for conducting affairs of a business, profession, service, industry, or government.

On-Site Directory Sign. S*ee Signs.*

On-Site Stormwater Management. The management of stormwater as close to the impervious source as possible. For public streets, on-site stormwater management is defined as management within the public right-of-way. For commercial and industrial buildings, on-site stormwater management is defined as management within the individual tax lot. For single-family and multi-family development, on-site stormwater management is defined as management at the end of each block or within the collective boundary of all of the individual tax lots.

Open Space. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Ornamental Tree. *See Tree.*

Outdoor Advertising Sign. S*ee Signs.*

Outdoor Area. A particular extent of space or surface that is not within a building but rather in open air. Examples include:

- **Outdoor Sales Display.** An outdoor arrangement of objects, items, products, or other materials that is capable of rearrangement, is not in a fixed position, and which is designed and used for the purpose of sales. An outdoor sales display does not exceed fifteen percent (15%) of the ground floor area of the building(s) on the site or a maximum of one thousand (1,000) square feet, whichever is less. An outdoor sales display also does not remain outdoors for more than 24 hours and maintains an accessible pathway as defined in the Building Code.
- **Outdoor Storage.** The keeping of materials or goods associated with the rental, distribution, wholesale, manufacturing, processing or repair of equipment or supplies in the same outdoor place for more than 24 hours.

Owner. The owner of record of real property as shown in the records of Multnomah County, on a property deed or title, or a person purchasing a piece of property under contract.

Painted Highlights Sign. S*ee Signs.*

Painted Wall Decoration Sign. S*ee Signs.*

Painted Wall Sign. S*ee Signs.*

Parapet or Parapet Wall. That part of any wall above the roof line as defined in Building Code.

Parcel. A generic term that describes any unit of land.

Parent Parcel or Parent Lot. A lot or parcel of land from which other parcels or lots are divided.

Park and Ride Facility. A permanent facility for vehicle parking by transit riders.

Parking Lot. Pavement/hard surface area and associated circulation routes dedicated to parking vehicles off-street or beyond the right of way, either free or for a fee. When calculating the size of the parking lot, it shall include paved parking stalls, drive aisles, primary internal drives and those internal public streets which include on-street parking. Service drives and paved loading areas shall not count when calculating the area of the parking lot. Parking areas for one and two-unit dwellings are not parking lots.

Parking Lot Tree. *See Tree.*

Parking Module. One (1) or two (2) rows of parking stalls of any length served by a single drive aisle for access**.**

Parking Space. A minimum gross area available for the parking of a vehicle, as identified in **Section 9.0800.**

Parking Structure. Any building either above or below grade, or both, primarily used for parking of motor vehicles.

Partition Land. To divide land into two or three parcels of land within a calendar year. See ORS 92.010(8). This does not include:

1. A division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots; or
2. An adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where the adjusted parcels of land meet all the requirements of the Community Development Code; or
3. The division of land resulting from the recording of a subdivision or condominium plat; or
4. A sale or grant by a person to a public agency or public body for state highway, county road, city street, or other right-of-way purposes provided that such road or right-of-way complies with the Community Development Code and ORS 215.213 (2)(p) to (r) and 215.283 (2)(p) to (r).

Partition Parcel. A single unit of land legally created in accordance with the City of Gresham partition regulations.

Passenger Vehicle. *See Motor Vehicle.*

Pedestrian Facilities. Transportation facilities which provide for pedestrian traffic including sidewalks, walkways, trails, crosswalks and other improvements, such as lighting and benches. Pedestrian facilities are generally hard-surfaced. In parks and natural areas, they may be soft-surfaced. On undeveloped parcels and parcels intended for redevelopment, pedestrian facilities may also include rights-of-way or easements for future pedestrian facilities.

Pennant Sign. S*ee Signs.*

Perennial (or Perennial Plant). A herbaceous plant that lives for more than two years usually with new herbaceous growth from a part that survives from season to season.

Perennial Streams. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Perimeter Tree. *See Tree.*

Permanent Sign. S*ee Signs.*

Person. Any person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government, or any other group or combination acting as a unit.

Pervious Paving. Also known as porous pavement or permeable paving. A paving method for paved areas such as roads, parking lots and walkways that allows the movement of water and air through the paving material. Pervious materials allow precipitation to percolate through areas that would traditionally be impervious and instead infiltrates the stormwater through to the soil below. Examples include: porous asphalt, concrete, paving stones, bricks, or paver systems that lock together but include small gaps to allow water to pass between the pavers.

Phased Development Project. A phased development plan includes the following:

- A site plan showing the proposed final development of the site and phases, including the initial and interim phases.
- A written statement describing each phase, including the potential uses, and the approximate timeline for each phase of development.

Photovoltaic Panel. *See Renewable Energy Related Definitions,* ***Section 3.0140****.*

Planned Development (PD). A type of residential land division and development planned and developed as a single entity that allows flexibility from the development standards of the underlying land use district. A PD usually concentrates units on the most buildable portion of a site so as to preserve natural drainage systems, open space and environmentally sensitive areas. It promotes diversity of housing types and diversity of design while maintaining compatibility with traditional and other neighboring developments. The PD also provides the ability to efficiently develop residential units at low densities on lots that might otherwise be constrained by natural resources, flood plains, slopes, or lot configuration.

Planter Strip. The area, excluding sidewalk, beginning at the back of the curb or outside edge of the shoulder and extending to the property line, lying within the public right-of-way or on publicly owned property or in an easement. This is also known as a planting strip and parking strip. The planter strip is typically used for landscaping and may be used for utilities.

Plat. A survey map showing a final subdivision plat, replat, or partition plat.

Plaza. A functional exterior open space available to the general public at all times and accessible from abutting sidewalk, alley or street, and oriented to receive sunlight. Landscaping, kiosks, fountains, art works can occupy 2/3 of the area with the remainder being suitable for walking, sitting and similar pursuits See also Public Urban Plaza.

Pleasant Valley Design District. *See Design District.*

Plinth. The base or platform upon which a wall, column, pedestal, statue, monument, or structure rests.
Porch. A roofed open area, which may be screened, usually attached to or part of and with direct access to or from a building.
Portable Sign. S*ee Signs.*
Portico. A covered walkway or major porch with columns on at least one side; a covered colonnade.
Practicable. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***
Premises. A lot, parcel or tract of land occupied, or to be occupied, by a building or unit or group of buildings and their accessory buildings.
Primary Building Entrance or Entry. Is the principal entry into a building, or one of several such entries. Primary building entrances are open to the general public for use during all business hours. See also Entry.
Primary Feeder Line. An electric power line carrying 50,000 volts and above.
Principal Building. A structure within which is conducted the principal use of the lot.
Principal Use or Primary Use. The main use to which the premises are devoted and the primary purpose for which the premises exists.
Project. A single development built in a single phase. A project may involve single or multiple buildings or single or multiple blocks provided that the blocks are adjacent and all development occurs in a single phase.
Projecting Sign. S*ee Signs.*
Pruning. *See Tree Related Definitions,* ***Section 3.0150.***
Public Community Park. Large park (generally 13 to 50 acres) that provides active and passive recreational opportunities for all city residents. Accommodates large group activities.
Public Path. A paved public access route designed for a broad range of users such as pedestrians (including pedestrians with disabilities), hikers, runners, bicycle riders, horseback riding, users in wheelchairs, and users pushing strollers, for transportation and recreation purposes. The term "Multi-Use Path" is often used interchangeably for public path in City and regional documents.
Public Neighborhood Park. Small park (generally 1 to 13 acres) located within biking and walking distance of users. Provides access to basic recreation opportunities. Includes pocket parks in denser urban areas, which are usually less than 1 acre.
Public Open Space. Area of natural quality for protection of natural resources, nature-oriented outdoor recreation and trail-oriented activities. Includes greenways, which are linear open spaces along significant waterways.
Public Place. A public park, LRT station, right-of-way or public easement that accommodates pedestrians.
Public Trail. A soft surface public access route primarily for passive pedestrian activities such as walking, hiking, and running. Horseback riding and bicycling are also common uses though generally permitted only where steep slopes, erosive soils, or other sensitive site considerations do not exist.
Public Trail Access Points. Minor entry points primarily for neighborhood residents to access the trails and paths system from residential neighborhoods, streets, sidewalks, parks, and other public facilities. Trail orientation and regulatory signs occur at trail access points.
Public Trailheads. Major entry points for neighborhood residents and the general public to access the trails and paths system and where a number of support facilities can be provided for public use. Possible trailhead facilities may include off-street parking for up to twelve vehicles, vehicular access control gate with padlock, bike racks, information kiosk, orientation and regulatory signs, overhead shelter, drinking fountains, seat benches, portable restrooms, and picnic tables.

Public Urban Plaza. Multi-purpose paved area within high density urban developments and along transit corridors. Provides spaces for community events and the day-to-day recreational needs of nearby residents and employees as well as shoppers and transit users. Includes town squares. Generally less than 1 acre. May include landscaping. See also Plaza.

Public Use Areas. Are those interior or exterior rooms or spaces which are made available to the general public. Public use may be provided at a privately or publicly owned building or facility.

Qualified Arborist. *See Arborist.*

Radio. A generic term referring to communication of impulses, sounds, and pictures through space by means of an electromagnetic wave, including but not limited to short-wave, FM, AM, land mobile, common carrier, low and high power television, and microwave transmissions.

Radio Frequency (RF) Energy. Energy, consisting of related electric and magnetic fields, produced by alternating currents of sufficiently high frequency, which may be emitted or collected by an antenna and which presents a self-sustaining, self-propagating electromagnetic wavefront. RF energy may, among other uses, be modulated (encoded) so as to convey intelligence such as voice, digital data, and still or moving pictures, between radio frequency facilities. The RF spectrum occupies, for practical purposes, but not exclusively, wavelengths from 10 km to 10 mm, representing a frequency range of 3 kHz to 300 GHz.

Radio Frequency (RF) Facility. A land use that generates, detects or processes RF energy for purposes of wireless communication via antennas by means of transceivers, transmitters and/or receivers, and, including antennas; feedlines; structures or towers to support antennas, feedlines, and other receiving and/or transmitting devices; transmitters, receivers and transceivers; accessory equipment, development and structures; and the land on which they all are situated.

Rain Garden. A shallow landscaped basin that accepts stormwater runoff from rooftops, parking lots, streets, or other impervious surfaces, with the purpose of storing and filtering or infiltrating the water into the ground.

Readerboard Sign. S*ee Signs.*

Rear Lot Line. *See Lot Line.*

Rear Yard. *See Yard.*

Receive-only Antenna. An antenna which receives television or radio signals from satellites, ground based transmitting broadcast towers or other facilities.

Rectilinear Lot. *See Lot.*

Redemption Center. An indoor retail facility approved by the Oregon Liquor Control Commission facilitating the return of empty beverage containers and serving dealers of beverages, where any person may return empty beverage containers and receive payment of the refund value of such beverage containers.

Redevelopment. Development that occurs on sites that have previously been developed.

Reflectivity or Reflectance. Solar reflectivity (or reflectance) is the fraction of the solar energy that is reflected by the surface (e.g., roofing membrane) back to the sky. White membranes have the highest solar reflectivity, while black have the lowest. The best standard technique for its determination uses spectrophotometric measurements, with an integrating sphere to determine the reflectance at each different wavelength. The average reflectance is then determined by an averaging process, using a standard solar spectrum. This method is documented by ASTM (Amer. Soc. for Testing and Materials) as Standards E903 and E892.

Registered Child Care Facility. In-home childcare for a maximum of 10 children and certified by the Child Care Division of the State of Oregon.

Registered Consulting Arborist. *See Arborist.*

Regulated Tree. *See Tree.*

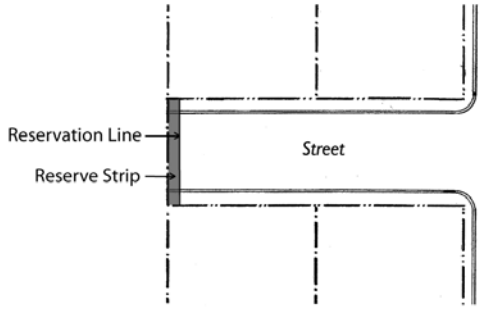
Regulatory Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Remodel. Changes to an existing building that result in the demolition of less than 50% of its exterior walls, no additional floors and no additions that result in new street facing facades. Subsequent applications for remodels may be applied for a minimum of one year after the issuance of the Certificate of Occupancy for the prior remodel.

Rental Unit. Any dwelling unit, which is occupied pursuant to a lawful rental agreement, oral or written, express or implied, which was not owned as a condominium unit on the effective date of this Ordinance. A dwelling unit in a converted building for which there has been no acceptance of sale on the effective date of this Ordinance shall be considered a rental unit.

Repair Sign. S*ee Signs.*

Reservation Line. A surveyed line that provides a development restriction for a specific purpose. Such lines could include: a non-access strip at the end of a developed street to be removed once street extension occurs, or, a line identifying a future right-of-way expansion boundary. The area between the property line and the right-of-way is known as a reserve strip.



Residentially Designated Land. Includes land in the following land use districts: LDR-5, LDR-7, TLDR, TR, MDR-12, MDR-24, CMF, DRL-1, DRL-2, CNRM, LDR-GB, LDR-PV, MDR-PV, HDR-PV, VLDR-SW, LDR-SW and THR-SW.

Restaurant. A retail service establishment where meals are prepared and served to the public generally for consumption on the premises. A restaurant may or may not include fast food services.

Restoration. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Retirement Housing. *See Elderly Housing.*

Revegetation. The replacement of trees and plant materials where there has been soil disturbance or the loss of trees and other vegetation, or encroachment of invasive species.

Right-of-Way (ROW). A general term denoting public land, property, or interest therein acquired for, or devoted to a public transportation facility. It includes, but is not limited to, streets, roads, highways, bridges, alleys, sidewalks and all other public ways, including the subsurface under and air space over these areas under the jurisdiction of the City or other public entity.

Riparian. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Rockwood Design District. *See Design District.*

Roof. A structural covering over any portion of a building or structure including projections beyond the walls or supports of the building or structure.

- **Roof, Butterfly.** A roof where planes are designed so the middle of the roof is lower and the outer edges are higher.

- **Roof, Gable.** A roof identified by the straight slope falling from ridge to eave, creating a peak or triangle on the side or front façade. Gables structures have rakes on the gable facades and eaves on the non-gabled facades.
- **Roof, Hipped.** A roof that slopes on all sides up to a peak or ridge.
- **Roof, Mansard.** A roof having two slopes on its sides, with the lower slope almost vertical and the upper almost horizontal. These roofs often allow a tall attic space, frequently used to add an upper story.
- **Roof, Shed.** A roof having only one sloping plane.

Roof Sign. S*ee Signs.*

Roof Line Sign. S*ee Signs.*

Rotating Sign. S*ee Signs.*

Routine Repair and Maintenance. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Same Ownership. Ownership by the same person, corporation, firm, entity, partnership, or unincorporated association; or entities, or unincorporated associations, in which a stockholder, partner, or associate, or a member of his family owns an interest in each corporation, firm, partnership, entity, or unincorporated association.

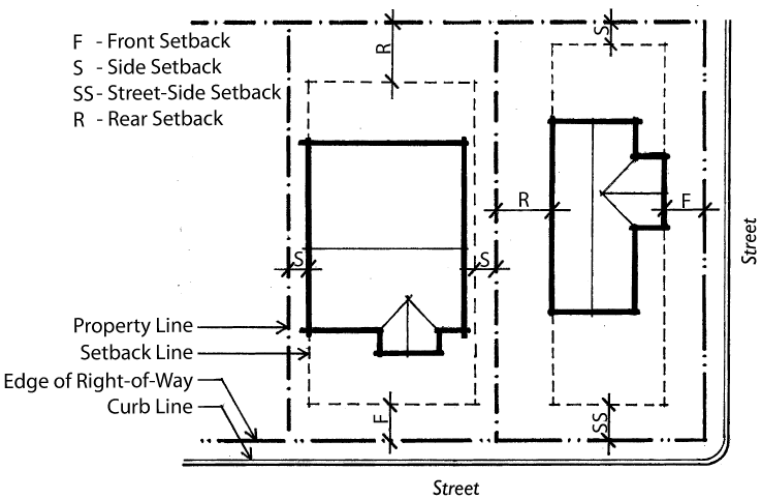
School, Commercial. A for-profit education facility that can include instruction in arts, crafts, and trades. A commercial school is not an elementary, middle or high school.

Scoring. A technique used to divide a sidewalk area by patterning grooves in the concrete for aesthetics or to control cracking.

Sensitive Species. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Service Station. An auto dependent commercial use selling fuel and oil for vehicles; selling, servicing and installing tires, batteries, accessories and related products; furnishing minor repair, maintenance, cleaning and detailing, and service when conducted entirely within an enclosed building, and at which incidental services are conducted. "Minor repair and service", as used in this definition, shall be understood to exclude activities such as painting, bodywork, steam cleaning, tire recapping, major engine or transmission overhaul or repair involving removal of a cylinder head or crankcase, and mechanical carwashing.

Setback. The minimum or maximum allowable horizontal distance from a given point or line of reference to the nearest exterior wall or other element of a structure as defined herein, or to other relevant site features as identified in the respective land use district. The point or line of reference will be the lot line following any required dedication, future street widening or a special or reservation line if one is required pursuant to this ordinance.



Setback Adjustment. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Severe Crown Reduction. *See Tree Related Definitions,* ***Section 3.0150.***

Shade Tree. *See Tree.*

Shelter. A facility, or part of a facility, providing temporary protective sanctuary for the homeless or victims of crime or abuse, including emergency housing during crisis interventions for individuals, such as victims of rape, child abuse, or domestic violence.

Shrub. A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground.

Side Lot Line. *See Lot Line.*

Sidewalk. Any paved or unpaved walkway for use by non-vehicular traffic and capable of use by pedestrians. Public sidewalks are located within a public right-of-way, a public access easement, a dedicated public access way, or the land located between the curb line or outside edge of the pavement of any road, street or highway and the adjacent property line. Private sidewalks are located outside the public right-of-way.

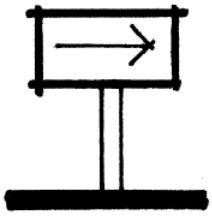
Side Yard. *See Yard.*

Significant Negative Impact. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Significant Tree, Significant Grove. *See Tree.*

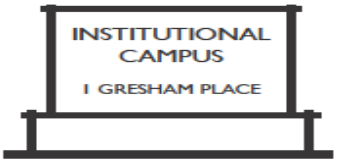
Signs. Materials placed or constructed primarily to convey a message or other display to identify sites and activities and which can be viewed from a right-of-way, private roadway or another property.

- **Abandoned Sign.** A sign structure not containing a sign for 120 continuous days or a sign not in use for 120 continuous days.
- **A-Board Sign.** A double-faced portable sign constructed with an A-shaped frame, composed of two sign boards attached at the top and separate at the bottom, and not supported by a structure in the ground. Is normally associated with business activity and is placed-out-of-doors during business hours for display and returned indoors when the business is closed.
- **Animated Sign.** A sign portraying moving images, either in the form of moving lights, animation, or television like real images.
- **Awning Sign.** A sign incorporated into or attached to an awning.
- **Awning Sign, Illuminated.** A sign made of a translucent flexible covering designed in awning form. Such signs are internally illuminated.
- **Balloon Sign.** Any three-dimensional ambient air-filled object depicting a container, figure or product, or to which a temporary sign has been attached, or to which a sign has been incorporated.
- **Banner Sign.** A temporary sign made of fabric or other non-rigid material with or without an enclosing framework.
- **Bench Sign.** A sign that is displayed on a structure designed for sitting and displayed out of doors in view of the general public.
- **Direct Illumination Sign.** Exposed lighting or neon tube on the sign face.
- **Directional Sign.** A permanent Sign which is designed and installed solely for the purpose of pedestrian, bicycle and vehicular traffic direction and placed on the property to which the public is directed.



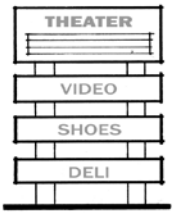
- **Directional Signs, Institutional Campus.** A directional sign located in an institutional campus.
- **Electronic Message Center Sign.** Signs whose message or display is presented with patterns of lights that may be changed at intermittent interval by an electronic process.
- **Face Sign.** The display portion of a sign.
- **Fascia Sign.** A single faced sign attached flush to a building.
- **Fin Sign.** A sign which is supported by a pole or poles and partly by a building.
- **Flap Sign.** A rectangular piece of fabric or other material, of distinctive design, used as a symbol.
- **Flashing Illumination Sign.** Lights which blink on and off randomly or in sequence.
- **Free-Standing Sign.** A sign on a frame, pole or other support structure which is not attached to any building.

- **Indirect Illumination Sign.** The light source is separate from the sign face or cabinet and is directed so as to shine on the sign.
- **Installation Sign.** Installation shall include erecting, constructing, re-constructing, placing, altering, changing the sign face, relocating, suspending, attaching and the installation of electrical parts, wiring or illumination of any sign. However, installation shall not include changes in copy of a readerboard or outdoor advertising sign or of the removable panels of a free-standing multi-business complex sign.
- **Internal Illumination Sign.** The light source is concealed within the sign.
- **Internal Signs, Institutional Campus.** A sign located within the boundaries of the campus.
- **Maintenance Sign.** Normal care needed to keep a sign functional such as cleaning, oiling and changing of light bulbs.
- **Mansard Wall Sign.** Any sign placed on a building with an actual or false roof which does not vary more than 30 degrees from the vertical. Such mansard wall shall extend along the full width of the building.
- **Marquee Sign.** A sign incorporated into or attached to a marquee or permanent canopy.
- **Monument Sign**. A freestanding sign sitting directly on the ground or mounted on a base.

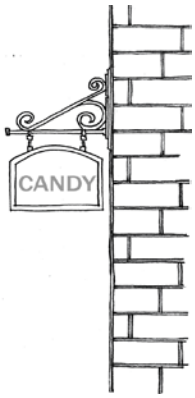


- **Moving Parts Sign.** Features or parts of a sign structure which through mechanical means are intended to move, swing or have some action.
- **Multi-Business Complex Sign.** Premises planned and developed as a unit with an undivided or non-segregated parking area that functions and advertises as a center and which has multiple

occupancy by business or service firms. A business is considered as part of a multi-business complex regardless of whether said business occupies a separate structure or is under separate ownership or is on a separate parcel.



- **Nonconforming Sign.** A sign or sign structure lawfully installed and properly maintained that would not be allowed under the sign regulations presently applicable to the site.
- **On-Site Directory Sign.** A sign listing the names, and/or use, and/or location of the various businesses or activities conducted within a building or group of buildings.
- **Outdoor Advertising Sign.** A sign supported by a substantial permanent sign structure with a display surface or display surfaces designated primarily for the purpose of painting or posting a message thereon at periodic intervals.
- **Painted Highlights Sign.** Painted wall highlights are painted areas which highlight a building's architectural or structural features.
- **Painted Wall Decoration Sign.** Painted wall decorations are displays painted directly on a wall and are designed and intended as a decorative or ornamental feature. Painted wall decorations may not contain copy, logos or trademarks which are greater than 20 square feet, or 10% of the building wall, whichever is less.
- **Painted Wall Sign.** A sign applied to a building wall with paint and which has no sign structure.
- **Pennant Sign.** A triangular or irregular piece of fabric or other material, commonly attached in strings or strands, or supported on small poles.
- **Permanent Sign.** A sign attached to a building, structure or the ground in some manner requiring a permit and made of materials intended for more than short term use.
- **Portable Sign.** A sign designed to be transported which can be free-standing and unattached, or temporarily or permanently attached to the ground, structures or other signs.
- **Projecting Sign.** A sign attached and projecting out from a building face or wall and generally at right angles to the building. Projecting signs include signs projecting totally in the right-of-way, partially in the right-of-way and fully on private property.



Readerboard Sign. A sign on which message copy can be changed manually, in the field, through the utilization of attachable letters, numbers, symbols and other similar characters or changeable pictorial panels.

- **Repair Sign.** Fixing or replacement of broken or worn parts. Replacement is of comparable materials only. Repairs may be made with the sign in position or with the sign removed.
- **Roof Line Sign.** The lower edge of the roof or top of the parapet, whichever forms the top lines of the building wall.
- **Roof Sign.** A sign installed upon, against or directly above a roof, or roof eave, or on top or above the parapet, or on a nonfunctional architectural appendage above the roof or roof eave.
- **Rotating Sign.** Sign faces or portions of a sign face which revolve around a central axis.
- **Special Event Banner Sign.** A sign that is temporarily displayed over a right-of-way for a limited period of time for a public event. A special event occurs on a specific date or dates, is open to the community, and has been declared a special event by the City Council.
- **Structural Alteration Sign.** Modification of the size, shape or height of a sign structure. Also includes replacement of sign structure materials with other than comparable materials, for example metal parts replacing wood parts.
- **Structure Sign.** A structure specifically intended for supporting or containing a sign.
- **Temporary Lawn Sign.** A temporary rigid sign no more than 6 square feet in area.
- **Temporary Rigid Sign.** A temporary sign made of rigid materials such as wood, plywood and plastic.
- **Temporary Sign.** Any sign, regardless of construction material, that is not permanently attached to a building, structure or the ground and/or is intended to be displayed for a limited period of time.
- **Under Marquee Sign.** A sign which is installed or maintained under and supported or partially supported by a marquee.
- **Unsafe Sign.** Any sign determined to be a hazard to the public by the Building Official or authorized representative.
- **Wind Sign.** Any attention-getting device or series of devices such as streamers, banners and pennants designed and fastened in such a manner as to move upon being subject to pressure by the atmosphere.
- **Window Sign, Inside.** A sign mounted or hung on the inside of a window that is visible from outside of the premises. Window signs (including the sum area of both inside and outside window signs) shall not cover more than 50% of the window face.
- **Window Sign, Outside.** A sign mounted or hung on the outside of a window. Window signs (including the sum area of both inside and outside window signs) shall not cover more than 50% of the window face.

Single Family Dwelling. *See Dwelling Unit.*

Single Family Attached Dwelling. *See Dwelling Unit.*

Single Family Detached Dwelling. *See Dwelling Unit.*

Single Loaded Street. A street or alley (either public or private) that is accessed only on one side. For example, a single loaded street is likely to be located at the rear of a development project and provide access to buildings within that project but not to buildings on adjoining properties.

Site. An area of real property encompassing single or multiple lots that may also be in either single or multiple ownerships, notwithstanding that a particular development permit application may be for development of all or a portion of the site only. Conveyance of less than fee title to different persons, such as by ground lease, shall not prevent the Manager from requiring application for Site Plan review and subsequent action for the whole “site”.

Site Plan. A plan, prepared to scale, showing accurately and with complete dimensions all the uses proposed for a parcel of land and other information as required by specific sections of this code.
Skilled Nursing Facility. *See Elderly Housing.*
Slope, Cross. Slope perpendicular to the direction of travel.
Slope, Running. Slope parallel to the direction of travel.
Solar Electric System. *See Renewable Energy Related Definitions,* ***Section 3.0140****.*
Solar Reflective Index (SRI). *See Renewable Energy Related Definitions,* ***Section 3.0140****.*
Solar Water Heating System. *See Renewable Energy Related Definitions,* ***Section 3.0140.***
Spandrel Glass. A type of opaque glass that when installed monolithically, in insulating units, or as laminated glass conceals beams, columns or other internal non-vision construction materials of buildings. Spandrel glass is commonly used between certain sections of a building including the area between floors, columns, ceilings, and other small or large spaces. In addition to its use to conceal structural building materials, spandrel glass can also be used in an aesthetically appealing way to create an overall uniform glass-front appearance.
Special Event Banner Sign. S*ee Signs.*
Springwater Design District. *See Design District.*
Stand. *See Tree Related Definitions,* ***Section 3.0150.***
Start of Construction. (For other than new construction or substantial improvements under the Coastal Barrier Resources Act [Pub. L. 97-348]) includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
Steep Slopes. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***
Storefront Window. A large ground-floor window of transparent glass located between the heights of two (2) and twelve (12) feet above grade and which is used for display purposes and/or for visibility into the store.
Stormwater Filtration. The treatment of stormwater by flowing water through various types of media, such as vegetation, sand or synthetic materials, which absorb and filter out pollutants. This method is also referred to as “flow through treatment”.
Stormwater Management Manual (SWMM). A manual adopted by the City to specify requirements and acceptable methods to provide for stormwater management (improving water quality and reducing volume/quantity) in the city.
Stormwater Planter. A rain garden with structural side walls constructed of concrete, steel, or other durable building material.
Stormwater Report. A plan documenting how stormwater quality and quantity will be addressed for a proposed development to meet requirements described in the Stormwater Management Manual, City codes, and Public Works Standards.

Stormwater Runoff. The water which runs off a site during or following a storm event. The amount of runoff depends on the area of the site, the intensity of the rainfall and the runoff coefficient for the site, which is in turn dependent on the site's perviousness.

Stormwater Treatment. The process of removing sediment and/or pollutants from stormwater runoff by using one or more methods (e.g. detention, retention/infiltration, filtration, separation) specified in the City's Stormwater Management Manual.

Stormwater Treatment Facility. Any structure or drainage way that is designed, constructed, and maintained to collect and filter, retain, or detain surface water run-off during and after a storm event for the purpose of improving water quality or reducing water quantity.

Story. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above. The topmost story shall include that portion of a building between the upper surface of the topmost floor and the ceiling or roof above, including a hipped or other angled/pitched roof. If the finished floor level directly above a basement or unused under-floor space is more than 6 feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined herein at any point, such basement or unused under-floor space shall be considered as a story.

Story, First. The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than 4 feet below grade, as defined herein, for more than 50% of the total perimeter, or more than 8 feet below grade, as defined herein, at any point. If a floor is more than four feet below grade for more than 50 percent of the total perimeter, then it is a basement.

Stream. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Street, Road or Highway. The portion of a public right-of-way that is open, used or intended for use by the general public for vehicles or vehicular traffic, including bridges, viaducts, other structures and any paved, graveled or dirt shoulder. Descriptions, classifications, and standards for streets, roads, or highways under City jurisdiction, are in the City's Transportation System Plan.

Structural Alteration Sign. S*ee Signs.*

Structural Soil. A type of soil or soil structure which meets the load-bearing requirement for structurally sound pavement installation while encouraging an enhanced growing environment and deep root growth for trees away from the pavement surface. Typical examples include CU (Cornell University) Structural Soil™ and sand based structural soil. For purposes of this Code, the term also includes structural cells that suspend and support pavement while allowing trees to access larger, low compaction organic mineral loam soil volumes such as Silva Cells™ or other comparable products equal to Silva Cells™.

Structure. Anything which is constructed, erected or built and located on or under the ground, or attached to something fixed to the ground. See also HCA, ESRA, Floodplain Article 5 definitions in **Section 3.0130** for specific applications of this term in those areas.

Structure, Accessory. A structure that is subordinate in size and purpose to the principal structure serving a purpose customarily incidental to the use of the principal structures. Accessory structures include residential detached carports, garages, and garden sheds.

Structure Sign. S*ee Signs.*

Stucco. An exterior finish composed of some combination of Portland cement, lime and sand (and sometimes additives such as glass fibers or acrylic) that are mixed with water, which dries into a hard-textured surface. Stucco shall be applied on a durable, solid substrate (such as metal lath or cementitious board) with a weather barrier and air gap/drainage channel; stone; brick; or cement block in a three-step process involving the base coat, scratch coat and finish/texture coat.

Subdivide Land. To divide land to create four or more lots within a calendar year.

Subdivision Lot. *See Lot.*

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement. Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 30 percent of the market value of the structure either:

1. before the improvement is started, or
2. if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

See also HCA, ESRA, Floodplain Article 5 definitions in **Section 3.0130** for specific applications of this term in those areas.

Sun Screen/Sun Shade. Attached projecting, architectural feature designed to provide shading from the sun. A sun screen/sun shade is a rigid structure and can add a decorative element to building design, but provides a functional energy conservation benefit to the building by deflecting solar heating away from building windows or walls. (See also Canopy).

Temporary Health Hardship Dwelling. *See Dwelling Unit.*

Temporary Lawn Sign. S*ee Signs.*

Temporary Rigid Sign. S*ee Signs.*

Temporary Sign. S*ee Signs.*

Tenant. Any person who occupies or has a leasehold interest in a rental unit under a lawful rental agreement whether oral or written, express or implied.

Tentative Plan. A clearly legible drawing of the proposed layout of lots and other elements of a partition or subdivision which shall help furnish a basis for the approval authority to approve or disapprove the general layout of the development.

Theme Park. A commercially operated park with indoor and outdoor entertainment, rides, games and activities such as motorized rides and water slides.

Top. *See Façade.*

Top of Bank. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Townhouse. Also known as “rowhouse”, this building construction style is a single structure, usually two- or three-story in construction, that provides vertical separation between multiple two- or three-story units. Townhouse units may include: dwelling units on individual lots, dwelling units on a single lot, or as condominium units with the land area under common ownership. When developed with each unit on its own separate lot, a townhouse is also referred to in this code as “single-family attached dwelling units.”

Tract. Any unit of land.

Transit Facility. A transit facility includes a light rail transit station, or a park and ride lot for transit riders, or a transit center, or a transit stop and their transit improvements.

Transit Streets and Routes. Shown in the Transportation System Plan, of the Gresham Community Development Plan and categorized according to three classes:

- Future Transit Routes are anticipated for future transit service and may include all streets classified as minor arterial or higher.
- Transit Routes. Transit routes currently have existing but infrequent transit service. Transit Routes are subject to future designation as Transit Streets.
- Transit Streets are streets which are currently served by frequent transit service or streets that are designated as regional transit corridors in a regional growth plan or transportation plan.

Transit Supportive Use. A transit supportive use provides goods, services, or activities which are attractive and convenient to transit riders and pedestrians. A transit supportive use is one which, by its design and character, is highly compatible with rail transit station areas. A transit supportive use generates a high level of transit trips relative to vehicular trips as compared to less transit supportive uses. A transit supportive use minimizes surface parking lot demands.

Transitional Housing. Housing provided for an extended period and generally integrated with other social services and counseling programs to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing.

Transitional Setback Space. An area between the property line and building that allows for a transition between the public realm of streets and sidewalks and the private use. This space can include porches, stoops, landscaped yards, gardens, hedges, low fences, and other elements that provide layers of transition.

Transitway. A transitway serves as an exclusive right-of-way for transit use, either bus or light rail.

Transom Window. A window above a door that is usually hinged to a horizontal crosspiece over the door.

Transportation Facility. A physical facility that is used to accommodate the movement of people or goods. Transportation facilities include, but are not limited to: sidewalks, paths, streets, roads, and highways. Transportation facilities do not include electricity, sewage, and water systems.

Tree. A large, perennial woody plant generally having a self-supporting stem, trunk or multi-trunks and numerous branches. Hedges and arborvitae are not considered trees.

- **Buffer Tree.** An evergreen or deciduous tree that has been approved as part of a buffering and screening plan.
- **Dead Tree.** A tree, as determined by a Certified Arborist, that has been damaged beyond repair or is in an advanced state of decline where an insufficient amount of live tissue, green leaves, limbs or branches exists to sustain life.
- **Deciduous Tree.** A tree typically with broad, flat leaves that normally sheds leaves annually and becomes dormant for some period of time.
- **Evergreen Tree.** A tree with needles or leaves that remain alive and on the tree through the winter and into the next growing season.
- **Habitat Tree.** A tree either living or dead that provides nesting space for birds and/ or hollows for cavity dwellers and perches for those animals using the area for foraging or living space.
- **Hazardous Tree.** A tree that is a dead, dying tree, or an unstable live tree (due to disease, structural defects or other factors) that is within striking distance of a target, such as people or property; or has been diagnosed with a lethal pathogen recognized by a Consulting Arborist to present significant contagion risk to adjacent trees. A Hazard Tree has the potential to cause property damage, personal injury or fatality in the event of a failure.
- **Hogan Cedar Tree.** A unique form of *Thuja plicata*, the western red cedar, which grows naturally only in the Gresham area. The population center is located approximately where Hogan Road meets Johnson Creek.
- **Imminent Hazard Tree.** A hazard tree where more than 30 percent is estimated to fall within 72 hours into the public right-of-way or onto a target that cannot be protected, restricted, moved or removed.
- **Landscape Tree.** A tree that was approved as part of a landscaping plan, including “site” trees per Article 7.

- **Major Tree.** A tree that has a 12-inch DBH or greater (30-inches diameter at breast height for Trees First Policy). Major trees are those that contribute to the landscape character of the area, including Douglas-fir, red cedar, redwood, giant sequoia, oak, ash, birch, and maple. Major trees are typically suitable for retention next to streets and are not of a species that would likely create a public nuisance, hazard, or maintenance problem.
- **Native Tree.** A tree that is endemic (indigenous) to Oregon, occurring naturally in the area.
- **Non-Native Tree.** For purposes of tree removal, any tree (including shade trees) that originated as nursery stock and that does not qualify as a native Oregon tree.
- **Ornamental Tree.** A tree that is generally less than 25 feet tall at maturity and used in a landscape setting for decorative or aesthetic purposes.
- **Parking Lot Tree.** A tree which was approved as part of a parking lot plan.
- **Perimeter Tree.** An existing tree that has a Diameter at Breast Height (DBH) of 8 inches or greater, located within 5 feet of either side of a property line. Does not include trees on developed single-family lots, in the public right-of-way or within 5 feet of the public right-of-way.
- **Regulated Tree.** A tree that has a Diameter at Breast Height (DBH) of 8 inches or greater, including trees located in the Special Purpose Overlay Districts. Regulated Trees are not Required Trees or Significant Trees.
- **Required Tree.** A protected tree subject to specific standards for removal and replacement that include Street Trees, Buffer Trees, Perimeter Trees, Landscape Trees and Parking Lot Trees of any size and other trees required to be planted by the Development Code. Required Trees are not Regulated Trees.
- **Shade Tree (or Canopy Tree).** A deciduous tree, planted primarily for its high crown of foliage or overhead canopy.
- **Significant Tree; Significant Grove.** A tree or group of trees that have been designated by the City as having unique importance, and subject to the Significant Tree Regulations of **Section 9.1000**, Tree Regulations.
- **Site Tree.** Any tree located within the property boundaries of a site. *See Site Definition,* ***Section 3.0103****.*
- **Street Tree.** A tree located in the public right-of-way between the curb, or edge of roadway, and the property line and trees located in a median. Trees located within a public right-of-way where no roadway exists are not considered street trees.
- **Tree Caliper.** An ANSI (American National Standards Institute) standard for the measurement of nursery trees. For trees up to 6 inches in diameter, caliper is measured at 6 inches above the ground level. Trees that are 6 to 12 inches in diameter, caliper is measured at 12 inches above the ground. For nursery stock above 12 inches in diameter, a DBH measurement is used (see Diameter Breast Height).
- **Tree Head Height.** A measurement from the ground to the lowest limb for a street tree.

Tree Caliper. *See Tree.*

Tree Protection Plan. *See Tree Related Definitions,* ***Section 3.0150.***

Tree Removal. *See Tree Related Definitions,* ***Section 3.0150.***

Tree Survey. *See Tree Related Definitions,* ***Section 3.0150.***

Tree Topping. *See Tree Related Definitions,* ***Section 3.0150.***

Tree Well. *See Tree Related Definitions,* ***Section 3.0150.***

Truck. *See Motor Vehicle.*

Underground Injection Control (UIC) System. As defined by DEQ: A well, improved sinkhole, sewage drain hole, subsurface fluid distribution system or other system or groundwater point source used for the subsurface emplacement or discharge of fluids.

Under Marquee Sign. S*ee Signs.*

Undevelopable area. An area that cannot be used practicably for a habitable structure because of:

- Natural conditions such as severe topographic relief, water bodies, or conditions that isolate one portion of a property from another portion so that access is not practicable to the unbuildable portion; or
- Manmade conditions such as existing development which isolates a portion of the site and prevents its further development; setbacks or development restrictions that prohibit development of a given area of a lot by law or private agreement; or existence or absence of easements or access rights that prevent development of a given area.

Unsafe Sign. S*ee Signs.*

Urban Development Value. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Urban Services. The term includes the following services and facilities: a public sanitary and storm sewer system, a public water supply, a street system, police and fire protection, public schools, public parks and library services.

Use, Accessory. A use that is incidental and subordinate to the main use.

Use, Change of. The replacement of one use on a site or within an occupancy with another use. The uses may or may not be similar in nature.

Utility Facilities. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Variance. A development proposal that includes a deviation or change from quantitative or qualitative standards.

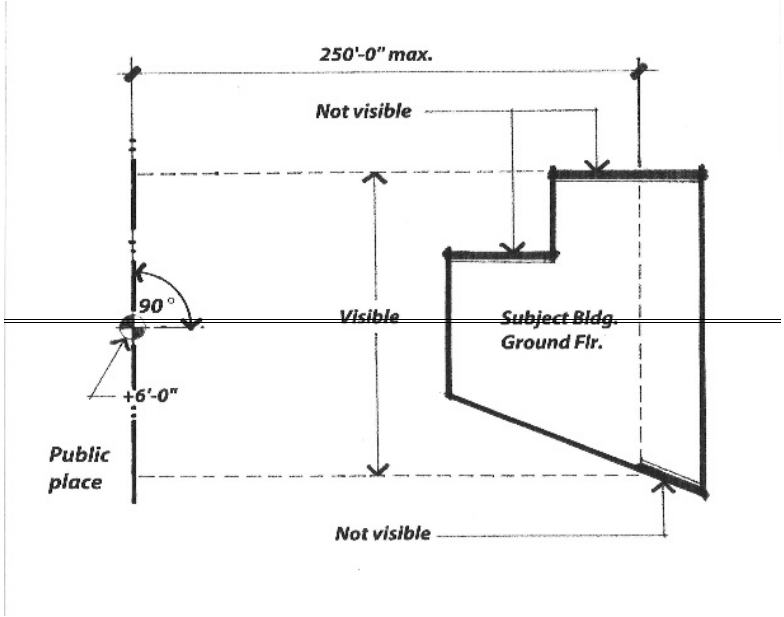
Vehicle, Recreation. A boat, camper, motor vehicle, or portable vehicular structure capable of being towed on the highways by a motor vehicle, designed and intended for casual or short-term human occupancy for travel, recreational and vacation uses. If identified in some manner as a recreation vehicle by the manufacturer or registered as such with the State, it is prima facie a recreation vehicle. See also HCA, ESRA, Floodplain Article 5 definitions in **Section 3.0130** for specific applications of this term in those areas.

Vehicle Repair. A commercial service/auto dependent use that includes vehicle engine adjustment, maintenance and repair, and minor body, electrical, interior work, cleaning and detailing. Vehicle repair does not include rebuilding or storage activities. Examples of vehicle repair include tune ups, quick lubes, service stations that provide minor repair services, muffler shops, electrical repairs, and tire services and sales.

Vehicle Sales and/or Rental Lot. A lot used for display, sale or rental of new or used vehicles, including, but not limited to, motor vehicles, boats, trailers and recreational vehicles.

Vehicular Way. A route intended for vehicular traffic such as a driveway or parking lot.

Visible. As used in Sections 4.1151B.5.D.1, 4.1151.B.6.D.9, 7.0002.D.8, 7.0003, 7.0003.E.5, 7.0503.B.4.D.11, 7.0503.B.5.D.7.a, 7.0603.B.1.D.2, and 11.0102.D.6, a structure is visible if its ground floor façade can be seen when viewed from 6 feet above grade, at a 90 degree angle from, and within 250 feet of the abutting property line of a public place.



Visible Transmittance. The amount of light that passes through a glazing material.

Walk, or Walkway. An exterior pathway with a prepared surface intended for pedestrian use, including general pedestrian areas such as plazas and courts.

Wall. For purposes of **Section 9.0100**, a wall is a fence constructed of brick, stone, concrete or other similar masonry materials. For other purposes, it is the vertical exterior surface of a building or the vertical interior surfaces that divide a building's space into rooms.

Water-Dependent. *See Habitat Conservation Area Definitions,* ***Section 3.0120.***

Water Feature. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Water Quality Resource Area. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Waters of the State. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Watershed. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Wet Weather Season. The period of the year in which the frequency and volume of precipitation is expected to be the greatest. Defined for purposes of construction and development in the City of Gresham as the period between October 1 and the following May 31.

Wetland. A wetland is an area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support and under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Identification and delineation of wetlands must be performed by a qualified wetland specialist as set forth in the 1987 Corps of Engineers Wetland Delineation Manual, and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region.

Wind Sign. S*ee Signs.*

Window Mullion (or Mullion). A dividing element in a window or window opening which separates and supports individual panes of glass.

Window Sign, Inside. S*ee Signs.*

Window Sign, Outside. *See Signs.*

Wireless Communication Facility Tower or WCF Tower. A monopole or other structure not attached to a building that is erected to support wireless communication facility antennas and connecting appurtenances.

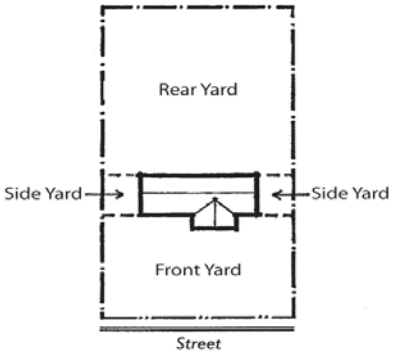
Woody Vegetation. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Woody Vegetation Area. *See HCA, ESRA, Article 5 Definitions,* ***Section 3.0130.***

Xeriscaping. A landscaping method that utilizes water-conserving techniques, such as the use of drought-tolerant plants and efficient irrigation.

Yard. An area on a lot between a primary structure and the lot lines. A yard extends from the ground upward. The portion of a yard required to be unoccupied by structures above grade - except for projections and the specific secondary uses or accessory structures allowed in such area as specified elsewhere in this ordinance - is known as a yard setback area.

- **Front Yard.** A space extending the full width of the lot between a building line and the front lot line or reservation line.
- **Rear Yard.** A space extending the full width of the lot between a building and the rear lot line or reservation line.
- **Side Yard.** A space extending from the front yard to the rear yard between a building and the nearest side lot line or reservation line.



Zero Lot Line. *See Lot Line.*

3.0120 Habitat Conservation Area (HCA) Related Terms and Definitions

The following definitions apply within the Habitat Conservation Area (HCA) Overlay District.

- **Building Footprint (for Habitat Conservation Area).** The area that is covered by buildings or other roofed structures. A roofed structure includes any structure more than 6 feet above grade at any point, and that provides an impervious cover over what is below. Building footprint also includes uncovered horizontal structures such as decks, stairways and entry bridges that are more than 6 feet above grade. Eaves are not included in building coverage. Underground facilities and structures are defined based on the foundation line.
- **Building Site.** The area on a lot or parcel that is designated to contain a structure, impervious surface, or non-native landscaping.
- **Developed Areas not Providing Vegetative Cover.** Areas that lack sufficient vegetative cover to meet the one-acre minimum mapping units of any other type of vegetative cover.
- **Developed Flood Area.** A flood area (a) upon which a building or other structure has been located, or (b) that is an uncovered, hard-surfaced area or an area covered with a perforated hard surface (such as Grasscrete") that is able to withstand vehicular traffic or other heavy-impact uses; provided, however, that graveled areas shall not be considered developed flood areas.

- **Disturb**. Man-made changes to the existing physical status of the land, which are made in connection with development. The following uses are excluded from the definition:
  - Enhancement or restoration of the HCA; or
  - Planting native cover identified in the City of Gresham Native Plant List.
- **Disturbance Area.** An area that contains all temporary and permanent development, exterior improvements, and staging and storage areas on the site. For new development, the disturbance area must be contiguous. The disturbance area does not include agricultural and pasture lands or naturalized areas.
- **Effective Impervious Area.** A subset of total impervious area that is hydrologically connected via sheet flow or discrete conveyance to a drainage system or receiving body of water
- **Habitat Conservation Area or HCA.** An area identified on the Habitat Conservation Areas Map and subject to the development standards of the HCA Overlay district.
- **Low Structure Vegetation or Open Soils.** Areas that are part of a contiguous area one acre or larger of grass, meadow, crop-lands, or areas of open soils located within 300 feet of a surface stream. Structure vegetation areas may include areas of shrub vegetation less than one acre in size if they are contiguous with areas of grass, meadow, crop-lands, orchards, Christmas tree farms, holly farms, or areas of open soils located within 300 feet of a surface stream and together form an area of one acre in size or larger).
- **Open Space.** Land that is undeveloped and that is planned to remain so indefinitely. The term encompasses parks, forests and farmland. It may also refer only to land zoned as being available to the public, including playgrounds, watershed preserves and parks.
- **Practicable.** Means available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purpose and probable impact on ecological functions. The practicability of a development option shall include consideration of the type of HCA that will be affected by the proposed development. For example, High HCAs have been so designated because they are areas that have been identified as having lower urban development value and higher-valued habitat, so it should be more difficult to show that alternative development options that avoid the habitat are not practicable. On the other hand, Low HCAs have been so designated because they are areas that have been identified as having higher urban development value and lower-valued habitat, so it should be less difficult to show that alternative development options that avoid the habitat are not practicable.
- **Riparian.** Those areas associated with streams, lakes and wetlands where vegetation communities are predominately influenced by their association with water.
  - **Riparian Area, Class I.** Class I areas are the highest value part of the HCA riparian corridor. Metro found that they provide three to five primary functions in their riparian model used for resource significance. The primary functions to sustain fish and wildlife including 1) microclimate and shade; 2) streamflow moderation and water storage; 3) bank stabilization, sediment and pollution control; 4) large wood and channel dynamics; and 5) organic material services. Class I riparian land features providing these functions include rivers, streams, stream associated wetlands, undeveloped floodplains, forest canopy (one acre or greater) within 100 feet of a stream, and forest canopy within 200 feet of streams on slopes of 25% and greater.
  - **Riparian Area, Class II.** Class II areas are medium value riparian habitat. Metro found that they provide one to two primary functions to sustain fish and wildlife or a combination of one primary function and one or more secondary functions. Class II riparian habitat includes rivers, streams, a 50 foot area along developed stream segments, forest canopy or low structure vegetation (e.g. grass) within 200 feet of streams, and portions of undeveloped floodplains extending beyond 300 feet of streams. Class II areas are elevated to Class I when they contain Habitats of Concern as shown on the Metro Habitats of Concern Map.

- **Routine Repair and Maintenance.** Activities directed at preserving an existing allowed use or facility, without expanding the development footprint or site use.
- **Setback Adjustment.** The placement of a building a specified distance away from a road, property line or protected resource.
- **Significant Negative Impact.** An impact that affects the natural environment, considered individually or cumulatively with other impacts on the HCA, to the point where existing fish and wildlife habitat functional values are degraded.
- **Steep Slopes.** Those slopes that are equal to or greater than 25%. Steep slopes have been removed from the "buildable lands" inventory and have not been used in calculations to determine the number of acres within the urban growth boundary that are available for development.
- **Urban Development Value.** The economic value of a property lot or parcel as determined by analyzing three separate variables: assessed land value, value as a property that could generate jobs ("employment value"), and the Metro 2040 design type designation of property. The urban development value of all properties containing regionally significant fish and wildlife habitat is depicted on the Metro Habitat Urban Development Value Map.
- **Utility Facilities.** Buildings, structures or any constructed portion of a system which provide**s** for the production or transmission of heat, light, water, power, natural gas, sanitary sewer, stormwater, telephone and cable television, communication and data. Utility facilities do not include stormwater treatment facilities.
- **Water-Dependent.** A use which can be carried out only on, in, or adjacent to water because it requires access to the water for waterborne transportation or recreation. Water-dependent also includes development, which by its nature, can be built only on, in, or over water. Bridges supported by piers or pillars, as opposed to fill, are water-dependent development. See also HCA, ESRA, Floodplain Article 5 definitions in **Section 3.0130** for specific applications of this term in those areas.

3.0130 HCA, ESRA, Floodplain and Article 5 Terms and Definitions

The following definitions apply within the Habitat Conservation Area (HCA) Overlay District; the Environmentally Sensitive Resource / Restoration Areas (ESRA) in Pleasant Valley (ESRA-PV) and Springwater (ESRA-SW); and to Floodplain-related applications, including but not limited to **Section 5.0100**, Floodplain Overlay District.

- **Appeals.** A request for a review of the interpretation of any provision of this ordinance or a request for a variance.
- **Aquatic Habitat.** Habitat structure that is the combination of vegetation, woody materials and certain configurations of pool and riffle sequences in the stream channel, off-channel wetlands, side channels, oxbows, meanders, backwaters, frequently flooded areas (10-year flood event or higher) and spawning gravel.
- **Areal Cover.** A measure of vegetative strata that defines the degree to which the canopy vegetative layer covers the ground surface.
- **Basement.** Any area of the building having its floor subgrade (below ground level) on all sides.
- **Below-Grade Crawl Spaces.** An enclosed area below the base flood elevation in which the interior grade is not more than two feet below the lowest adjacent exterior grade and the height, measured from the interior grade of the crawlspace to the top of the crawlspace foundation, does not exceed 4 feet at any point.

- **Critical Facility.** A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.
- **Development.** Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- **Ecological Features (or Features).** A distinctive natural resource element, quality or characteristic that contributes to an ecological function. Features include woody vegetation, tree groves, non-woody vegetation, water bodies, floodplain, aquatic habitat, sensitive species and structure.
- **Ecological Functions (or Functions).** The primary biological, chemical, and hydrologic characteristics of healthy fish and wildlife habitat that must be present for natural systems to work properly. Riparian ecological functions include water quality, channel dynamics and morphology (bank stabilization and sediment/pollution control, sources of large woody debris), water quantity (streamflow moderation and water storage), microclimate and shade, fish and aquatic habitat, organic material sources, and listed sensitive species as determined by the Oregon Department of Fish and Wildlife, the U.S. Department of Fish and Wildlife or the National Oceanographic and Atmospheric Administration. Upland ecological functions include terrestrial or upland wildlife habitat quality, terrestrial or upland sensitive species and upland interior habitat. Upland habitat quality is determined by tree canopy preservation, size of habitat area, amount of habitat with interior conditions, connectivity of habitat to water resources, connectivity of habitat to other habitat areas, and presence of unique habitat types.
- **Emergency.** Any man-made or natural event or circumstance causing or threatening loss of life, injury to person or property, and includes, but is not limited to, fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills or releases of oil or hazardous material, contamination, utility or transportation disruptions, and disease.
- **Engineer.** A registered professional engineer licensed by the State of Oregon.
- **Enhancement.** The process of improving upon the natural functions and/or values of an area or feature that has been degraded by human activity. Enhancement activities may or may not return the site to a pre-disturbance condition, but create/recreate beneficial processes and features that occur naturally.
- **Fill.** Any material such as, but not limited to, sand, soil, rock or gravel that is placed in a wetland or floodplain for the purposes of development or redevelopment.
- **Flood Areas.** Those areas contained within the 100-year floodplain and floodway as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Maps and all lands that were inundated in the February 1996 flood (note that areas that were mapped as flood areas but were filled to a level above the base flood level prior to September 30, 2005, consistent with all applicable local, state, and federal laws shall no longer be considered habitat based on their status as flood areas).
- **Flood Management Areas.** All lands contained within the 100-year floodplain, flood area and floodway as shown on the Federal Emergency Management Agency Flood Insurance Maps and the area of inundation for the February 1996 flood. In addition, all lands which have documented evidence of flooding**.**
- **Floodplain.** The land subject to periodic flooding, including the 100-year floodplain as mapped by FEMA Flood Insurance Studies or other substantial evidence of actual flood events.

- **Forest Canopy.** Areas that are part of a contiguous grove of trees of one acre or larger in area with approximately 60% or greater areal cover by regulated trees, irrespective of whether the entire grove is within 200 feet of the relevant water feature.
- **Habitat-Friendly Development.** A method of developing property that has less detrimental impact on fish and wildlife habitat than does traditional development methods. Examples include: clustering development to avoid habitat; using alternative materials and designs such as pier, post, or piling foundations designed to minimize tree root disturbance; managing storm water on-site to help filter rainwater and recharge groundwater sources; collecting rooftop water in rain barrels for reuse in site landscaping and gardening; and reducing the amount of effective impervious surface created by development.
- **Intermittent Streams.** Any stream that flows during a portion of every year and which provides spawning, rearing or food producing areas for food and game fish; or as reflected in the most current definition of the Oregon Department of State Lands. See also perennial "streams."
- **Invasive Non-Native or Noxious Vegetation.** Plant species that are listed as invasive/non-native plants or prohibited plants on the City of Gresham Native Plant List because they are plant species that have been introduced and, due to aggressive growth patterns and lack of natural enemies in the area where introduced, spread rapidly into native plant communities.
- **Mitigation.** The reduction of adverse effects of a proposed project by considering, in the order: a) avoiding the impact all together by not taking a certain action or parts of an action; b) minimizing impacts by limiting the degree or magnitude of the action and its implementation; c) rectifying the impact by repairing, rehabilitating or restoring the affected environment; d) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action by monitoring and taking appropriate measures; and e) compensating for the impact by replacing or providing comparable substitute water quality resource areas or habitat conservation areas.
- **Native Vegetation or Native Plant.** Vegetation listed as a native plant on the City of Gresham Native Plant List and any other vegetation native to the Portland metropolitan area provided that it is not listed as an invasive/ non-native, or a prohibited plant on the City of Gresham Native Plant List.
- **Non-Woody Vegetation (Herbaceous Plants**). Plants with a relatively short-lived shoot system that does not form a woody stem. Non-woody plants consist of herbs such as forbs, grasses or ferns or herbaceous vines.
- **Perennial Streams.** Streams with flows that last throughout the year; or as reflected in the current definition of the Oregon Department of State Lands. See also intermittent streams.
- **Recreational Vehicle.** A vehicle which is:
  - **(1)** Built on a single chassis;
  - **(2)** 400 square feet or less when measured at the largest horizontal projection;
  - **(3)** Designed to be self-propelled or permanently towable by a light duty truck; and
  - **(4)** Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- **Restoration.** The process of returning a disturbed or altered area or feature to a previously existing natural condition. Restoration activities reestablish the structure, function, and/or diversity to that which occurred prior to impacts caused by human activity.
- **Sensitive Species.** Those naturally reproducing species which may become threatened or endangered throughout all or any significant portion of their range in Oregon as identified by the Oregon Department of Fish and Wildlife, the U.S. Department of Fish and Wildlife or the National Oceanographic and Atmospheric Administration.

- **Stream.** A body of running water moving over the earth's surface including stream types classified as perennial or intermittent, channelized or relocated streams in a channel or bed, such as a creek, rivulet or river; or as reflected in the current definition of the Oregon Department of State Lands. See also intermittent and perennial streams.
- **Structure.** Means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling. *Structure*, for insurance purposes, means:
  - **(1)** A building with two or more outside rigid walls and a fully secured roof, that is affixed to a permanent site;
  - **(2)** A manufactured dwelling ("a manufactured home," also known as a mobile home, is a structure: built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation); or
  - **(3)** A travel trailer without wheels, built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws.

  For the latter purpose, "structure" does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described in paragraph (3) of this definition, or a gas or liquid storage tank.
- **Subsidized Rates.** Mean the rates established by the Federal Insurance Administrator involving in the aggregate a subsidization by the Federal Government.
- **Substantial Improvement.** Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. The term does not, however, include either:
  - **(1)** Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
  - **(2)** Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".
- **Top of Bank.** The same as "bankful stage" defined in OAR 141-85-010.
- **Water Dependent.** Means a structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.
- **Water Feature (Body).** All rivers and streams meeting the Oregon Department of State Lands for the definition of 'Waters of the State. These include also intermittent streams, springs which feed streams and wetlands and have year-round flow, Flood Management Areas, wetlands, and all other bodies of open water.
- **Water Quality Resource Area.** An area identified by a city or county as a Water Quality Resource Area in order to comply with Title 3 of Metro's Urban Growth Management Functional Plan, Metro Code sections 3.07.310- 3.07.370.
- **Waters of this State.** All natural waterways, tidal and non-tidal bays, intermittent streams, constantly flowing streams, lakes, wetlands, that portion of the Pacific Ocean that is in the boundaries of this state, all other navigable and non-navigable bodies of water in this state and those portions of the ocean shore, as defined in ORS 390.605, where removal or fill activities are regulated under a state-assumed permit program as provided in 33 U.S.C. 1344(g) of the Federal Water Pollution Control Act, as amended.
- **Watershed.** A geographic unit defined by the flows of rainwater or snowmelt. All land in a watershed drains to a common outlet, such as a stream, lake or wetland.

- **Woody Vegetation Area.** Areas that are part of a contiguous area one acre or larger of shrub or open or scattered forest canopy (less than 60% crown closure).
- **Woody Vegetation.** Perennial plants that have hard, lignified tissue/stems that grow outward year after year and that are composed of cellulose and lignin based tissue. Woody vegetation includes both trees and shrubs.

3.0140 Renewable Energy Related Terms and Definitions

The following definitions apply to the application of **Section 10.0900**, Renewable Energy and sustainability sections within design district standards.

- **Battery Charging Station.** *See Electric Vehicle Charging Station*.
- **Battery Charging Unit.** *See Electric Vehicle Charging Unit*.
- **Battery Exchange Station.** A facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery.
- **Biogas.** Generation of energy through the combustion of biological materials to produce heat, steam, or electricity.
- **Blade.** The extensions from the hub of the wind energy turbine which are designed to catch the wind and turn the rotor to generate electricity.
- **Electric Vehicle.** Any vehicle that operates, either partially or exclusively, on electrical energy either from the grid or an off-board source. Electric vehicle examples include vehicles such as a battery electric vehicle and a plug-in hybrid electric vehicle.
- **Electric Vehicle Charging Station.** A cluster of multiple electrical component equipment assemblies or units designed specifically to charge batteries for multiple electric vehicles on a site as a for-profit fueling station. *See also Battery Exchange Station*.
- **Electric Vehicle Charging Unit.** A parking space that is served by battery charging equipment whose primary purpose is to charge batteries within electric vehicles via the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.
- **Photovoltaic Panel.** A device used for the production of electric power through the conversion of light to electric power by semiconductor devices.
- **Renewable Energy Systems.** Systems which produce energy from sources that do not use up finite natural resources. Examples include solar, wind, biomass, geothermal, and micro-hydro.
- **Solar Electric System.** Equipment and devices that convert and store or transfer energy from the sun to produce electricity that is distributed to the building via an electrical panel or to the grid, offsetting electric energy that would otherwise be purchased from the utility. It typically consists of two primary components:
    - Photovoltaic panels or cells, which are commonly installed on the roof or the building walls or windows; and
    - One or more inverters, which convert the direct current electricity produced by the panels into alternating current electricity that can be used by the building or stored in batteries.
- **Solar Reflective Index.** A measure of the constructed surface's ability to reject or reflect solar heat (e.g. a roof) as shown by a small temperature rise. It is defined so that a standard black surface (reflectance 0.05, emittance 0.90) is 0 and a standard white surface (reflectance 0.80, emittance 0.90) is 100. The standard reflective index combines reflectance and emittance into one number. Once the maximum temperature rise of a given material has been computed, the index can be computed by interpolating between the values for white and black. Materials with the highest values are the coolest choices for roofing.

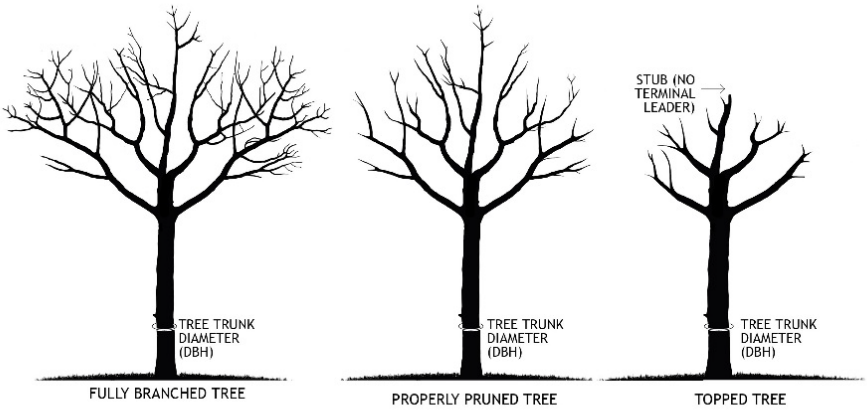
- **Solar Water Heating System.** Equipment and devices that have the primary purpose of collecting solar energy by preheating water so that the water heater or boiler reduces energy consumption. The system typically consists of two primary components:
    - Solar collectors, which are commonly installed on the roof or the building walls or windows; and
    - A storage tank, which is typically co-located with the water heater and in which potable water is preheated by the solar collectors via a heat exchanger.

3.0150 Tree Related Terms and Definitions

The following definitions apply to Tree-related applications, including but not limited to Section **9.1000**, Tree Regulations.

- **Clear Cutting.** Any tree removal which leaves fewer than an average of 1 tree per 1,000 square feet of lot area, well-distributed throughout the entirety of the site. This definition does not apply to sites that have fewer than an average of 1 tree per 1,000 square feet of lot area at the time development is proposed, except for sites from which the current owner or the proposed developer or his or her representative has removed Regulated Trees in excess of the number that may be removed without a development permit under **Section 9.1024(D)** of the Development Code.
- **Critical Root Zone.** The rooting area of a tree, primarily within the tree's dripline, which if injured or otherwise disturbed is likely to affect a tree's chance for survival.
- **Crown Cover.** The area within the drip line or perimeter of the foliage of a tree.
- **Diameter Breast Height (DBH).** The diameter measurement of the trunk or stem of a tree at a height 4.5 feet above the ground level at the base of the tree. Trees growing on slopes are measured at the mid-point between the up-slope and down-slope sides. For multi-stemmed trees, the size is determined by measuring all the trunks at 4.5 feet, and then adding the total diameter of the largest trunk to one-half the diameter of each additional trunk.
- **Dripline.** An imaginary line along the ground that reflects the outermost extent of foliage of a tree extended vertically to the ground. The dripline radius is typically measured at approximately one foot away from the trunk of the tree for each inch of tree diameter.
- **Pruning.** The removal of branches, water sprouts, suckers, twigs, or branches. Major pruning entails the removal of branches three inches in diameter or greater. Major pruning also includes root pruning and removal of branches and limbs that would constitute more than 20% of the trees foliage area. Minor pruning includes removal of deadwood and pruning less than 20% of the tree's foliage area.
- **Severe Crown Reduction.** The specific reduction in the overall size of a tree and/or the severe internodal cutting back of branches or limbs to stubs within the tree's crown to such a degree as to remove the normal tree canopy and disfigure the tree. Severe crown reduction is not a form of pruning.
- **Stand.** As applied to trees, a group of two or more trees growing in a continuous area. Also known as a grove or tree group.
- **Tree Protection Plan.** A detailed description of how trees intended to remain after development will be protected and maintained.
- **Tree Protection Zone.** The area of protection located in a radius from the tree at a rate of 1 foot of horizontal distance from the tree for each 1 inch diameter of tree measured at 4.5 feet above ground, or as determined by a Certified Arborist.
- **Tree Removal.** The act of removing a tree by digging up or cutting down, or the effective removal through irreversible damage of roots, stems, or crown, including tree topping.

- **Tree Survey**. A scaled drawing that provides the location of all trees having an eight inch or greater DBH that designates the common or botanical name of those trees, and their DBH.
- **Tree Topping.** The practice of cutting the dominant central stem or the most ascending branches leaving stubs or lateral branches that are too small to assume the role of a terminal leader. Generally, cutting back the dominant or most ascending stem to a diameter exceeding 15 percent of the tree's diameter at breast height (DBH), or as determined by a Certified Arborist, will be considered topping.



- **Tree Well.** A space within a sidewalk or other impervious area that has been created specifically as an area for a tree's root system to grow.
- **Urban Forest.** Trees within a city located on public and private property that are located within specific urban environments that have particular physical characteristics, provide various benefits and serve different needs.

3.0160 Temporary, Intermittent and Interim Uses Terms and Definitions

The following definitions apply to **Section 10.1400, Temporary, Intermittent and Interim Uses**.

- **Agricultural Products Sales.** A retail sales operation for the sale of agricultural products, such as fresh fruits, produce, flowers, nursery plants and nursery trees, where more than 75 percent of the product display area is of agricultural products. Agricultural product sales typically occur in a tent, the open air or in temporary structures such as greenhouses. Exception: Farmers' Markets.
- **Christmas Tree Sales.** A retail sales operation primarily for the sale of Christmas trees that typically occur outside a building in a tent or in the open air. Sales can also include other items, such as related holiday items and food and beverages.
- **Commercial Stand.** The sale of goods, services or merchandise from a location outside of a building in a mobile unit, tent or in the open air where less than 50 percent of sales is a combination of food and beverages. Exceptions include garage sales; residential lemonade stands and similar short-term sales associated with residential uses; Agricultural Product Sales and Food and Beverage Carts.

- **Farmers' Markets.** Events where farmers, ranchers, and other agricultural producers sell food, plants, flowers, and added-value products, such as jams and jellies, they have grown, raised, or produced from products they have grown or raised. In addition, some vendors sell food, and some may be community groups, services or other vendors or organizations. Farmers' markets occur on a regular basis in the same location and are open to the public.
- **Film Production Studios and Trailers.** Mobile units or prefabricated structures for temporary use during the filming of motion pictures.
- **Fireworks Sales.** A retail operation for the sale of fireworks that requires a state permit. The use typically occurs outside of a building in a tent or in the open air.
- **Intermittent Lodging.** A building, or part of a building, providing temporary protective sanctuary for the homeless or victims of crime or abuse on an occasional basis during the year. Exceptions: Emergency or disaster shelters established during times of natural or man-made emergencies or disasters and Warming/cooling Shelters.
- **Mobile Unit.** A vehicle such as a trailer, van, truck or recreational vehicle.
- **Real Estate Sales Office.** A temporary sales office, such as in a prefabricated building, mobile unit or model home, selling real property in a subdivision or on a tract of land within the city.
- **Special Event.** A special event is a single event or a series of events anticipated to include at least 50 people not part of the normal course of business at the location as determined by the Manager. This includes festivals, circuses, concerts, exhibitions and fairs. It does not include events such as neighborhood block parties; religious services at places of worship; events at institutional campuses designed for events; events that only require a City street closure or parks permit; an outdoor commercial use in commercial locations where they are allowed; or outdoor sales displays in location where they are allowed. Food and beverage sales are allowed as part of a special event.
- **Temporary Commercial, Institutional or Industrial Building.** The use of a prefabricated building for conducting the affairs of a business, professional service, institution, industry or government for a limited period to accommodate construction of a new building; construction related to the renovation or expansion of an existing building or buildings; unforeseen events such as fires, windstorms or floods; or similar temporary needs as approved by the Manager. Exception: Portable classrooms.
- **Temporary Dwelling.** Use of an existing house or a manufactured dwelling during construction of another house on the same lot or use of a manufactured dwelling on the same lot to live in temporary because of an unforeseen event such as a fire, windstorm or flood.
- **Warming/Cooling Shelter.** A building or part of a building providing temporary sheltering for persons affected by extreme cold or high heat. Exceptions: Intermittent Lodging and emergency or disaster shelters established during times of natural or man-made emergencies or disasters.

SECTION 3.0200
LAND USE CLASSIFICATIONS

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3.0201 Purpose

This section classifies land uses and activities into use categories on the basis of common functional, product, or physical characteristics. The use categories provide a systematic basis for assignment of present and future uses to land use districts. The decision to allow or prohibit the use categories in the various districts may be found in the land use tables in **Article 4**.

3.0202 HOW TO USE THE CLASSIFICATION SYSTEM

3.0203 General

Uses are assigned to the category whose description most closely describes the nature of the primary use. These descriptions are based upon characteristics of a use, example uses, accessory uses, and exceptions to the use.

Characteristics. Characteristics describe the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and certain site factors.

Example uses. Examples uses include some examples of uses that are in the use category. The names of uses on the lists are generic. They are based on the common meaning of the terms and not on what a specific use may call itself. For example, a use whose business name is "Wholesale Liquidation" but that sells mostly to consumers would be included in the Business and Retail Service and Trade category rather than the Wholesale Trade category. This is because the actual activity on the site matches the description of the Business and Retail Service and Trade category.

Accessory uses. Accessory uses are allowed by right in conjunction within the use category unless stated otherwise. They are subject to the same regulations as the primary use unless stated otherwise. Common accessory uses are listed as examples with the categories.

Exceptions. Exceptions are uses that are similar to the other example uses in the use category, but are not considered part of the use category. These uses may be primary uses in other categories, accessory uses in other categories, or not regulated by the Code.

3.0204 Classifying a Use

The following items are considered in determining what use category a use is in, and whether the activities constitute primary uses or accessory uses:

A. The description of the activity(ies) in relationship to the characteristics of each use category;

B. The relative amount of site or floor space and equipment devoted to the activity;

C. Relative amounts of sales from each activity;

D. The customer type for each activity, including frequency and number of customers;

E. The relative number of employees in each activity;

F. Hours of operation;

G. Building and site arrangement;

H. Vehicles used with the activity;

I. The relative number of vehicle trips generated by the activity;

J. Signs;

K. How the use advertises itself; and

L. Whether the activity would be likely to be found independent of the other activities on the site.

3.0205 Multiple Primary Uses

When all the primary uses of a development fall within one use category, then the development is assigned to that use category. For example, a development that contains a retail bakery and a café would be classified in the Business and Retail Service and Trade category because all the primary uses are in that category. When the primary uses of a development fall within different use categories, each primary use is classified in the applicable category and is subject to the regulations for that category.

3.0206 Determination of Similar Use

The purpose of the Determination of Similar Use procedure is to provide a process by which a proposed use is classified. This process is not needed when the comparison is obvious and the decision is non-discretionary. For example, it is clear than a yarn shop is similar to a gift store, an example of a Business and Service Retail and Trade.

A determination may be relied upon for future determinations where circumstances are similar, but it does not necessarily set precedent for subsequent determinations.

An application for a Determination of Similar Use shall follow the Type II procedure per **Section 11.0400**, including the opportunity for an appeal. It may be applied for separately or concurrent to another development application, such as a Design Review. A determination of similar use is not binding upon the Hearings Officer, Design Commission, Planning Commission or City Council.

A. Application. The following shall be provided by the applicant:

1. The applicant may submit an assumed set of hypothetical facts that can be used to inform the application. Any Determination of Similar Use decision that utilizes an assumed set of hypothetical facts will not determine the truth or falsity of such facts and such facts shall not be subject to any substantial evidence in the record determination. Factual determinations will not be made in a Determination of Similar Use. Such factual determinations are left to any later proceedings where a specific application is made for a development permit or application.

2. The applicant shall submit any additional materials as requested by the Manager for the application.

B. Criteria for a Determination of Similar Use. The criteria for a Determination of Similar Use are:

1. The Determination is consistent with the context of the Gresham Community Development Plan, Volume 2, including, particularly, the land use district in which the use is proposed.

2. The proposed use is of the same general type and is similar to other allowed uses in a sub-category. This may be determined by looking at the characteristics and example uses within the land use classifications found in **Section 3.0200**.

3. The Determination is consistent with the text of applicable Gresham Community Development Code provisions.

4. The proposed use is consistent with the stated purpose of the land use district in which it is proposed, if available.

3.0210 RESIDENTIAL CLASSIFICATIONS

3.0211 Single-Family Detached Dwelling

A. Characteristics. A Single-Family Detached Dwelling is characterized by the residential occupancy of a detached dwelling unit located on its own lot by one family.

B. Example Uses. Stick built homes and manufactured homes.

C. Accessory Uses. Registered and certified child care facilities operated by the resident of the home.

Accessory uses subject to additional regulations include accessory structures, accessory dwellings, ancillary dwellings, home occupations, and receive-only antennas and amateur radio and citizen band antennas.

Accessory uses subject to a Special Use Review include bed and breakfast facilities.

D. Exceptions.

1. A single-family dwelling structure that is used solely for a business.
2. A live-work unit.
3. Manufactured dwelling in a Manufactured Dwelling Park.

3.0212 Duplex

A. Characteristics. A Duplex is characterized by the residential occupancy of two residential units that are on a single lot and share a common wall, floor, or ceiling.

B. Example Uses. Two stick built homes in one building.

C. Accessory Uses. Registered child care facilities.

Accessory uses subject to additional regulations include accessory structures, home occupations, and receive-only antennas and amateur radio and citizen band antennas.

D. Exceptions.

1. A duplex dwelling structure in which both units are used solely for a business.
2. A live-work unit.

3.0213 Single-Family Attached Dwellings

A. Characteristics. Single-Family Attached Dwellings are characterized by single-family dwelling units usually located on their own lots that share one or more common walls with one or more other units. Single-family attached dwellings do not share common floors or ceilings with other units. Construction is usually two to three stories.

B. Example Uses. Townhouses and rowhouses.

C. Accessory Uses. Registered child care facilities.

Accessory uses subject to additional regulations include accessory structures, home occupations, and receive-only antennas and amateur radio and citizen band antennas.

D. Exceptions.

1. A live-work unit.

3.0214 Attached Dwellings on a Single Lot

A. Characteristics. Attached Dwellings on a Single Lot are characterized by dwelling units in a multi-family structure that share a common wall, floor or ceiling with another dwelling unit within a residential building on a single lot, or, as permitted by the district, within a mixed-use building on a single lot. Dwelling units may have unique kitchen and bathing facilities or may share these facilities with other units.

B. Example Uses. Multi-family residential structures such as apartments, boarding houses, shelters, and transitional housing.

Transitional housing for individuals transitioning from incarceration facilities are subject to a Special Use Review.

C. Accessory Uses. Registered child care facilities and an on-site management office. Accessory uses that may be used in common by all residents include solid waste and recycling areas, open spaces, recreational areas, common rooms, and playgrounds.

Accessory uses subject to additional regulations include accessory structures, home occupations, and receive-only antennas and amateur radio and citizen band antennas.

D. Exceptions.

1. A live-work unit.

3.0215 Elderly Housing

A. Characteristics. Elderly housing provides housing for individuals 55 years old or older, or for married couples where at least one of the spouses is 55 years old or older, or for disabled persons. Elderly housing shall qualify as housing exempt from the prohibition against discrimination based on familial status as set forth in the Fair Housing Act and the rules and regulations of the US Department of Housing and Urban Development, as set forth in 24 C.F.R. Chapter 1, Part 100, Sections 302-304.

B. Example Uses. Assisted living housing, congregate housing, continuing care retirement communities, immediate care facilities, retirement housing, and skilled nursing facilities.

C. Accessory Uses. On-site management office. Accessory uses that may be used in common by all residents include dining and food preparation facilities, solid waste and recycling areas, open spaces, recreational areas, common rooms, and personal care services and minor medical services for residents.

Accessory uses subject to additional regulations include accessory structures, home occupations, and receive-only antennas and amateur radio and citizen band antennas.

D. Exceptions.

1. Residential Home.
2. Residential Facility.
3. Boarding House.

3.0216 Manufactured Dwelling Park

A. Characteristics. Manufactured Dwelling Parks are places where four or more manufactured dwellings are located within 500 feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities, or to offer space free in connection with securing the trade or patronage of such person.

B. Example Uses. Manufactured home park.

C. Accessory Uses. Registered child care facilities and on-site management office. Accessory uses that may be used in common by all residents include solid waste and recycling areas, open spaces, recreational areas, common rooms, and playgrounds.

Accessory uses subject to additional regulations include accessory structures, home occupations, and receive-only antennas and amateur radio and citizen band antennas.

D. Exceptions.

1. Manufactured Dwelling Park does not include a lot(s) within a subdivision approved by Gresham that has been developed with a manufactured dwelling.

3.0217 Residential Facility

A. Characteristics. Residential Facilities are residential care, residential training or residential treatment facilities that provide residential care alone or in conjunction with treatment or training or a combination thereof, for six or more individuals who need not be related. Staff persons required to meet state licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.

B. Example Uses.

1. Residential care facility for physically disabled or socially dependent individuals as described in ORS 443.400(5).
2. Residential training facility for individuals with mental retardation or other developmental disabilities, as described in ORS 443.400(7). This may include residential care.
3. Residential treatment facility for mentally, emotionally, or behaviorally disturbed individuals or alcohol or drug dependent persons as described in ORS 443.400(9). This may include residential care and treatment.

C. Accessory Uses. On-site clinic and other services for residents.

Accessory uses subject to additional regulations include accessory structures and receive-only antennas and amateur radio and citizen band antennas.

D. Exceptions.

1. Residential Home.
2. Daycare.
3. Boarding House.

3.0218 Residential Home

A. Characteristics. A Residential Home is a facility for five or fewer individuals with mental, emotional, or behavioral disturbances, or alcohol or drug dependence, or mental retardation or

other developmental disabilities, residential care, training, and/or treatment. Staff persons required to meet licensing requirements shall not be counted in the number of residents, and need not be related to each other or to any resident of the residential home.

B. Example Uses.

1. A facility for individuals with mental, emotional or behavioral disturbances or alcohol or drug dependence.
2. A facility for individuals with mental retardation or other developmental disabilities.
3. A registered residential facility as described by ORS 443.480.
4. An adult foster home, which is a family home or facility in which residential care is provided in a homelike environment for five or fewer adults who are not related to the provider by blood or marriage, as provided by ORS 443.705(1).

C. Accessory Uses. On-site clinic and other services for residents.

Accessory uses subject to additional regulations include accessory structures and receive-only antennas and amateur radio and citizen band antennas.

D. Exceptions.

1. Residential Facility
2. Daycare.
3. Boarding house.

3.0230 COMMERCIAL CLASSIFICATIONS

3.0231 Auto-Dependent Use

A. Characteristics. A retail service that provides direct services for motor vehicles where the customer may or may not wait at the site while the service or repair is being performed.

B. Example Uses. Service stations, car washes, quick lubrication services, vehicle repair, transmission or muffler shops, auto body shops, alignment shops, auto upholstery shops, auto detailing, tire sales and mounting, cardlock stations, DEQ vehicle emission test sites, electric vehicle battery exchange stations and electric vehicle battery charging stations.

C. Accessory Uses. Vacuum islands, offices, receive-only antennas.

D. Exceptions.

1. Auto sales lots.
2. Any use identified as an example use that acts as an accessory use to a specific use on the site. For example, a fueling facility for fleet vehicles associated with a post office are considered accessory to the post office, not an Auto-Dependent Use.
3. Fleet charging stations for a single business or industry.

3.0232 Business and Retail Service and Trade

A. Characteristics. Business Services are engaged in rendering services on a fee or contract basis. There is little to no outdoor storage of materials. Visitors to this use are typically other businesses or clients.

Retail Service establishments provide services or entertainment to the public. They may also provide product repair for consumer goods.

Retail Trade establishments are engaged in the selling or renting of goods or merchandise for personal or household consumption. Goods may be made on-site primarily for sale to the general public though some products may be sold to other retailers. These uses generate significant public trips and may be configured with a drive-through.

B. Example Uses.

Business services include data processing; employment services; business equipment sales and rental; professional offices such as accounting, advertising, architecture, consulting, engineering, law, title, surveying, real estate, and government; construction contractors; photocopy and blueprint services; and janitorial services.

Retail services include eating establishments, drinking establishments, hotels, banks, catering, laundromats, hair salons, barber shops, arcades, photo finishing, photocopy services, watch and jewelry repair, veterinarian offices, kennels limited to boarding, pet day care, redemption centers, health clubs, indoor sports parks, fraternal organizations, private lodges, martial arts studios, beauty schools, funeral homes, museums, theaters, and auditoriums. Professional offices may also be considered a retail service.

Retail trade includes clothing, grocery, hardware, gift, appliance, computer, and telephone stores.

C. Accessory Uses. Offices, storage of goods and equipment, manufacture and repackaging of goods for on-site sale (i.e. for a bakery or brewpub), fleet parking, amenities for employees of the building such as a small health club facility and cafeteria, receive-only antennas.

D. Exceptions.

1. Auto-Dependent Uses.
2. Sales, such as vehicle sales, where the indoor-to-outdoor area ratios exceed thresholds in the underlying land use district are considered Outdoor Commercial.
3. City halls and government courthouses are Civic Uses.
4. Offices that are part of and are located within a firm in another category are considered accessory to the firm's primary activity.
5. Construction contractors where equipment and material storage is outside are considered a Construction Use or Outdoor Commercial Use.

3.0233 Clinics

A. Characteristics. Clinics are out-patient personal health service facilities that provide the diagnosis, counseling, prevention, treatment and/or rehabilitation of health issues for patients.

B. Example Uses. Doctor office, dentist office, medical testing facility, psychiatric care, group or one-on-one counseling service, physical therapy, naturopathic care, chiropractic office, and urgent care clinic.

C. Accessory Uses. Medical laboratories, receive-only antennas.

D. Exceptions.

1. Hospitals and medical offices at a hospital are considered Medical.
2. Veterinarian offices are Business and Retail Service and Trade.

3.0234 Commercial Parking

A. Characteristics. Any parking lot or structure used for the sole purpose of paid parking not associated with any other use.

B. Example Uses. Short and long term fee parking facilities; commercial shuttle parking.

C. Accessory Uses. Attendant kiosk, receive-only antennas.

D. Exceptions.

1. Parking facilities that are accessory to a use, including those which charge the public to park for occasional events nearby.
2. Public transit park-and-ride facilities are classified as Community Services.

3.0235 Daycare Facilities

A. Characteristics. A commercial enterprise which includes day and/or evening care of three or more children, typically for a fee. Daycare facilities may include the daytime care of teenagers or adults who need assistance or supervision; this type of adult day care may provide activities and social venues for participants.

B. Example Uses. Commercial child care facilities, preschools, Head Start programs, nursery schools, adult daycare programs, and residential child care facilities that do not meet the thresholds to be considered an accessory use to a Residential Use.

C. Accessory Uses. Indoor and outdoor activity areas, offices, cafeteria and cooking facilities to serve the daycare attendees and staff, receive-only antennas.

D. Exceptions.

1. Registered and certified family child care homes are accessory to an existing residential use.
2. Care provided by babysitters, parents, guardians, or relatives. These uses are not regulated by the Development Code.
3. Public and private educational facilities are Schools.
4. Residential Facilities.
5. Residential Homes.
6. Senior centers are Community Services.

3.0236 Live-Work

A. Characteristics. A Live-Work unit is a structure that combines limited Business and Retail Service and Trade use with a Residential use. The commercial space may be used by anyone residing at the unit and by no more than two non-resident employees.

B. Example Uses. Live-Work unit.

C. Accessory Uses. Registered childcare facilities, offices, storage of goods and equipment, and manufacture and repackaging of goods for on-site sale.

Accessory uses subject to additional regulations include accessory structures and receive-only antennas and amateur radio and citizen band antennas.

D. Exceptions.

1. Home occupations are not a Live-Work use, but rather an accessory to an existing residential use.

3.0237 Major Event Entertainment

A. Characteristics. Major Event Entertainment uses are characterized by activities and structures that draw large numbers of people to specific events or shows. Activities are generally of a spectator nature and occur throughout the year. Major Event Entertainment also includes uses characterized by large scale participatory recreational venues which draw large numbers of people on an on-going basis. Activities include entertainment, rides and games.

B. Example Uses. Stadiums, race tracks, coliseums, sports arenas, theme parks, and convention centers.

C. Accessory Uses. Lodging, restaurants, bars, concessions, spectator medical treatment, maintenance facilities, receive-only antennas.

D. Exceptions.

1. Banquet halls that are accessory to a hotel or restaurant are considered Business and Retail Service and Trade.
2. Convention centers under 30,000 square feet of total public event area are considered Business and Retail Service and Trade.
3. Theaters and auditoriums are considered Business and Retail Service and Trade.
4. Events at Parks are considered customary for Parks, Open Spaces, and Trails.

3.0238 Mini-Storage Facilities

A. Characteristics. Mini-Storage Facilities are structures containing separate storage spaces of varying sizes rented and accessed on an individual basis. The spaces are used only for dead storage of goods and materials.

B. Example Uses. Facilities that provide individual storage areas for rent. These uses are also called mini-warehouses.

C. Accessory Uses. Security and leasing offices, receive-only antennas.

D. Exceptions.

1. Storage facilities that are accessory to another use such as Attached Dwellings on a Single Lot are considered accessory to that use.
2. Storage businesses where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred are considered Warehousing/ Storage.

3.0239 Outdoor Commercial

A. Characteristics. Outdoor Commercial uses provide goods or services, either wholesale or retail, where the amount of site area used for outdoor storage of materials or display of merchandise exceeds the total floor area of all buildings on the site. Specific standards on outdoor-to-indoor area ratios may be found in the underlying land use district standards.

B. Example Uses. Automobile sales, landscape nurseries, lumber yards, household moving supply company, construction contractors, and equipment rental businesses.

C. Accessory Uses. Offices, receive-only antennas.

D. Exceptions.

1. Outdoor equipment storage is Warehousing/Storage.

3.0250 INDUSTRIAL CLASSIFICATIONS

3.0251 Construction

A. Characteristics. Construction is characterized by businesses whose primary activity is performing specific building or other construction-related work. These uses may have outdoor storage of their professional equipment.

B. Example Uses. Residential and non-residential building construction company or contractor, utility/civil engineering construction; architectural services; surveying services; specialty trade contractors, and moving companies.

C. Accessory Uses. On-site material storage and incidental retail; receive-only antennas.

D. Exceptions.

3.0252 Exclusive Heavy Industrial

A. Characteristics. Exclusive Heavy Industrial uses typically work with aggregate, stone, concrete or asphalt. These operations extract mineral resources from the ground for off-site use. These industries typically have commonly recognized offensive conditions and adverse impacts.

B. Example Uses. Rock crushing, aggregate storage and distribution, and concrete and/or asphalt batch plants.

C. Accessory Uses. Sorting, storage, and transfer facilities, receive-only antennas.

D. Exceptions.

3.0253 Industrial Office

A. Characteristics. Industrial Offices typically service other industrial uses and do not generate a significant number of daily public customer visits. The use is typically in an office-type building that is accessory to an industrial use.

B. Example Uses. Laboratories and testing facilities; industry-related health services; industrial support services such as document preparation; corporate offices; company business offices; and call centers. Uses may include establishments which administer, oversee, and manage companies, and those which manage financial assets and securities.

C. Accessory Uses. Equipment storage and amenities for employees of the building such as a small health club facility and cafeteria; receive-only antennas.

D. Exceptions.

3.0254 Information Services

A. Characteristics. Information Services are establishments engaged in the producing and distributing of information and cultural products. They may provide a means to process, transmit or distribute these products as well as data or communications. Information Services primarily service other industrial uses and generate few general public customer visits per day.

B. Example Uses. Book, periodical, and software publishing industries; computer system design; internet web search services; internet service providers; video and motion picture industries; computer data storage services; optical scanning and imaging services; process of financial transactions such as credit card transactions and payroll processing services.

C. Accessory Uses. Amenities for employees of the building such as a small health club facility and cafeteria; receive-only antennas.

D. Exceptions.

3.0255 Manufacturing

A. Characteristics. Manufacturing businesses are engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products including the assembly of components parts. Products are generally not displayed or sold on site, but if so, they are a subordinate part of the operation. Relatively few customers come to the manufacturing site.

B. Example Uses. Renewable energy development; biosciences; food and beverage processing; software and electronics production; fabrication of products made from metal, manufactured glass, rubber, plastic or resin; conversion of paper and cardboard products; and microchip fabrication.

C. Accessory Uses. Offices, warehouses, storage yards, rail spur lines, docks, repair facilities, fleet parking, amenities for employees of the building such as a small health club facility and cafeteria, receive-only antennas.

D. Exceptions.

1. Manufacture and production of goods from composting organic material is classified as Waste Management.
2. Manufacturing of goods to be sold primarily on-site and to the general public are classified as Business and Retail Service and Trade.

3.0256 Miscellaneous Industrial

A. Characteristics. This use includes firms involved in large scale repair and servicing of industrial, business or consumer electronic equipment, machinery or related equipment, products, or by-products. Few customers, particularly not general public daily customers, come to the site.

B. Example Uses. Welding shops; machine shops; tool, electric motor, industrial instruments repair; sales, repair, storage, salvage or wrecking of heavy machinery, metal and building materials; towing and vehicle storage; auto and truck salvage and wrecking; heavy truck servicing and repair; tire retreading or recapping; exterminators including chemical mixing or storage and fleet storage and maintenance; janitorial and building maintenance services that include storage of materials and fleet storage and maintenance; fuel oil distributors; solid fuel yards; and large scale laundry, dry-cleaning and carpet cleaning plants.

C. Accessory Uses. Offices, warehouses, fleet parking, storage yards, amenities for employees of the building such as a small health club facility and cafeteria, receive-only antennas.

D. Exceptions.

3.0257 Trade Schools

A. Characteristics. This use is an establishment whose primary purpose is to provide training to meet industrial needs and often leads to job-specific certification. These schools typically operate on a for-profit basis and the schools' programming is focused on a particular industrial profession rather than providing a complete educational curriculum.

B. Example Uses. Electronic equipment repair training; truck driving school; welding; operation and repair of industrial machinery; and other industrial skills training.

C. Accessory Uses. Offices, food service, laboratories, meeting areas, maintenance facilities, incidental retail trade (i.e. bookstore), receive-only antennas.

D. Exceptions.

1. Universities and colleges are considered Schools.
2. Schools for martial arts or dancing are considered Business and Retail Service and Trade.
3. Trade schools for non-industrial professions such as a beauty school are considered Business and Retail Service and Trade.

3.0258 Transportation/Distribution

A. Characteristics. These uses provide for transportation of cargo using motor vehicles or rail spurs. Goods are generally distributed to other firms or the final customer and are often associated with warehousing and storage facilities.

B. Example Uses. Parcel services and distribution centers.

C. Accessory Uses. Loading docks, temporary outdoor storage, fleet parking, will call window, offices, and maintenance areas; receive-only antennas.

D. Exceptions.

1. Uses that involve the transfer or storage of solid or liquid wastes are classified as Waste Management.

3.0259 Warehousing/Storage

A. Characteristics. These industries are primarily engaged in operating warehousing and storage facilities for general merchandise, refrigerated goods, and other products and materials that have been manufactured and are generally being stored in anticipation for delivery to a final customer. This use may provide a range of logistical services including labeling, packaging, price marking, ticketing, and transportation arrangement.

B. Example Uses. Cold storage facilities, retail store warehouses.

C. Accessory Uses. Offices and maintenance areas, recycling drop box, receive-only antennas.

D. Exceptions.

1. Mini-Storage Facilities.

3.0260 Waste Management

A. Characteristics. This includes businesses that provide garbage and recycling hauling, sorting, and transferring. These uses receive solid or liquid waste from others for disposal on the site or for transfer to another location.

B. Example Uses. Recycling facilities, drop box transfer stations, recycling collection sites, recyclable and recyclables recovery facilities.

Example uses subject to a Special Use Review include solid waste transfer station, composting facilities, and landfills.

C. Accessory Uses. Fleet parking and maintenance, energy generation through recovery, offices, and materials recycling; receive-only antennas.

D. Exceptions.

3.0261 Wholesale Trade

A. Characteristics. This use comprises establishments engaged in selling, renting, and/or distributing merchandise to: retailers; industrial, commercial, or professional business users; or other wholesalers generally without transformation and rendering services incidental to the sale of the merchandise. Wholesale Trade normally operates from a warehouse or office and is not intended for general public walk-in traffic.

B. Example Uses. Wholesale or rental of machinery, equipment, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures.

C. Accessory Uses. Offices, product repair, warehouses, minor fabrication services, and repackaging of goods, receive-only antennas.

D. Exceptions.

1. Businesses that sell or rent primarily to the general public are Business and Retail Service and Trade.
2. Businesses that are primarily storing goods with little on-site business activity are considered Warehousing/Storage.

3.0270 INSTITUTIONAL CLASSIFICATIONS

3.0271 Civic Uses

A. Characteristics. Civic Uses are unique government uses that serve the general public, have regular public visitors, and because of their social or technical need, may be located in most areas within the city.

B. Example Uses. Fire stations, police stations, city hall, court buildings, post office, and library.

C. Accessory Uses. Offices, meeting areas, fleet parking, community gardens, amenities for employees of the building such as a small health club facility and cafeteria, receive-only antennas.

Accessory uses subject to a Special Use Review include Heliports.

D. Exceptions.

3.0272 Community Services

A. Characteristics. Community Service Uses primarily serve the general public and, because of their social need, may be located in most areas within the city. Community Service Uses are usually, but not limited to, public or nonprofit enterprises. They provide a service on the site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community Services are generally open to the general public to attend at any time. The use may also provide special counseling, education, or training of a public, nonprofit, or charitable nature.

B. Example Uses. Adult or senior center, community centers, community food service, non-profit hot meals service, drug and alcohol treatment facilities, equipment storage facility for transit, park and ride transit facility, houseboats, moorages, marinas, cemeteries and mausoleums.

C. Accessory Uses. Offices, meeting areas, food preparation area, health and therapy areas, daycare, community gardens, athletic facilities, receive-only antennas.

D. Exceptions.

1. Private lodges, clubs, and membership athletic or health clubs are considered Business and Retail Service and Trade.
2. Museums are considered a Business and Retail Service and Trade.

3.0273 Medical

A. Characteristics. Medical uses provide medical and surgical care to patients on an inpatient, outpatient, and emergency basis. Typically, a medical center is contained on several blocks, often in a campus setting.

B. Example Uses. Hospitals and medical centers that include hospitals.

C. Accessory Uses. Administrative offices, food service, medical office buildings, clinics, laboratories, teaching facilities, conference facilities, incidental retail trade, maintenance facilities, community gardens, amenities for employees of the building such as a small health club facility, receive-only antennas.

Accessory uses subject to a Special Use Review include Heliports.

D. Exceptions.

1. Clinics that provide care where patients are generally not kept overnight and are not located at a hospital. These are considered Clinics.
2. Urgent medical care clinics are considered Clinics.
3. Uses that provide exclusive care and treatment or training for psychiatric, alcohol or drug problems, where patients are residents of the program, are considered a Residential Facility or Residential Home, depending on the number of persons at the facility.

3.0274 Parks, Open Spaces and Trails

A. Characteristics. Parks, Open Spaces and Trails are uses of land focusing on large natural areas consisting mostly of vegetative landscaping, outdoor recreation, or public squares. Areas provide open space and recreational opportunities for all city residents and for community events. Parks may be programmed for different activities such as: play grounds, skate parks, off-leash dog areas, paths and trails, and ball fields, and be host to periodic events such as concerts, soccer games, and art shows.

B. Example Uses. Public neighborhood, community and regional parks; public paths and trails, trail access points, and trailheads; open space; public urban plazas; private parks; and golf courses.

C. Accessory Uses. Club houses, maintenance facilities, concessions, information kiosks, shelters, restrooms, community gardens, picnic tables, receive-only antennas.

D. Exceptions.

1. Open spaces, paths and trails, and playgrounds in a subdivision.
2. Public paths and public trails identified in the City of Gresham Transportation System Plan as transportation facilities.

3.0275 Religious Institutions

A. Characteristics. Religious institutions provide meeting areas for religious activities.

B. Example Uses. Churches, temples, synagogues, and mosques.

C. Accessory Uses. Sunday school facilities, daycare facilities to be used during service hours only, retail limited to institutional functions, community gardens, offices, receive-only antennas.

D. Exceptions.

1. Religious schools that provide K-12 education are considered Schools.
2. All types of Daycare uses outside of service hours are considered Daycare.

3.0276 Schools

A. Characteristics. Primary and secondary schools provide state mandated education. Higher education schools provide degree programs and are certified by the State Board of Higher Education or by a recognized accrediting agency.

B. Example Uses. Elementary school (typically K-5 grade), middle school (typically 6-8 grade), high school (typically 9-12 grade), community colleges, and universities. Schools may be public or private.

C. Accessory Uses. Daycare, cafeterias, recreational and sport facilities, athletic fields, auditoriums, offices, student housing, laboratories, meeting areas, maintenance facilities, portable classrooms, community gardens, support commercial (bookstore, school supplies), receive-only antennas. Schools may provide some programming in trades.

D. Exceptions.

1. Commercial schools, such as a beauty school, are treated as a Business and Retail Service and Trade.
2. Trade schools, such as an electrician technical school, are treated as a Trade School.

3.0280 RENEWABLE ENERGY

3.0281 Solar Energy Systems

A. Characteristics. A solar energy system is characterized by equipment and devices that convert, store or transfer energy from the sun into usable forms of energy. The system may be installed on roofs, on the ground, or integrated in building materials.

B. Example Uses. Solar electric (photovoltaic) panels and systems, solar thermal (heating) collector panels or systems, solar water heating systems and integrated solar panels or cells.

C. Accessory Uses. Electrical cabinet containing wires, electrical inverters, batteries, water storage tanks, water heaters, motors, transmission equipment, receive-only antennas.

D. Exception.

1. A solar energy system that exceeds the threshold in **Section 10.0900** of a large scale system which is considered an electrical generating facility.

3.0282 Wind Energy Systems

A. Characteristics. A wind energy system is characterized by equipment and devices that convert, store or transfer energy from the wind into usable forms of energy such as electricity. The system may be installed on roofs or ground-mounted.

B. Example Uses. Vertical axis wind turbines (where the main rotor of the shaft is set vertically) and horizontal axis wind turbines (where the main rotor of the shaft is set parallel to the ground).

C. Accessory Uses. Electrical cabinet or equipment shelters containing wires, motors, transmission equipment and monopoles, receive-only antennas.

D. Exceptions.

1. A wind energy system that exceeds the threshold in **Section 10.0900** of a large scale system which is considered an electrical generating facility.
2. Meteorological or wind monitoring towers.

3.0283 Biomass Energy Systems

A. Characteristics. A biomass energy system is characterized by equipment and devices that convert, store or transfer energy from organic biologic materials into usable forms of energy. The system generates energy from controlled combustion of non-hazardous materials.

B. Example Uses. Wood burning, municipal solid waste or plant material combustion facilities, biogas production facilities such as methane gas, biofuels production facilities such as corn fermentation by bacteria and natural gas, hydrogen or biogas fuel cells.

C. Accessory Uses. Electrical cabinets, motors, and transmission equipment, receive-only antennas.

D. Exceptions.

1. Residential pellet stoves and similar wood burning stove conveyances.
2. A biomass energy system that exceeds the threshold in **Section 10.0900** of a large scale system which is considered an electrical generating facility.
3. Biomass energy systems that utilize hazardous waste materials such as industrial sludge, medical or radioactive waste.

3.0284 Geothermal Energy Systems

A. Characteristics. A geothermal energy system is characterized by equipment and devices that convert, store or transfer energy from the heating and cooling potential stored in the earth into usable forms of energy. These systems are closed-loop with two separate but closed loops in the ground – one which is a primary refrigerant loop in the cabinet to exchange heat with the secondary loop of water/anti-freeze mix underground.

B. Example Uses. High temperature geothermal hot water or steam facilities and low temperature heat exchange units or heat pumps to provide interior building space or water heating or cooling.

C. Accessory Uses. Electrical cabinets, motors, transmission equipment, receive-only antennas.

D. Exceptions.

1. A geothermal energy system that exceeds the threshold in **Section 10.0900** of a large scale system which is considered an electrical generating facility.
2. Open-loop geothermal equipment with two separate but open loops – a secondary loop that pumps natural ground water from a well or water body into a heat exchanger and then after

heat exchange re-injects the water into the ground water or water body.

3. Closed-loop or open-loop geothermal energy systems that are in any well field protection areas in the city.

3.0285 Micro-Hydro Energy Systems

A. Characteristics. A micro-hydro energy system is characterized by in-pipe equipment and devices that convert, store or transfer energy from moving water into usable forms of energy. These systems are closed-loop with two separate but closed loops in the ground – on which is a primary refrigerant loop in the cabinet to exchange heat with the secondary loop of water/anti-freeze mix underground.

B. Example Uses. In-pipe water turbines.

C. Accessory Uses. Electrical cabinets, motors, and transmission equipment, receive-only antennas.

D. Exceptions.

1. A micro-hydro energy system that exceeds the threshold in **Section 10.0900** of a large scale system which is considered an electrical generating facility.
2. In-stream micro-hydro systems which are located in a creek or stream.

3.0290 OTHER CLASSIFICATIONS

3.0291 Basic Utilities

A. Characteristics. Basic Utilities are infrastructure services which need to be located in or near the area where the service is provided. These uses are typically not in the public right-of-way. These uses generally do not have regular employees at the site. Services may be publicly or privately provided.

B. Example Uses.

1. Minor basic utilities: diversion structures, lift stations, pump stations, wellheads, small water treatment facilities not exceeding 1,000 sq. ft. of building area and not exceeding the maximum building height in the underlying land use district, water storage facilities not occupying more than 1,000 sq. ft. of site area, and not exceeding the maximum building height of the underlying land use district, and transit bus shelters.
2. Major basic utilities: light-rail station shelters, substations, telephone switching stations, storm water treatment facilities, water storage reservoirs, waste water treatment plants, electrical generating facilities.

C. Accessory Uses. Control, monitoring, data or transmission equipment, emergency generators, receive-only antennas.

D. Exceptions.

3.0292 Heliport Facilities

A. Characteristics. Heliport facilities include facilities for the takeoff and/or landing of helicopters, including loading and unloading areas.

B. Example Uses. Public or private facilities designed for the landing, departure, storage and fueling of flying vehicles. These may be called heliports, helipads, or helistops.

C. Accessory Uses. Peripheral areas, hangers, parking pads, passenger terminals, refueling facilities, and helicopter repair and service areas, receive-only antennas.

D. Exceptions.

1. Helicopter landing facilities which are accessory to another use, such as a hospital, are considered accessory uses. They are subject to all the regulations and criteria that apply to Heliports.

3.0293 Wireless Communication Facilities

A. Characteristics. An unmanned facility located on a structure or tower for the transmission of radio frequency (RF) signals for wireless communication.

B. Example Uses. New or existing Wireless Communication Facility towers, including support structures; co-location of wireless communication facilities; radio and television towers as outlined in **Section 10.0601** and **Section 10.0602** or **Section 10.1010** and **Section 10.1011**.

C. Accessory Uses. Antennas, cabinets, other enclosed structures containing electronic equipment, cables, wires, conduits, back-up power supply, or other transmission and reception devices.

D. Exceptions.