

# SECTION 4.0200

## COMMERCIAL LAND USE DISTRICTS

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### General

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#### 4.0201 Purpose

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

### Land Use District Characteristics

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#### 4.0210 Neighborhood Commercial District (NC)

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

## 4.0212 Central Rockwood and Corridor Districts

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

## Permitted Uses

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### 4.0220 Permitted Uses

Table 4.0220 lists those uses that are permitted in each Commercial District.

- P = Permitted use
- L = Use is permitted, but is limited in the extent to which it may be permitted
- NP = Use not permitted
- SUR = Use permitted subject to a Special Use Review

Each of these uses must comply with the site development requirements of **Section 4.0230-4.0231** and all other applicable requirements of the Community Development Code.

**Table 4.0220: Permitted Uses in the Commercial Land Use Districts**

USES	NC
<b>RESIDENTIAL<sup>1</sup></b>	
Single-Family Detached Dwelling	NP
Duplex	NP
Single-Family Attached Dwellings	NP
Attached Dwellings on a Single Lot	NP
Elderly Housing	NP
Manufactured Dwelling Park	NP
Residential Facility	NP
Residential Home	NP
<b>COMMERCIAL</b>	
Auto-Dependent Use	L <sup>2</sup>
Business and Retail Service and Trade	L <sup>3</sup>
Clinics	NP
Commercial Parking	SUR
Daycare Facilities	SUR
Live-Work	NP
Major Event Entertainment	SUR
Mini-Storage Facilities	NP
Outdoor Commercial	NP

USES	NC
<b>INDUSTRIAL</b>	
Construction	NP
Exclusive Heavy Industrial Uses	NP
Industrial Office	NP
Information Services	NP
Manufacturing	NP
Miscellaneous Industrial	NP
Trade Schools	NP
Transportation/Distribution	NP
Warehousing/Storage	NP
Waste Management	NP
Wholesale Trade	NP
<b>INSTITUTIONAL USES</b>	
Civic Use	SUR
Community Services	SUR
Medical	SUR
Parks, Open Spaces and Trails	SUR
Religious Institutions	SUR
Schools	SUR
<b>RENEWABLE ENERGY<sup>5</sup></b>	
Solar Energy Systems	L/SUR <sup>6</sup>
Wind Energy Systems	L <sup>7</sup>
Biomass Energy Systems	L <sup>8</sup>
Geothermal Energy Systems	L/SUR <sup>9</sup>
Micro-Hydro Energy Systems	L <sup>10</sup>
<b>OTHER</b>	
Basic Utilities	
Minor basic utilities	P
Major basic utilities	SUR
Heliports <sup>4</sup>	NP
Wireless Communication Facilities	SUR
Temporary, Intermittent & Interim Uses	P
Marijuana Businesses	L <sup>11</sup>

**Table 4.0220 Notes**

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

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

<sup>3</sup> Business and Retail Service and Trade are limited to the following:

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

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

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

<sup>5</sup> See **Section 10.0900** for additional standards that apply.

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

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

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

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

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

<sup>11</sup> For limitations, see **GRC 9.63.090**.

## Commercial Land Use District Standards

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### 4.0230 Commercial Land Use District Standards

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

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

**Table 4.0230 Notes:**

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

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

#### **4.0231 Additional Commercial Land Use District Standards**

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

#### **4.0232 Solar Energy Standards for Commercial Districts**

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

- A. Scale.** Small and medium scale solar energy systems are permitted in these districts. Large scale systems are permitted with a Special Use Review.
- B. Type.** Roof-top, flat-roof, integrated and ground-mounted solar energy systems are permitted.
- C. Height.** The following limitations on maximum height apply to all solar energy systems:
  1. Roof-top, Flat-roof and Integrated.
    - a. For roofs that are flat or the horizontal portion of mansard roofs, the solar energy systems on frames shall not exceed 10 feet above the roof height on which the system is installed.
    - b. For pitched, hipped or gambrel roofs, the solar energy system panels shall not exceed 18 inches in height from the surface of the roof on which the system is installed.
  2. Ground-mounted. Ground-mounted solar energy systems shall not exceed 20 feet in height.
- D. Setbacks and Yards.** Solar energy systems are not allowed in the required front or in the street-side setbacks.

#### **4.0233 Wind Energy Standards for Commercial Districts**

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

- A. Scale.** Small and medium scale wind energy systems are permitted.
- B. Type.** Roof-top and ground-mounted wind energy systems are permitted.
- C. Height.** The following limitations on maximum height apply to all wind energy systems:

1. Roof-top. Wind energy system height shall not exceed a value equal to the building height when the building height is 35 feet or less. For example, a 30 foot tall building could have a 30 foot tall wind energy system installed on its roof for a total height of 60 feet from the ground to top of the wind energy system. In no case can the wind energy system exceed 35 feet in height.
  2. Ground-mounted. Ground-mounted wind energy systems shall not exceed 45 feet in height.
- D. Setbacks and Yards. Wind energy systems are not allowed in required front, street-side, side or rear setbacks and are not allowed in the front or street-side yards between the building and the street.

#### **4.0234 Biomass Energy Standards for Commercial Districts**

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

- A. Scale. Small scale biomass energy systems are permitted.
- B. Type. Non-hazardous biomass systems are permitted.
- C. Height. Biomass energy systems shall not exceed the maximum district height limits.
- D. Setbacks and Yards. Biomass energy systems are not allowed in the required front, street-side, side or rear setbacks, and are not allowed in the front or street-side yards between the building and the street.

#### **4.0235 Geothermal Energy Standards for Commercial Districts**

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

- A. Scale. Small scale geothermal energy systems are permitted. Large scale systems are permitted with a Special Use Review.
- B. Type. Closed-loop geothermal energy systems that are not in any well field protection areas are permitted.
- C. Height. Geothermal energy systems shall not exceed the maximum district height limits.
- D. Setbacks and Yards. Geothermal energy systems are not allowed in the required front, street-side, side or rear setbacks, except that small geothermal heating and cooling units like heat pumps can project into the setbacks per **Section 9.0900** Projections.

#### **4.0236 Micro-Hydro Energy Standards for Commercial Districts**

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

- A. Scale. Small scale micro-hydro energy systems are permitted.
- B. Type. In-pipe micro-hydro energy systems such as systems within water, stormwater or wastewater pipe are permitted.
- C. Height. Generally the district height limits apply. However, in-pipe systems may exceed the district height limit as allowed for mechanical equipment. If supplemental equipment structures accompany the in-pipe systems, then the district height limit would apply.
- D. Setbacks and Yards. Micro-hydro energy systems contained within piping are allowed and pipe can run within the required setbacks. However, if supplemental equipment structures accompany the in-pipe systems, then the district setback limits apply.