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General Provisions

4.1401 Purpose

This section of the Community Development Code implements the Pleasant Valley Plan District (Plan District). The purposes of the Plan District are to: (1) implement the Comprehensive Plan's goals, policies, and action measures for Pleasant Valley; (2) create a complete urban community as defined by the Comprehensive Plan; and, (3) further the central theme of Pleasant Valley's vision to integrate land use, transportation, and natural resources. Pleasant Valley is intended to be a complete community made up of neighborhoods, a town center, neighborhood centers, employment districts, parks and schools, open spaces and trails, a range of transportation choices, and extensive protection, restoration, and enhancement of the natural resources.

The Plan District is intended to:

A. Implement the overall Plan District purposes stated above,

B. Guide the use, development, conservation, and environmental restoration of land within Pleasant Valley,

C. Establish standards that are intended to guide individual land use decisions and development to result in a cohesive community,

D. Create a harmonious and sustainable relationship between urban development and the unique natural landscape of Pleasant Valley and the surrounding region, and

E. Establish the land use framework from which the logical and efficient provision of public facilities and services may occur.

Per **Section 4.1471** master plan approvals are required before or concurrent with any development applications under **Section 6.0200** Partitions and Subdivisions and/or **Article 7**, Design Review. Subsequent land use approvals must be consistent with the master plan.

4.1402 Pleasant Valley Plan District Plan Map

The purpose of the Pleasant Valley Plan District Plan Map (Plan Map) is to establish land use designations for Pleasant Valley. The Plan Map designations are to be used as the basis for amending the Community Development Plan Map. The Community Development Plan Map is amended at time of annexation and in conjunction with a master plan. Once the Community Development Plan Map is amended it becomes the basis for all land use decisions and development permits.

The Plan Map identifies the general boundaries for Sub-districts and Overlay Sub-districts. Circulation and

design elements are also shown to provide context and promote the integration of land use, transportation, and natural resources, and implement the goals, policies, and recommended action measures in the Comprehensive Plan. Amendments to the Community Development Plan and master plans must be consistent with the Plan Map and other applicable codes and regulations of the City.

4.1403 Pleasant Valley Sub-districts In General

The Plan District Sub-districts listed below apply to land in the Plan District. They are intended to work together to result in a complete community that includes attractive places to live, work, shop, and recreate, together with natural resource areas that are integrated into the urban environment, consistent with the purposes in **Section 4.1401** and the Comprehensive Plan.

The Sub-districts in Pleasant Valley are:

Full Name (Short Name/Map Symbol)

Low-Density Residential - Pleasant Valley (LDR - PV)
Medium-Density Residential - Pleasant Valley (MDR - PV)
High-Density Residential - Pleasant Valley (HDR - PV)
Town Center - Pleasant Valley (TC - PV)
Neighborhood Center - Pleasant Valley (NC - PV)
Mixed-Use Employment - Pleasant Valley (MUE - PV)
Employment Center - Pleasant Valley (EC - PV)
Environmentally Sensitive/Restoration Areas - Pleasant Valley (ESRA-PV)

Pleasant Valley Residential Sub-districts

Purpose and Characteristics

4.1404 Low-Density Residential – Pleasant Valley (LDR-PV)

This designation affects land primarily intended for single-family detached dwellings, manufactured homes, and duplexes on a wide range of lot sizes. Development in this Sub-district shall be arranged to form part of an individual neighborhood, invite walking to gathering places, services and conveniences, and a neighborhood park, and connects to the larger community by a pattern of streets, blocks, trails, and pedestrian ways and linkages to the Environmental Sensitive and Restoration Areas.

A mix of lot sizes and housing variety within LDR-PV Sub-district areas in the Plan District as a whole and generally in individual neighborhoods is intended.

The specific mix and variety of housing for properties and groups of properties shall be guided by an approved master plan consistent with the purposes in **Section 4.1476**. The approved master plan shall provide for an average density of 5.3 to 7.9 dwellings per net residential acre in this Sub-district.

4.1405 Medium-Density Residential – Pleasant Valley (MDR-PV)

The Medium-Density Residential (MDR-PV) Sub-district provides a range of detached and attached dwelling units. Development in this sub-district shall be arranged to form part of an individual

neighborhood, as well as serve as a transition between low density residential and employment and high-density housing types and Sub-districts. The specific mix and variety of housing for properties and groups of properties shall be guided by an approved master plan. A mix of housing types in the MDR-PV Sub-district in the entire Plan District and generally in individual neighborhoods is intended.

The approved master plan shall provide for an average density of 12-20 dwelling units per net residential acre in this Sub-district consistent with the purposes in **Section 4.1476**.

4.1406 High-Density Residential - Pleasant Valley (HDR-PV)

The High Density Residential (HDR) Sub-district is intended to accommodate the highest density housing in Pleasant Valley. As with the LDR-PV and MDR-PV Sub-districts, HDR-PV contributes to completing a variety of housing within, and as part of, individual neighborhoods. Two types of HDR-PV areas, "attached housing" and "town center housing," are provided to create a complete community with housing choices that reflect differing needs and opportunities within Pleasant Valley. Elderly housing is recognized as a special housing need within Pleasant Valley that helps create a complete community. The specific mix and variety of housing for properties and groups of properties shall be guided by an approved master plan consistent with the following:

A. Attached Housing Areas in HDR-PV
The HDR-PV attached housing areas allow attached housing, including for rent and owner occupied housing, at an average density of 20-30 dwelling units per net acre.

B. Town Center Housing Areas in HDR-PV
The HDR-PV area located generally south of the town center (west of the BPA power line and north of Kelley Creek) allows attached housing at an average density of 30-40 dwelling units per net acre. The higher minimum and maximum densities are intended to support the town center area as the lively, pedestrian-oriented, transit-supportive center within Pleasant Valley.

A mix of housing types in the HDR-PV Sub-district across the entire Plan District and generally in individual neighborhoods is intended.

Permitted Uses

4.1407 Permitted Uses

Table 4.1407 lists the types of land uses which are permitted in the Pleasant Valley Residential Sub-districts.

- 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 land use district standards of this section and all other applicable requirements of the Community Development Code.

Table 4.1407: Permitted Uses in the Pleasant Valley District – Residential

USES	LDR-PV	MDR-PV	HDR-PV
RESIDENTIAL			
Single-Family Detached Dwelling	P	P	NP
Duplex	L[1]	P	P
Single-Family Attached Dwellings	L[2]	P	P
Attached Dwellings on a Single Lot	NP	P	P
Elderly Housing	NP	SUR	SUR
Manufactured Dwelling Park	NP	NP	NP
Residential Facility	P	P	P
Residential Home	P	P	NP
COMMERCIAL			
Auto-Dependent Use	NP	NP	NP
Business and Retail Service and Office	NP	NP	NP
Clinics	NP	NP	NP
Commercial Parking	NP	SUR	SUR
Daycare Facilities	SUR	SUR	SUR
Live-Work[3]	NP	P	P
Major Event Entertainment	NP	NP	NP
Mini-Storage Facilities	NP	NP	NP
Outdoor Commercial	NP	NP	NP
INDUSTRIAL			
Construction	NP	NP	NP
Exclusive Heavy Industrial Uses	NP	NP	NP
Industrial Office	NP	NP	NP
Information Services	NP	NP	NP
Manufacturing	NP	NP	NP
Miscellaneous Industrial	NP	NP	NP
Trade Schools	NP	NP	NP
Transportation/Distribution	NP	NP	NP
Warehousing/Storage	NP	NP	NP
Waste Management	NP	NP	NP
Wholesale Trade	NP	NP	NP
INSTITUTIONAL USES			
Civic Use	SUR	SUR	SUR
Community Services	SUR	SUR	SUR
Medical	NP	NP	NP
Parks, Open Spaces and Trails	SUR	SUR	SUR
Religious Institutions	L/SUR[4]	SUR	SUR
Schools	SUR	SUR	SUR

USES	LDR-PV	MDR-PV	HDR-PV
RENEWABLE ENERGY[7]			
Solar Energy Systems	L[8]	L/SUR[8]	L/SUR[8]
Wind Energy Systems	L[9]	L[9]	L[9]
Biomass Energy Systems	L/SUR[10]	L[10]	L[10]
Geothermal Energy Systems	L[11]	L/SUR[11]	L/SUR[11]
Micro-Hydro Energy Systems	L[12]	L[12]	L[12]
OTHER			
Basic Utilities Minor basic utilities Major basic utilities	 P L/SUR[5]	 P L/SUR[5]	 P L/SUR[5]
Heliports[6]	NP	NP	NP
Wireless Communication Facilities	SUR	SUR	SUR
Temporary, Intermittent & Interim Uses	P	P	P
Marijuana Businesses	NP	NP	NP

Table 4.1407 Notes

[1] Permitted under the provisions of Section 4.1410.

[2] Lot size may be reduced to 3,500 square feet. In the LDR-PV, this use is limited to two-unit configurations.

[3] The commercial portion of the structure shall face the street front, is limited to the first floor, and garage access must be from the alley. A fascia, awning, or painted wall sign limited to 32 square feet is permitted per each unit.

[4] Limited to facilities used for religious worship with seating for 300 or fewer persons within the principal place of assembly.

[5] Electrical generating facilities and sewage treatment plants are not permitted.

[6] Permitted as an accessory use to Medical and Civic Uses through the Special Use Review process.

[7] See Section 10.0900 for additional standards that apply.

[8] For limitations, see Section 4.1487 Solar Energy System Standards for Pleasant Valley Districts.

[9] For limitations, see Section 4.1488 Wind Energy System Standards for Pleasant Valley Districts.

[10] For limitations, see Section 4.1489 Biomass Energy System Standards for Pleasant Valley Districts.

[11] For limitations, see Section 4.1490 Geothermal Energy System Standards for Pleasant Valley Districts.

[12] For limitations, see Section 4.1491 Micro-Hydro Energy System Standards for Pleasant Valley Districts.

Standards

4.1408 Development Standards Table

The development standards listed in **Table 4.1408** are applicable to all development within the Pleasant Valley Residential Sub-districts. Development within these Sub-districts shall also be consistent with all other applicable requirements of the Community Development Code.

Table 4.1408 A - Development Standards in Pleasant Valley Residential Sub-districts

Use Categories	LDR-PV	MDR-PV	HDR-PV
Residential Density: Minimum – Maximum (dwelling units per net acre) Section 4.1476(D) See Net Acreage definition in Article 3	Average 5.3-7.9 units per net acre in approved master plan	Average 12-20 units per net acre in approved master plan	Average 20-30 units per net acre/ Town Center 30-40 units per net acre in approved master plan
Minimum Lot Size (square feet) [2]			
Single-family Detached dwelling unit / manufactured home	5,000 sf	3,000 sf	Not applicable
Single-family attached dwellings (2 units) [4]	3,500 sf	1,600 sf	None
Single-family attached dwellings (3 or more units) [4]	Not applicable Not applicable	1,600 sf	None
Live-Work attached dwellings [4]		1,600 sf	None
Duplexes[1]	6,000 sf	3,500 sf	None
Attached dwellings (3 or more units)	Not applicable	10,000 sf	None
Minimum Lot Dimensions[2]			
Detached dwelling unit/manufactured home			
(1) Width at building line			
(a) Interior Lots	(1a) 35 ft	(1a) 20 ft	Not applicable
(b) Corner Lots	(1b) 40 ft	(1b) 25 ft	Not applicable
(2) Depth			
(a) Interior Lots	(2a) 70 ft	None	Not applicable
(b) Corner Lots	(2b) 70 ft	None	Not applicable
Single-family attached dwellings (2 units)[7]			
(1) Width at building line	(1a) 16 ft	(1a) 16 ft	None
(a) Interior Lots	(1b) 25 ft	(1b) 25 ft	None
(b) Corner Lots			
(2) Depth			
(a) Interior Lots	(2a) 70 ft	(1a) 16 ft	None
(b) Corner Lots	(2b) 70 ft	(1b) 25 ft	None
Single-family attached dwellings (3 or more units) and Live-Work attached dwellings[7]			
(1) Width at building line	Not applicable		
(a) Interior Lots		(1a) 16 ft	None
(b) Corner Lots		(1b) 25 ft	None
(2) Depth	Not applicable		
(a) Interior Lots		None	None
(b) Corner Lots		None	None

Table 4.1408 A - Development Standards in Pleasant Valley Residential Sub-districts

Use Categories		LDR-PV	MDR-PV	HDR-PV
Duplexes[1]				
(1) Width at building line		(1a) 35 ft	(1a) 16 ft	None
(a) Interior Lots		(1b) 40 ft	(1b) 25 ft	None
(b) Corner Lots				
(2) Depth		(2a) 70 ft	None	None
(a) Interior Lots		(2b) 70 ft	None	None
(b) Corner Lots				
Attached dwellings (3 or more units)		Not applicable	None	None
(1) Width at building line			None	None
(a) Interior Lots				
(b) Corner Lots			None	None
(2) Depth			None	None
(a) Interior Lots				
(b) Corner Lots				
Minimum Lot Width / Depth Ratio				
Detached dwelling unit/manufactured home		None	None	None
All Other Uses		None	.5:1	.5:1
Minimum Street Frontage [3, 6]				
Detached dwelling unit/manufactured home				
(a) Interior Lots		35 ft	35 ft	Not applicable
(b) Corner Lots		40 ft	40 ft	Not applicable
Single-family attached dwellings (all types) and Live-Work attached dwellings[4 5]				
(a) Interior Lots		16 ft [7]	16 ft	16 ft
(b) Corner Lots		32 ft [8]	32 ft	32 ft
Duplexes[1]				
(a) Interior Lots		16 ft	16 ft	16 ft
(b) Corner Lots		32 ft	32 ft	32 ft
Attached dwellings (3 or more units)				
(a) Interior Lots		Not Applicable	None	None
(b) Corner Lots		Not Applicable	None	None
Building Height	Building Height Maximum	35 ft	35 ft	45 ft, except for elderly housing and transition required adjacent to LDR-PV
	Building Height transition required adjacent to LDR-PV (Section 4.1409)	No	No	Yes

Table 4.1408 A - Development Standards in Pleasant Valley Residential Sub-districts

Use Categories	LDR-PV	MDR-PV	HDR-PV
Buffering Required	See Buffer Matrix, Section 9.0100	See Buffer Matrix, Section 9.0100	See Buffer Matrix, Section 9.0100
Minimum/Maximum Off-Street Parking Required	As provided in Section 9.0851	As provided in Section 9.0851	As provided in Section 9.0851
Design Review Criteria (Section 7.0000)	No	Yes	Yes
Safe Neighborhood Design Performance Standards Apply (Section 4.1411)	Yes	Yes	Yes
Transit Design Criteria and Standards Apply (4.1425)	No	Yes	Yes
Clear Vision Area Required (Section 9.0200)	Yes	Yes	Yes

1 See Section 4.1411 for additional duplex standards.

2 When a lot abuts a public or private alley equal to the length of the alley frontage along the lot times the width of the alley right-of-way measured from the alley centerline may be added to the area of the abutting lot in order to satisfy the average lot size requirement for the abutting lot. It may also be used in calculating the average lot size.

3 A reduction in the minimum street frontage may be approved when the applicant can document compliance with Section 10.1520 of the Community Development Code.

4 Single-Family Attached Dwellings (2 units), Single-Family Attached Dwellings (3 units of more), and Live-Work Attached Dwellings (2 or more units) shall be consider distinct and different housing types within the Pleasant Valley District and all sub-districts therein.

5 See Table 4.1407 for additional standards pertaining to attached units.

6 Units that front on a public or private open space tract and accessible via an alley or private drive shall be exempt from the minimum street frontage standards.

Table 4.1408 B –Setback Standards For Pleasant Valley Residential Districts

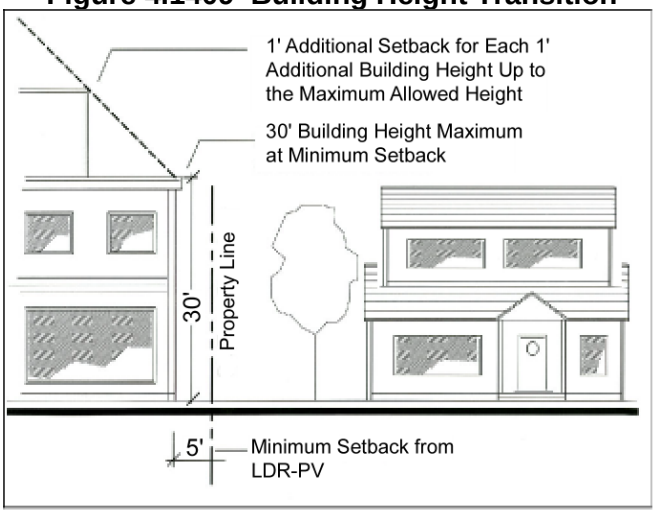
	Front			Side					Rear	
	Front Façade/Wall	Front Porch	Garage	Interior Side (Not Zero or Common Wall)	Zero Lot Line Option	Street Side Wall	Street Side Porch	Street Side Garage Access	Rear/No Alley	Rear/With Alley
LDR-PV Minimum Setbacks										
Detached Dwelling Units / Manufactured homes	10 ft	8 ft	20 ft	5 ft	6 in on zero/ 6 ft on other side	10 ft	6 ft	20 ft	15 ft	5 ft
Single-family attached dwellings	10 ft	8 ft	20 ft	5 ft	N/A	6 ft	6 ft	20 ft	15 ft	5 ft
Duplexes	10 ft	8 ft	20 ft	5 ft	N/A	6 ft	6 ft	20 ft	15 ft	5 ft
Attached dwellings	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Maximum Setbacks[1]										
All Uses	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
MDR-PV Minimum Setbacks										
Detached Dwelling Units / Manufactured homes	10 ft	6 ft	20 ft	5 ft	6 in on zero/ 6 ft on other side	5 ft	5 ft	20 ft	15 ft	5 ft
Single-family Attached Dwellings (all types) and Live-Work Attached Dwellings	5 ft	5 ft	20 ft	5 ft	N/A	5 ft	5 ft	20 ft	10 ft	5 ft
Duplexes	5 ft	5 ft	20 ft	5 ft	N/A	5 ft	5 ft	20 ft	10 ft	5 ft
Attached dwellings (3 or more units)	5 ft	5 ft	5 ft	5 ft	N/A	5 ft	5 ft	5 ft	15 ft	5 ft
Maximum Setbacks[1]										
Attached dwellings (3 or more units)	20 ft	20 ft	N/A	N/A	N/A	N/A	20 ft	20 ft	N/A	N/A
HDR-PV Minimum Setbacks										
Detached Dwelling Units / Manufactured homes	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Single-family attached dwellings	5 ft	5 ft	20 ft	5 ft	N/A	5 ft	5 ft	20 ft	10 ft	5 ft
Duplexes	5 ft	5 ft	20 ft	5 ft	N/A	5 ft	5 ft	20 ft	10 ft	5 ft
Attached dwellings (3 or more units)	5 ft	5 ft	5 ft	5 ft	N/A	5 ft	5 ft	5 ft	15 ft	5 ft
Maximum Setbacks[1]										
Attached dwellings (3 or more units)	20 ft	20 ft	N/A	N/A	N/A	N/A	20 ft	20 ft	N/A	N/A

1. The maximum front or streetside setback from a building containing dwelling units abutting a Principal, Major, Standard or Minor Arterial street is 30 feet. The maximum front or streetside setback may be exceeded when enhanced pedestrian spaces and amenities are provided.

4.1409 Building Height and Height Transition Standard

Where buildings are required to step-down in elevation adjacent to LDR-PV, the building wall shall be setback as illustrated in **Figure 4.1409** below:

Figure 4.1409 Building Height Transition



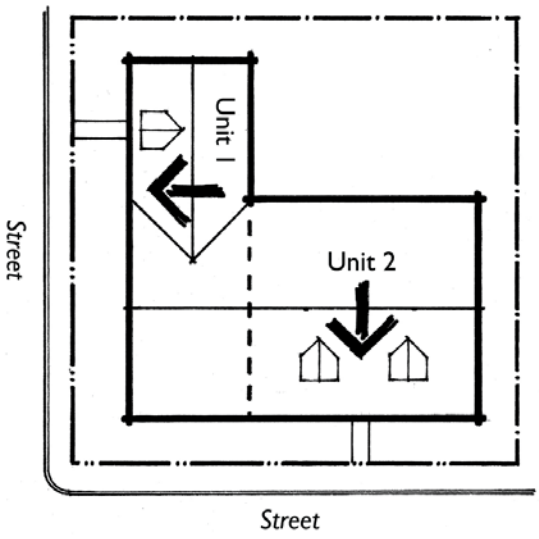
4.1410 Duplexes in the LDR-PV Sub-district

This standard allows duplexes in locations where their appearance and impact will be compatible with the surrounding houses. Duplexes are allowed when the following provisions are met:

A. Duplexes shall only be on corner lots.

B. Each unit of the duplex must have its address and main entrance oriented towards a separate street frontage.

Figure 4.1410 Duplexes in the LDR-PV Subdistrict



4.1411 Safe Neighborhood Design Performance Standards

These provisions are intended to help create safer neighborhoods and a high quality pedestrian environment by incorporating crime prevention design that emphasizes linkages and surveillance between the dwelling and the street. These provisions apply to detached single-family dwellings, attached single-family dwellings, and duplexes.

A. Visible Dwelling Front. Except for dwellings on the flag portion of flag lots, the front door shall be oriented toward the street which the dwelling faces. At least 75 percent of that street frontage shall be visible from:

1. the front door; or

2. a street-facing ground floor window in a frequently used room such as a living room, dining room, kitchen or bedroom (but, for example, not a window to a garage, bathroom or storage area); or

3. a street-facing, second-story minimum four-foot-by-four-foot window, except a bathroom window, placed no higher than 3 feet 6 inches from the floor to the bottom of the window sill.

This section allows portions of the front of a dwelling to protrude forward of other portions, as long as the visibility standard is satisfied. A dwelling on a lot created pursuant to **Section 10.1520** may use a private drive or future street to comply with this provision.

B. Street Pedestrian Connection Options. Except for homes on the flag portion of flag lots, at least one of the following shall be provided:

1. Separate Walkway. A separate, minimum three-foot wide hard surfaced walkway directly from the public sidewalk to the front door; or

2. Combined Walkway. A minimum three-foot wide hard surfaced walkway from the public sidewalk to the front door with at least a portion of the walkway combined at the edge of the driveway. The walkway width must extend at least three feet beyond the edge of the garage door. (See **Figure 4.0132(D)(2)(b)**).

C. Street Surveillance Options. At least one of the following shall be provided:

1. Ground Level Outdoor Surveillance Area. A minimum 40 square foot covered hard surfaced entry area is placed immediately adjacent to the front door; or

2. Upper Level Outdoor Surveillance Area. A minimum 30 square foot second story covered or open porch, balcony, or deck is placed on the front of the dwelling; or

3. Dwelling Front Location. The front of the dwelling (not including the garage) or of a covered entry has maximum setback of 16 feet; or

4. Dwelling and Garage Front Location. The front of the garage is flush with the front of the dwelling or is recessed back from the front of the dwelling.

4.1412 Public Facilities and Supplementary Requirements

All developments shall also be subject to the applicable requirements of **Article 9** – Common Requirements and **Appendix 5.000** – Public Facilities Standards.

Pleasant Valley Mixed-Use and Employment Sub-districts

Purpose and Characteristics

4.1416 Town Center - Pleasant Valley (TC-PV)

A. Purpose. The town center is intended to be the heart of the Pleasant Valley community. It will contain a mix of retail, office, and civic uses, and housing opportunities in a pedestrian oriented area. The town center shall be the focus of retail, civic, and office related uses, and services that serve the daily needs of the local community. It shall be served by a multi-modal transportation system with good access by vehicular, pedestrian, bicycle, and transit traffic.

B. Characteristics. The Town Center (TC-PV) Sub-district shall have the following characteristics:

1. The Town Center Sub-district permits a wide range of housing types, including live-work uses, mixed-use buildings, and adjacent townhouses and apartments.

2. Streets and buildings shall be designed to emphasize a lively, pedestrian-oriented character where people feel safe by day and night.

3. A "main street" environment, a minimum three blocks in length, that is visually stimulating, and that is designed to encourage people to linger and explore shall be created along at least one street in the town center. The main street is illustrated on **Figure 4.1416**. All streets will be pedestrian friendly in design.

4. A central green or plaza(s) shall be provided as a community gathering space(s). One potential location for a town green is illustrated on **Figure 4.1416**. Alternative locations may be suggested as part of a town center master plan. The minimum plaza size shall be 10,000 square feet. There shall be good linkage to the central-park space to the east and to Kelley Creek to the south. Linkage design to Kelley Creek shall include consideration of a park block design.

5. The town center shall have strong connections to adjacent neighborhoods and include commercial services that are centralized and convenient to pedestrian-oriented shopping.

6. Commercial and mixed-use development shall be focused on the area north of the main street, south of Giese Road, and east of the 172nd extension. The area south of the main street shall have a focus on mixed-use and housing.

7. The expectation for the town center is a highly pedestrian-oriented place with a dense mix of shopping, service, and civic and mixed-use buildings.

8. It is anchored (at least) by a grocery store. Smaller buildings for retail and service uses, civic uses and mixed commercial/residential uses will be oriented on pedestrian main streets(s) and plaza(s).

9. It will be an easy and attractive place to walk, bike, and use transit. It will be a convenient and attractive place to drive.

C. When the Mix of Uses are Determined
The mix of uses for the TC-PV may be established either at the time of master plan approval or during the subsequent design review.

D. Ranges of Permitted Mixed Use
The mix of uses shall fall within the following minimums and maximums. The percentages cited

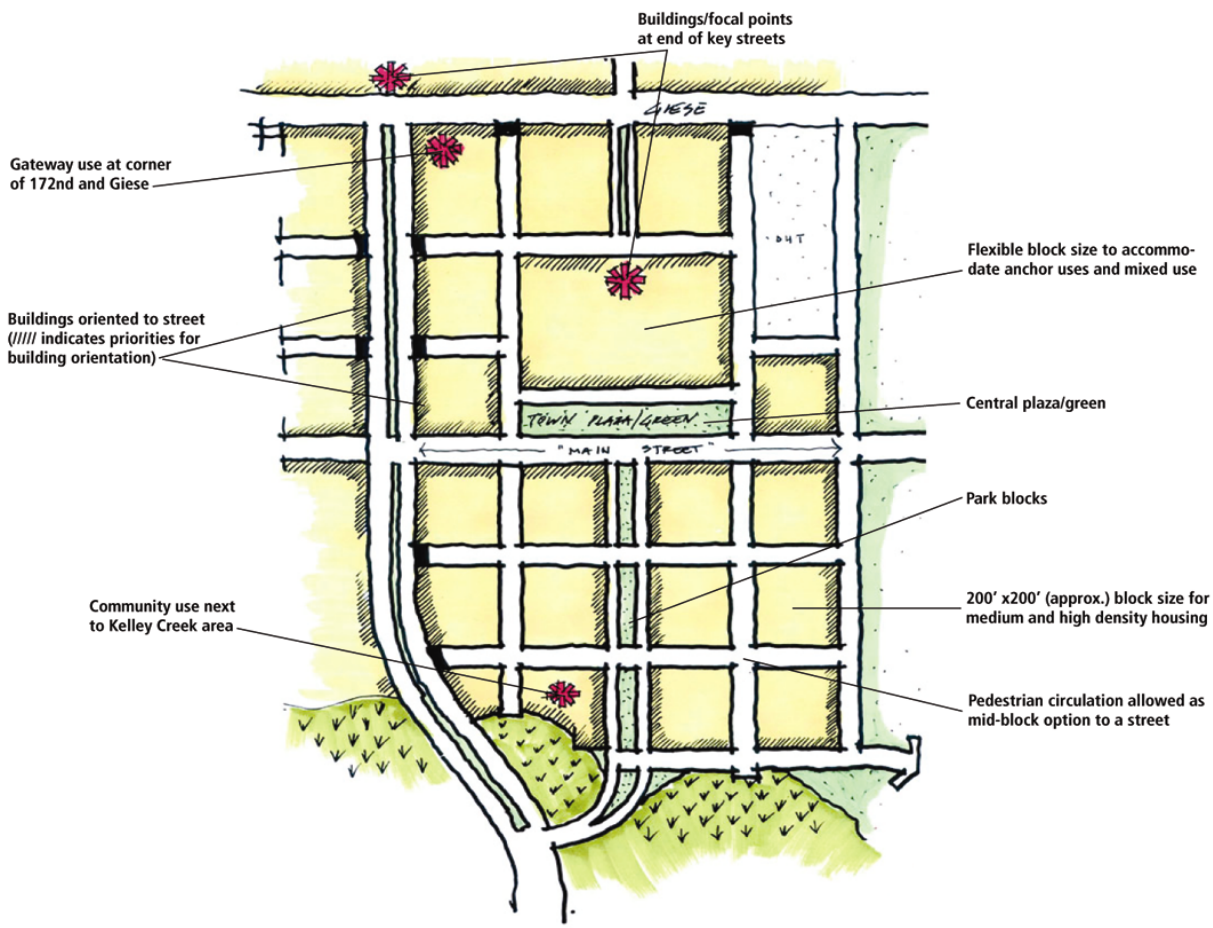
here are percentages of net buildable land. As used here net buildable includes net of unbuildable natural features, green practices facilities, plaza, and public streets.

	Minimum	Maximum
Residential	10%	50%
Retail	20%	60%
Office	20%	60%
Other Permitted Uses	40%	40%

The minimum residential and/or office components of the mix may be satisfied, in whole or in part, by provision of dwellings and/or offices on upper levels of mixed-use buildings. Provision of 40 upper level residential units satisfies the minimum required residential component. Provision of 50,000 square feet of upper level office satisfies the minimum required office component.

Provision of a civic use is encouraged in the town center.

Figure 4.1416



Pleasant Valley's Town Center – General Design Guidelines

4.1417 Mixed-Use Employment – Pleasant Valley (MUE-PV)

Purpose and Characteristics

The Mixed-Use Employment (MUE-PV) Sub-district is intended to provide support services for the town center as well as local service needs, plus provide employment opportunities. Primary uses shall include offices and services and retail. Housing shall be allowed within a mixed-use building.

The MUE-PV Sub-district shall have the following characteristics:

A. The MUE-PV Sub-district is located next to the town center.

B. The MUE-PV Sub-district provides services needed by businesses in the town center. Inversely, the town center will provide service and retail opportunities for employees in the mixed-use employment area. Offices and other uses are not limited to those dependent on the town center.

C. Strong pedestrian connections will be established between the MUE-PV areas and the town center. Examples include direct and convenient pedestrian routes, alignment of driveways, streets and blocks, building orientation that frames streets between the MUE-PV and town center, consistent streetscape elements, and other techniques.

D. Buildings can be up to three stories high. Housing is permitted on the second and third stories, but not as stand-alone buildings.

4.1418 Neighborhood Center – Pleasant Valley (NC-PV)

Purpose and Characteristics

The Neighborhood Center (NC-PV) Sub-district provides for a mix of local retail, service, office, and live-work uses that encourages short walking, biking, and driving trips from adjacent neighborhoods.

The Neighborhood Center Sub-district shall have the following characteristics:

A. Neighborhood centers are small (approximately 3-5 acres) and provide uses that serve the adjacent neighborhoods.

B. The retail, service and office uses are concentrated (nodal form) and located on or near transit streets with opportunities for good retail corners.

C. Site design supports compatibility with the adjacent neighborhood through the orientation of buildings along streets, provision of pedestrian amenities, and design of a pedestrian-friendly streetscape, and other techniques.

D. A small plaza/public space is provided for public gatherings.

4.1419 Employment Center – Pleasant Valley (EC-PV)

Purpose and Characteristics

The Employment Center (EC-PV) Sub-district is primarily intended to provide business/office park and medical and other employment opportunities. Primary uses shall include knowledge-based industries (graphic communications, creative services, etc.), research and development facilities, office uses, medical facilities, and other business park uses. Emphasis is placed on business suited to a high environmental quality setting.

Characteristics for the Employment Center Sub–district include:

A. EC-PV areas shall be located on a major or standard arterial street where there is access to transit.

B. EC-PV areas shall be near a neighborhood center or the town center.

C. Parcels are intended to range from approximately five to approximately 20 acres.

D. EC-PV areas shall have access to high-speed Internet communications systems.

E. EC-PV areas adjacent to ESRA areas shall be designed to provide a compatible relationship to the ESRA, high quality environment, and stewardship opportunities.

F. Design will create pedestrian-friendly areas and utilize cost effective green development practices.

Permitted Uses

4.1420 Permitted Uses

Table 4.1420 lists the types of land uses that are permitted in the mixed-use and employment sub-districts of Pleasant Valley.

- 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 land use district standards of this section and all other applicable requirements of the Community Development Code.

Table 4.1420: Permitted Uses in the Pleasant Valley District Mixed Use and Employment

USES	TC-PV	NC-PV	MUE-PV	EC-PV
RESIDENTIAL				
Single-Family Detached Dwelling	NP	NP	NP	NP
Duplex	NP	NP	NP	NP
Single-Family Attached Dwellings	L[1]	L[1]	L[2]	NP
Attached Dwellings on a Single Lot	L[1]	L[1]	L[2]	NP
Elderly Housing	SUR	SUR	SUR	NP
Manufactured Dwelling Park	NP	NP	NP	NP
Residential Facility	L[1]	L[1]	L[2]	NP
Residential Home	NP	NP	NP	NP
COMMERCIAL				
Auto-Dependent Use	NP	L[3]	L[4]	NP
Business and Retail Service and Trade	P	L[3]	L[4]	L[5]
Clinics	P	L[3]	L[4]	P
Commercial Parking	SUR	SUR	SUR	NP
Daycare Facilities	P	P	P	L[6]
Live-Work[7]	P	P	P	NP
Major Event Entertainment	L/SUR[8]	L/SUR[8]	L/SUR[8]	SUR
Mini-Storage Facilities	NP	NP	P	NP
Outdoor Commercial	L[9]	P	L[10]	NP

USES	TC-PV	NC-PV	MUE-PV	EC-PV
INDUSTRIAL				
Construction	NP	NP	NP	NP
Exclusive Heavy Industrial Uses	NP	NP	NP	NP
Industrial Office	NP	NP	NP	P
Information Services	NP	NP	NP	P
Manufacturing	NP	NP	NP	L[11]
Miscellaneous Industrial	NP	NP	NP	NP
Trade Schools	NP	NP	NP	NP
Transportation/Distribution	NP	NP	NP	NP
Warehousing/Storage	NP	NP	NP	NP
Waste Management	NP	NP	NP	SUR
Wholesale Trade	NP	NP	NP	NP
INSTITUTIONAL USES				
Civic Uses	SUR	SUR	SUR	SUR
Community Services	SUR	SUR	SUR	L/SUR[12]
Medical	SUR	SUR	SUR	NP
Parks and Open Spaces	L/SUR[13]	L/SUR[13]	L/SUR[13]	L/SUR[13]
Religious Institutions	P	L/SUR[3]	L/SUR[4]	L/SUR[14]
Schools	P/SUR[16]	SUR	P/SUR[16]	L/SUR[14]
RENEWABLE ENERGY[17]				
Solar Energy Systems	L/SUR[18]	L/SUR[18]	L/SUR[18]	L/SUR[18]
Wind Energy Systems	L/SUR[19]	L/SUR[19]	L/SUR[19]	L/SUR[19]
Biomass Energy Systems	L[20]	L[20]	L[20]	L[20]
Geothermal Energy Systems	L/SUR[21]	L/SUR[21]	L/SUR[21]	L/SUR[21]
Micro-Hydro Energy Systems	L[22]	L[22]	L[22]	L[22]
OTHER				
Basic Utilities				
Minor basic utilities	P	P	P	P
Major basic utilities	L/SUR[15]	L/SUR[15]	L/SUR[15]	SUR
Heliports	SUR	SUR	SUR	SUR
Wireless Communications Facilities	SUR	SUR	SUR	SUR
Temporary, Intermittent & Interim Uses	P	P	P	P
Marijuana Businesses	NP	L[23]	NP	L[23]

Table 4.1420 Notes

[1] Ground floor housing shall conform to the following standards: a) a maximum of 50% of ground floor space in a building may be for residential use; or b) more than 50% of ground floor housing allowed if separated from the street by a commercial or civic building.

[2] Residential uses permitted only as part of a mixed-use building and are not permitted on ground floor.

[3] The maximum building footprint for any building occupied entirely by a commercial use or uses, or other use subject to this footnote, shall be 10,000 square feet. Larger religious institutions may be pursued through a Special Use Review.

[4] The maximum building footprint size permitted for any building occupied entirely by a commercial use or uses, or other use subject to this footnote, shall be 40,000 square feet.

[5] Commercial services such as building maintenance, restaurants, banks, and recreational facilities may be up to 30% of total floor area. Retail uses which include the sale, lease or rent of new or used products to the general public, or the provision of product repair or services for consumer and business goods, are limited to a maximum of 60,000 square feet of gross leasable area in a single building or a single lot or parcel, or on contiguous lots or parcels, including those separated only by transportation right-of-way. A variance from this size limitation is prohibited. Where this size limitation conflicts with the commercial service and retail total floor area allowances of this table, the more restrictive size limitation shall govern.

[6] Daycare is permitted up to 30% of total floor area.

[7] The commercial portion of the structure shall face the street front, is limited to the first floor, and garage access must be from an alley. A fascia, awning, or painted wall sign limited to 32 square feet is permitted per each unit.

[8] Theme parks are not permitted.

[9] Limited to mixed use buildings (retail and non-retail or residential uses). Retail may be no more than 50% of the total floor area of the building.

[10] The maximum site size for an Outdoor Commercial Use is two acres. See also Section 4.1427.

[11] For purposes of this table, the following uses are permitted: building types that may include any combination of administrative, research and development, production, assembly, and testing functions.

[12] The following Community Service Uses are not permitted in the EC-PV district: adult or senior centers, drug and alcohol treatment facilities, cemeteries, and mausoleums.

[13] Golf courses are not permitted. The following additional Parks, Open Spaces, and Trails are not permitted in the EC-PV district: public urban plazas, public neighborhood parks, and public community parks. However, public urban plazas, public neighborhood parks, and public community parks are permitted in the EC-PV district when an applicant demonstrates that title for the parcel(s) where the facility is to be developed was held by the governing body for the applicant as of April 2, 2009.

[14] Religious institutions, elementary schools, middle schools and high schools are permitted in the EC-PV district when an applicant demonstrates that title for the parcel(s) where the facility is to be developed was held by the governing body for the applicant as of April 2, 2009.

[15] Electrical generating facilities are not permitted.

[16] Schools are permitted without a Special Use Review if they are occupying an existing commercial space. Schools must pursue a Special Use Review if they are proposing new construction.

[17] See Section 10.0900 for additional standards that apply.

[18] For limitations, see Section 4.1487 Solar Energy System Standards for Pleasant Valley Districts.

[19] For limitations, see Section 4.1488 Wind Energy System Standards for Pleasant Valley Districts.

[20] For limitations, see Section 4.1489 Biomass Energy System Standards for Pleasant Valley Districts.

[21] For limitations, see Section 4.1490 Geothermal Energy System Standards for Pleasant Valley Districts.

[22] For limitations, see Section 4.1491 Micro-Hydro Energy System Standards for Pleasant Valley Districts.

[23] For limitations, see GRC 9.63.090.

Standards

4.1421 Development Standards Table

Table 4.1421 summarizes development standards, which apply within the Pleasant Valley Town Center, Neighborhood Center, Mixed Use Employment, and Employment Sub-districts. The standards contained in this table are supplemented by the referenced subsections, which provide additional clarification and guidance.

Table 4.1421 Mixed-Use and Employment Sub-districts

	TC-PV	NC-PV	MUE-PV	EC-PV
A. Minimum Lot Size	None	None	None	None
B. Minimum Average Floor Area Ratio (FAR) (Section 4.1422)	.50:1	.35:1	.50:1	.40:1
C. Minimum Residential Density	None	None	None	Not Applicable
D. Maximum Residential Density	None	None	None	Not Applicable
E. Minimum Building Setbacks (Section 4.1423)	0 feet	0 feet	0 feet	15 feet front; 10 feet rear; 0 feet interior side; 15 street side
F. Maximum Building Setbacks (Section 4.1425)	5 feet front and street side; none for interior side and rear.[1]	10 feet front and street side; none for interior side and rear.[1]	10 feet front and street side; none for interior side and rear.[1]	20 feet on arterial or collector frontage; 0 feet on all other frontages
G. Minimum Building Height (Section 4.1424)	2 stories[2]	None	2 stories[2]	22 feet
H. Maximum Building Height (Section 4.1424)	45 feet	45 feet	45 feet	45 feet
I. Minimum Off-Street Parking Required	1 space/unit for residential; all others as provided in Section 9.0851	As provided in Section 9.0851	1 space/unit for residential; all others as provided in Section 9.0851	As provided in Section 9.0851
J. Maximum Off-Street Parking Permitted	As provided in Section 9.0851	As provided in Section 9.0851	As provided in Section 9.0851	As provided in Section 9.0851
K. Transit Design Criteria and Standards Apply (Section 4.1425)	Yes[3]	Yes[3]	Yes[3]	Yes
L. Screening & Buffering Required (Section 9.0100)	No, except where abutting LDR-PV	No, except where abutting LDR-PV	No, except where abutting LDR-PV	No, except where abutting LDR-PV[4]
M. Landscaping (Section 4.1426)	Yes	Yes	Yes	Yes
N. Commercial Uses (Section 4.1427)	Yes	Yes	Yes	Yes
O. Architectural Design Review Guidelines (Section 4.1428)	Yes	No	Yes	Yes, for the Giese Road site; No for the 172nd Avenue site[5]

Table 4.1421 Notes:

1. The maximum front or street-side setback of up to 20 feet may be permitted when enhanced pedestrian spaces and amenities are provided.
2. Any required building must have a habitable floor.
3. Ground floor window standards for commercial buildings on Design Streets (Section 7.0210) do not apply to ground floor residential development.
4. For the purposes of screening and buffering a use permitted in the EC-PV shall be consider an office use.
5. The Giese Road EC-PV area is the northern EC-PV area on the north and south sides of Geise Road. The 172nd Ave. EC-PV area is the southern EC-PV area on the east side of 172nd Avenue.

4.1422 Minimum Floor Area Ratio

A. Minimum floor area ratios (FAR) are a tool for achieving the intensity of development anticipated in Pleasant Valley. They help ensure that the most intensive forms of building development will occur in those areas appropriate for multi-story commercial and mixed-use buildings. These more intensive levels of development will encourage and enable transit use. They are also a tool for increasing job opportunities.

B. The minimum floor area ratios contained in **Table 4.1421(A)** apply to all non-residential building development. In mixed-use developments, residential floor space is included in the calculations of floor area ratio to determine conformance with minimum FAR.

4.1423 Setbacks

Required minimum and maximum setback standards are specified in **Table 4.1421(A)**.

A. Minimum setback distances shall be determined in conformance with the definition for "Setback" as specified in **Section 3.0103**.

B. Conformance with maximum setback distance is achieved for a commercial or mixed-use building when at least one primary entrance located on the façade facing the street is placed no farther from the property line than the distance specified for Maximum Building Setback in **Table 4.1421(A)**. Maximum building setbacks may be exceeded when a development incorporates enhanced pedestrian spaces and amenities in the setback area. Enhanced pedestrian spaces and amenities consist of features such as plazas, arcades, courtyards, outdoor cafes, widened sidewalks, benches, shelters, street furniture, public art, or kiosks. In addition, on sites with more than one building, the maximum setback may be exceeded, provided conformance is achieved with the maximum setback distance for at least one building.

4.1424 Building Height

Minimum and maximum building heights are specified in **Table 4.1421(A)**. Any required building story must contain a habitable floor.

A. The minimum building height standard applies, with the following exceptions, to new commercial, residential, and mixed-use buildings. It does not apply to institutional buildings, accessory structures, or to building with less than 1,000 square feet of floor area.

B. In addition to conforming to the Ground Floor Windows requirements of **Section 7.0210**, for any new commercial or mixed-use building subject to a two-story height minimum, at least 20% of the upper façade area shall be made up of display areas or windows for all facades facing a street.

C. The maximum building height for any building containing dwelling units shall be reduced when located adjacent to the LDR-PV district, as provided in **Section 7.0201(J)**.

4.1425 Transit Design Criteria and Standards

These Sub-districts are pedestrian districts. As such, new development must have a strong orientation to the pedestrian and be transit-supportive, as well enhance the appearance and functioning of these Sub-districts.

A. In order to achieve these purposes, the provisions of **Section 7.0103 and Section 7.0201** apply to new residential development, and **Section 7.0210(A)** apply to new commercial, mixed-use, and employment development requiring design review approval in these Sub-districts, along with other applicable standards and criteria.

B. Incidental Drive Through Uses.
Drive through uses as defined in **Section 3.0103** are not permitted in TC-PV, except when such use is incidental to a primary site use and when the incidental drive through use is limited to one service window, which is part of a primary use structure, and to no more than two queuing lanes. Vehicular service bays or islands are not permitted.

4.1426 Landscaping

A. **Section 7.0202(A)** regarding design review landscaping criteria and standards for commercial and mixed-use development is amended as follows:

1. A minimum of 15% of the net acreage site area: MUE-PV, NC-PV.

2. A minimum of 20% of the net acreage site area: EC-PV.

3. Setback areas shall be landscaped or provided with enhanced pedestrian spaces such as benches and drinking fountains: TC-PV, MUE-PV, NC-PV.

4. Any site area not developed for structures paving or enhanced pedestrian spaces shall be improved with landscaping: TC-PV.

B. Landscaping for stormwater management shall count towards total percentage of required landscaping.

4.1427 Commercial Uses

A. At least 85% of business activities in connection with commercial uses permitted in **Table 4.1420** shall be conducted within a completely enclosed structure, except for outdoor commercial uses. No more than 15 percent of the area devoted to buildings may be used for outdoor business activities, product display, or storage. However, in the TC-PV Sub-district, the amount of site area used for outdoor business activity, product display, or storage may be up to 50 percent of the amount of floor area on the site.

B. No outdoor business activities, product display, or storage shall be located within yard setback or buffering and screening areas. Areas devoted to on-site outdoor business activities, product display, or storage shall be located so that they do not interfere with pedestrian circulation.

4.1428 Architectural Design Review

A. Purpose.
The standards contained in this section are intended to ensure good quality design in new building construction within the Plan District. Good design results in buildings that are visually compatible with one another and adjacent neighborhoods contributing to a district that is attractive, stimulating, active, and safe. These qualities in turn contribute to the creation of mixed-use areas, which facilitate easy pedestrian movement and establishment of a rich mixture of uses. A diversity of architectural styles is encouraged in the Town Center Sub-district.

B. Provisions of this section shall apply to proposals for the following types of building construction within the Plan District:

1. New attached dwellings (three or more units);

2. New commercial buildings;

3. New mixed-use buildings;

4. New institutional buildings;

5. Substantial improvement (as defined in **Section 3.0103**) of any of the building types specified in this subsection.

C. Provisions of this section shall not apply to new accessory structures with less than 1,000 square feet of floor area, or to alternations of existing accessory structures with less than 1,000 square feet of floor area.

D. In addition to other application materials required for a development permit, the applicant shall submit exterior building elevation drawings for the proposed construction at a minimum scale of one-eighth inch equals one foot. These plans shall show the size, location, materials, colors, and characteristics of all proposed exterior building features.

E. A development permit application for construction subject to architectural design shall be referred to the Design Commission for review. In its review, the Design Commission shall make findings and recommendations concerning conformance with the guidelines of this section. The findings of the Design Commission shall be considered advisory only, and not binding upon the applicant.

F. Review of plans by the Design Commission shall take place in accordance with **Article 11**.

G. General Guidelines for Architectural Design Review

1. Buildings should promote and enhance a comfortable pedestrian scale and orientation. Facades should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in facades, floor levels, architectural features, and exterior finishes are encouraged to create the appearance of several smaller buildings.

2. Upper stories should be articulated with features such as bays and balconies.

3. To balance horizontal features on longer facades, vertical building elements, such as stairs to upper stories and building entries, should be emphasized.

4. Buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, and awnings to protect pedestrians from the rain and sun.

5. Special attention should be given to designing a primary building entrance, which is both attractive and functional. Primary entrances should be clearly visible from the street, and incorporate changes in mass, surface, or finish to give emphasis to the entrance. All building entrances and exits should be well lit.

6. Certain buildings, because of their size, purpose, or location should be given special attention in the form of ornamental building features, such as towers, cupolas, and pediments. Examples of these special buildings include theaters, hotels, cultural centers, and civic buildings.

7. Buildings located at the intersection of two streets should consider the use of a corner entrance to the building.

8. Exterior building materials and finishes should convey an impression of permanence and durability. Materials such as masonry, stone, stucco, wood, terra cotta, and tile are

encouraged. Windows are also encouraged, where they allow views to interior activity areas or displays. However, glass curtain walls, reflective glass, and painted or darkly tinted glass should not be used.

9. Where masonry is used for exterior finish, decorative patterns (other than running bond pattern) should be considered. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone, or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile bands used in conjunction with materials such as concrete or stucco.

10. Preferred colors for exterior building finishes are earthtones, creams, and pastels of earthtones. High-intensity primary colors, metallic colors, and black should be avoided.

11. All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, shall be removed or screened from public view by parapets, walls, fences, dense evergreen foliage, or by other suitable means.

12. For buildings designed to house most types of retail, service, or office businesses, traditional storefront elements are encouraged for any façade facing a primary pedestrian street. These elements include:

- **a.** Front and side building walls placed within 10 feet of abutting street right-of-way boundaries;
- **b.** Clearly delineated upper and lower facades;
- **c.** A lower facade containing large display windows and a recessed entry or entries;
- **d.** Smaller, regularly spaced windows in upper stories;
- **e.** Decorative trim, such as window hoods, surrounding upper floor windows;
- **f.** A decorative cornice near the top of the facade;
- **g.** Piers or pilasters, typically of masonry.

13. Individual windows in upper stories should conform with the following guidelines:

- **a.** Glass area dimensions should not exceed 5 feet by 7 feet. (The longest dimension may be taken either horizontally or vertically.)
- **b.** Windows should have trim or molding at least two inches wide around their perimeters.

14. Ornamental devices, such as molding, entablature, and friezes, are encouraged at the roofline. Where such ornamentation is present in the form of a linear molding or board, the band should be at least 8 inches wide.

15. Arbors or trellises supporting living landscape materials should be considered for ornamentation of exterior walls.

4.1429 Public Facilities and Supplementary Requirements

All developments shall also be subject to the applicable requirements of **Article 9** – Common Requirements and **Appendix 5.000** – Public Facilities Standards.

Pleasant Valley Environmentally Sensitive/Restoration Areas

4.1430 Purpose

This designation provides a framework for protection of Metro Title 3 lands and Statewide Planning Goal 5 resources within the Pleasant Valley Plan District. The ESRA-PV sub-district implements the Pleasant Valley Natural Resource Goals and Policies and is intended to resolve conflicts between development and conservation of streams corridors, wetlands, floodplains, and forests identified in the Pleasant Valley Plan District. The sub-district contributes to the following community objectives:

A. Protect and restore streams and riparian areas for their ecologic functions and as an open space amenity for the community.

B. Protect floodplains and wetlands, and restore them for improved hydrology, flood protection, aquifer recharge, and habitat functions.

C. Protect upland habitats, and enhance connections between upland and riparian habitats and between Pleasant Valley habitats and the nearby habitats of Powell and Clatsop Buttes and Butler Ridge.

D. Maintain and enhance water quality and control erosion and sedimentation through the revegetation of disturbed sites and by placing limits on construction, impervious surfaces, and pollutant discharges.

E. Conserve scenic, recreational, and educational values of significant natural resources.

The ESRA-PV has significant ecological functions planned for integration with a new urban community. The long-term goal is to restore and enhance sensitive stream corridors, wetlands, and forests to more natural vegetated conditions, recognizing that existing homes and other existing uses will continue in the sub-district.

General

4.1431 How the ESRA-PV Works

The ESRA-PV sub-district establishes buffers to protect significant streams, riparian corridors, wetlands and forests, including their ecological functions, except as noted below. The sub-district provisions apply to the mapped ESRA-PV areas that appear on the Pleasant Valley ESRA Map and to the newly discovered and created ESRA-PV areas as noted below.

Development on lands located outside of the mapped ESRA-PV sub-district is exempt from ESRA-PV standards and review. Additionally, ESRA-PV provisions do not affect existing uses and development, or the normal maintenance of existing structures, farmland, and landscaped areas. Certain new development is allowed under prescribed conditions within the sub-district, such as recreational trails, planned road and utility crossings, stormwater facilities, and construction of residences on highly constrained properties under limited circumstances. Other new development (construction, grading, and native vegetation removal) generally is not allowed within the sub-district.

4.1432 ESRA-PV Map Applicability

A. The boundaries of the ESRA-PV sub-district are shown on the Pleasant Valley Plan District ESRA Map including approved amendments provided by the City at the time of application. The boundaries are based on a GIS-supported application of the Pleasant Valley Significance Matrix.

B. A wetland identified during the course of a development permit review that meets the State of

Oregon's definition of a "Locally Significant Wetland" shall be subject to the standards of the ESRA-PV sub-district. These wetlands shall be officially added to the City's Pleasant Valley Plan District ESRA Map by the Manager, under a Type I procedure, after the development permit becomes final.

C. The City shall incorporate all ESRA-PV delineations associated with development permit applications and resource information updates on the Pleasant Valley Plan District ESRA Map on an annual basis, or as necessary, through a Type I procedure initiated by the Manager.

D. Where development is proposed entirely outside of the ESRA-PV, but within 100 feet of the ESRA-PV boundary, applicants must field verify this boundary through the Map Verification procedures outlined in **Section 4.1452**.

E. Where development is proposed within the ESRA-PV, applicants must field verify the ESRA boundary through the Map Verification procedures outlined in **Section 4.1452(A)**. The developments shall also comply with the standards found in **Sections 4.1438-4.1447**, and others as applicable.

F. Additionally, applicants proposing to partition or subdivide properties containing ESRA-PV must comply with the partition and subdivision standards found in **Section 4.1436(F)**, as well as the applicable provisions of **Article 6** Land Divisions and the Map Verification procedure in **Section 4.1452**.

G. Any change to the ESRA-PV boundary, not initiated by the City, that requires an adjustment of the boundary as shown on the Pleasant Valley Plan District ESRA Map shall be processed under the Type II development permit procedure.

4.1433 ESRA-PV Sub-district Permit

An ESRA-PV sub-district permit is required for those uses regulated under **Section 4.1437**, Uses Allowed Under Prescribed Conditions. An ESRA-PV permit shall be processed under the Type II development permit procedure, unless it is being processed in conjunction with an action requiring a Type III or Type IV development permit.

4.1434 Emergencies

The provisions of this ordinance do not apply to work necessary to protect, repair, maintain, or replace existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements in response to emergencies. After the emergency has passed, any disturbed native vegetation areas shall be replanted with similar vegetation found in the City of Gresham Native Plant List. For purposes of this section emergency shall mean 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.

Prohibited, Exempted and Regulated Uses

4.1435 Prohibited Uses

The following development and activities are not allowed within the ESRA-PV sub-district:

A. Any new gardens, lawns, structures, development, other than those allowed outright (exempted) by the ESRA-PV sub-district or that is part of a regulated use that is approved under prescribed conditions. Note: Gardens and lawns with the ESRA-PV sub-district that existed prior to the time the sub-district was applied to a subject property are allowed to continue but cannot expand further

into the sub-district.

B. New lots that would have their buildable areas for new development within the ESRA-PV sub-district are prohibited.

C. The dumping of materials of any kind is prohibited with the ESRA-PV sub-district. The outside storage of materials of any kind is prohibited unless they existed before the sub-district was applied to a subject property. Uncontained areas of hazardous materials as defined by the Oregon Department of Environmental Quality (ORS 466.005) are also prohibited.

D. Unless part of an approved development activity, grading, the placement of fill or the removal of native vegetation within the ESRA-PV sub-district is prohibited.

4.1436 Uses Allowed Outright (Exempted)

The following uses are allowed within the ESRA-PV sub-district and do not require the issuance of an ESRA-PV permit:

A. City authorized stream, wetland, riparian, and upland restoration or enhancement projects.

B. Utility service using a single utility pole or where the disturbed area is outside of the top-of-bank of water bodies and is no more than 100 square feet of ground surface, and where that disturbed area is restored to the pre-construction conditions.

C. Boundary and topographic surveys leaving no cut scars greater than three-inches in diameter on live parts of native plants listed in the City of Gresham Native Plant List.

D. Soil tests performed with hand-held equipment, provided that excavations do not exceed a depth of five feet, combined diameters of all excavations do not exceed five feet, and all excavations are refilled with native soil, except as necessary for environmental review.

E. Trails meeting all of the following:

1. Construction must take place between May 1 and October 30 with hand held equipment;

2. Trail widths must not exceed 48 inches and trail grade must not exceed 20 percent;

3. Trail construction must leave no scars greater than three inches in diameter on live parts of native plants;

4. Trails must not be within 25 feet of a wetland or the top of banks of water bodies;

5. No impervious surface is allowed;

6. No native trees greater than one (1) inch in diameter may be removed or cut, unless replaced with an equal number of native trees of at least 3-inch diameter and planted within 10 feet of the trail; and

7. Trail plans and construction within the ESRA-PV must be authorized by the City.

F. All land divisions with tentative plans and approved building permit/construction plans showing all of the following and noted on final plat:

1. The boundaries of the ESRA-PV as field verified according to **Section 4.1452**;

2. The building sites (or buildable areas) of the lots located at least 5 feet from the ESRA-PV boundary. For the purpose of this subparagraph, “building site” means an area of at least 3,500 square feet with minimum dimensions of 40 feet wide by 40 feet deep;

3. Public and private utilities (including water lines, sewer lines or drain fields, and stormwater disposal facilities) where none of these utilities are in the ESRA-PV;

4. Streets, driveways and parking areas where all pavement is at least 10 feet from the ESRA-

PV sub-district; and

5. The ESRA-PV portions of all lots are protected by a conservation easement; or a lot or tract created and dedicated solely for unimproved open space or conservation purposes.

G. Routine repair and maintenance of existing structures, roadways, driveways, utility lines and utilities where the disturbed area is outside of the top-of-bank of a water body and is no more than 100 square feet of ground surface.

H. Replacement, additions, alterations and rehabilitation of existing structures, roadways, driveways, utility lines and utilities where the ground level impervious surface area is not increased and where the disturbed area is outside of the top-of-bank of a water body and is no more than 100 square feet of ground surface.

I. Measures mandated by the City of Gresham to remove or abate nuisances or hazardous conditions.

J. Planting of native vegetation and the removal of non-native, invasive vegetation (as identified on the City of Gresham Native Plant List), and removal of refuse and fill, provided that:

1. All work is done using hand-held equipment;
2. No existing native vegetation is disturbed or removed; and
3. All work occurs outside of wetlands and the tops-of-bank of streams.

4.1437 Uses Allowed Under Prescribed Conditions

The following uses within the ESRA-PV sub-district are subject to the applicable standards listed in **Sections 4.1438** through **4.1447**, and others as applicable.

A. Alteration to existing structures within the ESRA-PV sub-district when not exempted by **Section 4.1436.**

B. Development on a vacant lot that existed before annexation and that has less than 3,500 sq. ft. of buildable area, with minimum dimensions of 40 feet by 40 feet remaining outside the ESRA-PV portion of the property.

C. A land division that would create a new lot for an existing residence currently within the ESRA-PV.

D. Trails/pedestrian paths when not exempted by **Section 4.1436**.

E. New roadways, bridges/creek crossings, utilities, utility lines and stormwater facilities or alterations to such facilities when not exempted by **Section 4.1436**.

Table 4.1437(F): Renewable Energy Permitted Uses in the Pleasant Valley District – Environmentally Sensitive/Restoration Areas

USES	ESRA-PV
RENEWABLE ENERGY[1]	
Solar Energy Systems	L[2]
Wind Energy Systems	L[3]
Biomass Energy Systems	L/SUR[4]
Geothermal Energy Systems	L[5]
Micro-Hydro Energy Systems	L[6]

Notes

[1] See Section 10.0900 for additional standards that apply.

[2] For limitations, see Section 4.1487 Solar Energy System Standards for Pleasant Valley Districts.

[3] For limitations, see Section 4.1488 Wind Energy System Standards for Pleasant Valley Districts.
[4] For limitations, see Section 4.1489 Biomass Energy System Standards for Pleasant Valley Districts.
[5] For limitations, see Section 4.1490 Geothermal Energy System Standards for Pleasant Valley Districts.
[6] For limitations, see Section 4.1491 Micro-Hydro Energy System Standards for Pleasant Valley Districts.

Development Standards

4.1438 General Development Standards

The following standards apply to all regulated development within the ESRA-PV sub-district with the exception of rights of ways and public access easements (subject to **Section 4.1442**), utilities, utility lines and stormwater facilities (subject to **Section 4.1441**), land divisions (subject to **Section 4.1443**), and mitigation projects (subject to **Section 4.1445** or **4.1446**):

A. Native trees may be removed within 10 feet of any proposed structures or within 5 feet of new driveways. Trees listed on the Metro Nuisance Plant List or Prohibited Plant List are exempt from this standard and may be removed. Mitigation for tree removal of native and non-native trees is required per **Section 4.1445** or **4.1446**.

B. All vegetation planted in a resource area must be native and listed on the City of Gresham Native Plant List;

C. Grading is subject to installing the erosion control measures required by the City of Gresham Erosion Prevention and Sediment Control requirements;

D. The minimum front, street, or garage setbacks of the base zone may be reduced to any distance between the base zone minimum and zero;

E. Fences are allowed only within the disturbance area, as described in **Section 4.1439(A)**;

F. Incandescent lights exceeding 200 watts (or other light types exceeding the brightness of a 200-watt incandescent light) must be placed so they do not shine directly into resource areas;

G. If development will occur within the 100-year floodplain, the FEMA floodplain standards must be met; and

H. Mitigation is required, subject to **Section 4.1445** or **4.1446**.

4.1439 New Development Standards

In addition to the above General Development Standards of **Section 4.1438**, the following standards apply to new development within the ESRA-PV sub-district, except for trails, rights of ways, utilities, utility lines, stormwater facilities, land divisions and mitigation projects:

A. The maximum disturbance area allowed within the resource area on the site is determined by subtracting all portions of the site outside the ESRA-PV area from the number listed in the table below.

Table 1

Maximum Disturbance Area Allowed
Maximum Disturbance Area =5,000 sq. ft.[1]

[1] Note: Subtract the amount of area on the site outside the ESRA-PV area from the number given in the above table.

B. The disturbance area must be set back at least 50 feet from the top of bank of any stream, other water body or from the delineated edge of a wetland located within the ESRA-PV area.

4.1440 Existing Development Standards

In addition to the General Development Standards of **Section 4.1438**, the following standards apply to alterations of existing development within the ESRA-PV sub-district, except for trails, rights of way, utilities, utility lines, stormwater facilities, land divisions and mitigation projects:

A. One of the following must be met:

1. The disturbance area does not exceed the limitations of above **Table 1** and the disturbance area is not expanded into or within five feet of the ESRA-PV boundary; or

2. If the existing disturbance area now exceeds the limitations of above Table 1, a permanent disturbance area must be delineated that includes all existing buildings, parking and loading areas, paved or graveled areas, patios and decks, and contains the proposed development. The same delineated disturbance area must be shown on every subsequent proposal for alterations meeting this standard.

B. The proposed development must be set back at least 25 feet from the top-of-bank of any stream, waterbody or from the delineated edge of any wetland located within the ESRA-PV area.

4.1441 Standards for Utilities, Utility Lines and Stormwater Facilities

The following standards apply to new utilities, private connections to existing or new utility lines, and upgrades of existing utility lines within the ESRA-PV sub-district:

A. Utilities and Utility Lines: The following standards apply to new utilities, private connections to existing or new utility lines, and upgrades of existing utility lines within the ESRA-PV sub-district:

1. The disturbance area for private connections to utility lines is no greater than 10 feet wide;

2. The disturbance area for the upgrade of existing utility lines is no greater than 15 feet wide;

3. New utility lines must be within the right-of-way, unless it is shown that there are no feasible alternatives.

4. No fill or excavation is allowed within the ordinary high water mark of a stream, unless necessary and any required permits are obtained from the US Army Corps of Engineers, and/or the Oregon Department of State Lands;

5. The Department of State Lands must approve any work that requires excavation or fill in a wetland;

6. Native trees more than 10 inches in diameter may not be removed unless it is shown that there are no feasible alternatives; and

7. Mitigation is required, subject to **Section 4.1445** or **4.1446**. All trees must be planted on the applicant's site. The replacement trees must be selected from the City of Gresham Native Plant List.

B. Stormwater Facilities, other than those listed in **Section 4.1441(A)**
The following standards apply to new stormwater facilities and upgrades of existing stormwater facilities within the ESRA-PV sub-district:

1. Stormwater facilities may be placed in the ESRA-PV sub-district when there is no feasible alternative location outside the ESRA-PV;

2. No fill or excavation is allowed within the ordinary high water mark of a stream, unless necessary and any required permits are obtained from the US Army Corp of Engineers, and/or the Oregon Department of State Lands;

3. The Department of State Lands must approve any work that requires excavation or fill in a wetland;
4. Native trees more than 10 inches in diameter may not be removed unless it is shown that there are no feasible alternatives; and
5. Mitigation is required, subject to **Section 4.1445** or **4.1446**. All trees must be planted on the applicant's site. The replacement trees must be selected from the City of Gresham Native Plant List.

4.1442 Standards for Rights of Ways and Public Access Easements

The following standards apply to public rights of way and Public Access Easements within the ESRA-PV sub-district, including roads, bridges/stream crossings, trails and paths:

A. Where the right-of-way or public access easement crosses a stream, the crossing must be by bridge or a bottomless culvert;

B. No fill or excavation can occur within the ordinary high water mark of a stream, unless necessary and any required permits are obtained from the US Army Corps of Engineers, and/or the Oregon Department of State Lands;

C. The Department of State Lands has approved any work that requires excavation or fill in a wetland;

D. Any work that will take place within the banks of a stream must be conducted during the specified in water work window, as determined by Oregon Department of Fish and Wildlife for each specific water body, or must be approved by the Oregon Department of Fish and Wildlife; and

E. Mitigation is required, subject to **Section 4.1445** or **4.1446**.

4.1443 Standards for Land Divisions

Other than those land divisions exempted by **Section 4.1436(G)**, the only type of lot allowed within the ESRA-PV sub-district is a lot that will be created for a residence which existed before the ESRA-PV was applied to a subject property. A new lot for an existing house can be created when all of the following are met:

A. There is an existing house on the site that is entirely within the ESRA-PV area; and

B. The existing house will remain; and

C. The new lot is no larger than required to contain the house, minimum required side setbacks, garage, driveway and a 20 ft. deep rear yard, with the remaining ESRA-PV area beyond that point protected by a conservation easement, or by dedicating a conservation tract or public open space.

4.1444 Standards for Trails

The following standards apply to trails within the ESRA-PV sub-district:

A. All trails must be set back at least 50 feet from the tops of banks of streams or the delineated boundary of a wetland, except as designated in the current Gresham Parks and Recreation, Trails and Natural Areas Master Plan; and

B. Mitigation is required, subject to **Section 4.1445** or **4.1446**.

4.1445 Mitigation Standards

The following standards (or the alternative standards of **Section 4.1446**) apply to required mitigation:

A. Mitigation must occur at a 2:1 ratio of mitigation area to proposed disturbance area, except as noted in **Section 4.1445(E)** below.

B. Mitigation must occur on the site where the disturbance occurs, except as follows:

1. The mitigation is required for disturbance associated with a right-of-way or utility in the right-of-way;

2. The mitigation will occur in the Kelley Creek watershed wherever possible; and

3. An easement that allows access to the mitigation site for monitoring and maintenance is provided as part of the mitigation plan.

C. Mitigation must occur within the ESRA-PV area of a site unless it is demonstrated that this is not feasible because there is a lack of available and appropriate area. In which case, the proposed mitigation area must be contiguous to the existing ESRA-PV area so the ESRA-PV boundary can be easily extended in the future to include the new resource site. If mitigation cannot occur within the Kelley Creek watershed, mitigation shall occur within the Johnson Creek watershed, as close to the area of impact as possible;

D. Invasive vegetation must be removed within the mitigation area;

E. Wetland mitigation shall be conducted per the functional and area replacement standards established by the Army Corps of Engineers and the Oregon Department of State Lands. An alternative planting plan using native plants can be approved in order to create a new wetland area, if it is part of a wetlands mitigation plan that has been approved by the Oregon Department of State Lands in conjunction with a wetland fill permit application.

F. Mitigation requirements for disturbance in the ESRA-PV:

1. Required plants and plant densities**.** All trees, shrubs and ground cover must be native plants selected from the City of Gresham Native Plant List. An applicant shall meet Mitigation Option 1 or 2, whichever results in more tree plantings; except that where the mitigation area is one acre or more, the applicant shall comply with Mitigation Option 2.

a. Mitigation Option 1. In this option, the mitigation requirement is calculated based on the number and size of trees that are removed from the site. Trees that are removed from the site must be replaced as shown in **Table 4.1445(A)**. Conifers must be replaced with conifers. Bare ground must be planted or seeded with native grasses or herbs. Non-native sterile wheat grass may also be planted or seeded, in equal or lesser proportion to the native grasses or herbs.

b. Mitigation Option 2. In this option, the mitigation requirement is calculated based on the size of the mitigation area required. Native trees and shrubs are required to be planted at a rate of 820 trees and 820 shrubs per acre of mitigation required. This amount shall be adjusted proportionally for smaller mitigation areas. For example, 410 trees and 410 shrubs per mitigation acre shall be planted for one-half acre of mitigation area. Bare ground must be planted or seeded with native grasses or herbs. Non-native sterile wheat grass may also be planted or seeded, in equal or lesser proportion to the native grasses or herbs.

Table 4.1445(A) - Tree Replacement

Size of tree to be removed (inches in diameter)	Number of trees and shrubs to be planted
6 to 12	2 trees and 3 shrubs
13 to 18	3 trees and 6 shrubs
19 to 24	5 trees and 12 shrubs
25 to 30	7 trees and 18 shrubs
over 30	10 trees and 30 shrubs

2. Plant Size.

a. For Mitigation Option 1: Replacement trees must be at least one-half inch in caliper, measured at 6 inches above the ground level for field grown trees or above the soil line for container grown trees unless they are Oak or Madrone trees which may be one gallon size. The one-half inch minimum size may be an average caliper measure, recognizing that trees are not uniformly round. Shrubs must be in at least a 1-gallon container or the equivalent in ball and burlap and must be at least 12 inches in height.

b. For Mitigation Option 2: Plantings can range from live cuttings, to bare root stock to container stock in size. Initial plantings should be at least 12 inches in height.

3. Plant Spacing. With the exception of the outer edge of a mitigation area, trees and shrubs will not be planted in a linear fashion. Do not plant within the dripline of existing trees.

a. In Mitigation Option 1, trees shall be planted on average between 8 and 12 feet on-center and shrubs shall be planted on average between 4 and 5 feet on center, or clustered in single species groups of no more than four (4) plants, with each cluster planted on average between 8 and 10 feet on center.

b. In Mitigation Option 2, trees shall be planted at average intervals of 7 feet on-center. Shrubs may be clustered in single species groups of no more than four (4) plants, with clusters planted on average between 8 and 10 feet on center.

4. Plant Diversity. Shrubs must consist of at least two (2) different species. If 10 trees or more are planted, then no more than 50% of the trees shall be of the same genus.

5. Plant Species. In order to meet the City stream shade goals (developed and approved by the Department of Environmental Quality in compliance with the Total Maximum Daily Load rules) for reducing summer stream temperatures, the following species standards need to be followed for any mitigation occurring within 70 feet of a stream. At least 70% of the trees planted in this area need to be comprised of the tallest native tree species appropriate for the site, as indicated by an asterisk in **Table 4.1445(B)** or as reflected in the Gresham Native Plant Guide.

Table 4.1445(B)
Recommended Tree and Shrub Species for Planting within Riparian Shade Zone

Site Conditions	Typical Soil Series	Recommended Plant Community		
Floodplain and wetlands	Moag Rafton	Trees	Black cottonwood* Pacific willow	
		Shrubs	Red-osier dogwood Snowberry	Willow Wild rose
Floodplain and wetlands	Delena Wapato Wollent	Trees	Black cottonwood* Pacific willow Red alder	Oregon ash Western redcedar*
		Shrubs	Douglas spiraea Pacific ninebark Red-osier dogwood Snowberry	Twinberry Wild rose Willow
Moist Riparian	Aloha Cascade Powell	Trees	Bigleaf maple* Black cottonwood* Grand fir*	Red alder Western redcedar*
		Shrubs	Bitter cherry Black hawthorn Hazelnut Indian plum Oregon grape Red elderberry	Salal Salmonberry Snowberry Thimbleberry Vine maple
Dry Riparian	Cornelius Dabney Haploxerolls, steep Haplumbrepts, steep Latourell Multnomah Quafeno	Trees	Bigleaf maple* Douglas fir*	Oregon white oak Western hemlock*
		Shrubs	Hazelnut Indian plum Oceanspray Oregon grape	Salal Snowberry Vine maple

6. Location of Mitigation Area. All vegetation must be planted on the applicant's site within the ESRA-PV or in an area contiguous to the ESRA-PV; provided, however, that if the vegetation is planted outside the ESRA-PV, the applicant shall preserve the contiguous area by executing a deed restriction, such as a restrictive covenant. If mitigation cannot occur within the Kelley Creek watershed, mitigation shall occur within the Johnson Creek watershed, as close to the area of impact as possible.

G. Monitoring, reporting and replanting. Monitoring of the mitigation site is the responsibility of the property owner. Plants that die must be replaced in kind on an annual cycle by the property owner or designee, as indicated on the mitigation plan. For a period of five years, the property owner/designee must submit an annual report to the City of Gresham as described in **Section 4.1450** documenting the survival of the trees and shrubs on the mitigation site. Photos must accompany the annual report that shows the progress of the mitigation.

A financial guarantee, in the form of an instrument approved by the City, shall be submitted before development within the ESRA-PV commences. It shall be in an amount adequate to cover the cost of performing the mitigation. The City will release the guarantee at the end of the five year monitoring period provided the mitigation survival rates of **Section 4.1445(G)(1)** below have been met, or before, if it determines that the trees and shrubs have been successfully established. If the mitigation survival rates have not been met at the end of the five year monitoring period, the guarantee will be held until such time as the City determines that the trees and shrubs have been successfully established.

1. Required Tree and Shrub Survival Rates.

a. For Mitigation Option 1: A minimum of 80% of the trees and shrubs planted shall remain alive on the fifth anniversary of the date that the mitigation planting is completed.

b. For Mitigation Option 2: A minimum of 500 trees and 650 shrubs per mitigation acre required shall remain alive on the fifth anniversary of the date that the mitigation planting is completed.

H. General Stewardship Practices. To enhance survival of the mitigation plantings, the following practices are required:

1. Weed control. Remove, or control, non-native or noxious vegetation throughout maintenance period.

2. Wildlife protection. Use plant sleeves or fencing to protect trees and shrubs against wildlife browsing and resulting damage to plants.

I. Mitigation 2 Stewardship Practices. To enhance survival of the mitigation plantings, the following practices are required for Mitigation Option 1. These are recommended for Mitigation Option 2 if annual survival goals are not being met:

1. Mulching. Mulch new plantings three inches in depth and 18 inches in diameter to retain moisture and discourage weed growth.

2. Irrigation. Water new plantings one inch per week from June 20th to September 15th for the three years following planting.

J. To enhance survival of tree replacement and vegetation plantings, the following practices are recommended:

1. Planting season. Plant bare root trees between December 1st and February 28th, and potted plants between October 15th and April 30th.

4.1446 Alternative Mitigation Standards

In lieu of the above mitigation standards of **Section 4.1445**, the following standards can be used. However, compliance with these standards must be demonstrated in a mitigation plan report prepared by an environmental professional with experience and academic credentials in one or more natural resource areas

such as ecology, wildlife biology, botany, hydrology or forestry. At the applicant's expense, the City may require the report and mitigation plan to be reviewed by its environmental consultant.

A. The proposed mitigation must occur at a minimum 2 to 1 ratio of mitigation area to proposed disturbance area;

B. The proposed mitigation must result in a significant improvement of at least one function;

C. There will be no detrimental impact on resources and functions in area designated to be left undisturbed;

D. Where the proposed mitigation includes alteration or replacement of development in a stream channel, wetland, or other water body, there will be no detrimental impact related to the migration, rearing, feeding or spawning of fish;

E. Mitigation must occur on the site of the disturbance and in the same subwatershed as much as possible. All mitigation shall occur within the Johnson Creek watershed, as close to the area of impact as possible. If the proposed mitigation will not occur on the site of the disturbance, then the applicant must possess a legal instrument, such as an easement, sufficient to carryout and ensure the success of the mitigation.

4.1447 Adjustment from Standards

If a regulated ESRA-PV sub-district use listed in **Section 4.1437** cannot meet one or more of the applicable ESRA-PV standards then an adjustment may be issued if all of the following criteria are met. However, compliance with these criteria must be demonstrated by the applicant in a written report prepared by an environmental professional with experience and academic credentials in one or more natural resource areas such as ecology, wildlife biology, botany, hydrology or forestry. At the applicant's expense, the City may require the report to be reviewed by its environmental consultant. Such requests shall be processed under the Type III development permit procedure. The applicant must demonstrate:

A. There are no feasible alternatives for the proposed use or activity to be located outside the ESRA-PV area or to be located inside the ESRA-PV area and to be designed in a way that will meet all of the applicable ESRA-PV development standards;

B. The proposal has fewer adverse impacts on significant resources and resource functions found in the local ESRA-PV area than actions that would meet the applicable environmental development standards;

C. The proposed use or activity proposes the minimum intrusion into the ESRA-PV area that is necessary to meet development objectives;

D. Fish and wildlife passage will not be impeded; and

E. With the exception of the standard(s) subject to the adjustment request, all other applicable ESRA-PV standards can be met.

Application Requirements

4.1448 Development Permit Application Type

All applications must include the general development permit application items required by **Section 11.0900** of the Gresham Community Development Code as well as a narrative discussion of how the proposal meets all of the applicable ESRA-PV development standards. The Manager shall supply information sheets for applications, which detail the specific information which must be contained in the application.

A. Type I Process

1. The Map Verification process to verify the location of the ESRA-PV sub-district boundary per the approved Pleasant Valley Plan District ESRA Map or approved ESRA-PV sub-district boundary amendments provided by the City shall be processed as a Type I application.

2. City updates to the Pleasant Valley Plan District ESRA Map associated with development permit applications and resource information updates shall be processed as a Type I procedure. This shall not be considered a comprehensive plan map amendment.

B. Type II Process

1. The Map Modification process, unless otherwise noted in **Section 4.1432** or directed by the ESRA-PV standards, will be processed as a Type II development permit application.

2. Proposed development within the ESRA-PV sub-district shall be processed as a Type II development permit application.

C. Decision Process

The Manager's decision shall be based on consideration of the information submitted by the applicant, any information collected during a site visit to the lot or parcel, any information generated by prior ESRA boundary determinations that have occurred on adjacent properties, and any other objective factual information that has been provided to the Manager.

4.1449 Required Site Plans

Site plans showing the following required items must be part of the application:

A. For the entire subject property (ESRA-PV and non-ESRA-PV areas):

1. The ESRA-PV sub-district boundary. This may be scaled in relation to property lines from the Pleasant Valley Plan District Plan Map. If the ESRA-PV sub-district boundary is proposed to be modified, then the existing and proposed ESRA-PV boundary shall appear on the plan;

2. 100 year floodplain and floodway boundary (if determined by FEMA);

3. Creeks, streams and other waterbodies;

4. Any wetlands, with the boundary of the wetland that will be adjacent to the proposed development determined in a wetlands delineation report prepared by a professional wetland specialist and following the Oregon Division of State Lands wetlands delineation procedures;

5. Topography shown by contour lines of 2 or 1 ft. intervals for slopes less than 15% and by 10 ft. intervals for slopes 15% or greater;

6. Existing improvements such as structures or buildings, utility lines, fences, driveways, parking areas, etc.; and

7. The existing and proposed ESRA-PV area acreage.

B. Within the ESRA-PV area of the subject property:

1. The distribution outline of shrubs and ground covers, with a list of the most abundant species;

2. The individual location of trees 6 inches or greater in diameter, identified by species and size. When trees are located in clusters they may be described by the approximate number of trees, the diameter range, and a listing of dominant species;

3. An outline of the disturbance area or ESRA-PV area being challenged that identifies the vegetation that will be removed. All trees to be removed with a diameter of 6 inches or greater shall be specifically identified as to location, number, trunk diameters and species;

4. If grading will occur within the ESRA-PV, a grading plan showing the proposed alteration of the ground at 2 ft. vertical contours in areas of slopes less than 15% and at 5 ft. vertical contours of slopes 15% or greater.

C. A construction management plan including:

1. Location of site access and egress that construction equipment will use;
2. Equipment and material staging and stockpile areas;
3. Erosion control measures that conform to City of Gresham erosion control standards;
4. Measures, such as the installation of tree protection fencing, to protect trees and other vegetation located outside the disturbance area.

D. A mitigation plan demonstrating compliance with **Section 4.1455 or 4.1456**, including:

1. Dams, weirs or other in-water features;
2. Distribution outline, species composition, and percent cover of ground covers to be planted or seeded, including a plant list with quantities, botanical name, common name and size of proposed groundcover plantings;
3. Distribution outline, species composition, size, and spacing of shrubs to be planted, including a plant list with quantities, botanical name, common name, size and root type of proposed shrub plantings;
4. Location, species and size of each tree to be planted, including a plant list with quantities, botanical name, common name, size and root type of proposed tree plantings;
5. Stormwater management features, including retention, infiltration, detention, discharges and outfalls;
6. Water bodies or wetlands to be created, including depth;
7. Water sources to be used for irrigation of plantings or for a water source for a proposed wetland.

4.1450 Mitigation Plan Report

A mitigation plan report that accompanies the above mitigation site plan is also required. It needs to discuss:

A. The resources and functional values to be restored, created, or enhanced through the mitigation plan;

B. Documentation of coordination with appropriate local, regional, state and federal regulatory/resource agencies such as the Oregon Division of State Lands and the U.S. Army Corps of Engineers;

C. Construction timetables;

D. Operations and maintenance practices to ensure the continued functioning of the mitigation area; and

E. Annual monitoring and evaluation procedures and a contingency plan for undertaking remedial actions that might be needed to correct unsuccessful mitigation actions during the first 5 years of the mitigation area establishment.

Miscellaneous

4.1451 Density Transfer

The Pleasant Valley Plan District allocates urban densities to the non-ESRA-PV portions of properties located partially within the ESRA-PV sub-district, generally resulting in a substantial increase in net development potential. For lots of record that are located within the ESRA-PV sub-district, additional density transfer credits are allowed, subject to the following provisions:

A. Density may be transferred from the ESRA-PV sub-district to non-ESRA-PV portions of the same property or of contiguous properties within the same development site; or

1. Where site constraints prevent the use of awarded credits, unused credits may be transferred to other non-ESRA-PV properties.

B. The residential transfer credit shall be 1 unit per acre of land within the ESRA-PV Sub-district. (Conventional rounding applies, e.g., A property with >.5 acre to 1 acre shall receive a density credit of 1 unit. A property with 1.5 or more acres of land in the ESRA-PV but less than 2.5 acres is eligible for 2 transfer credits).

C. For transfers to the Employment sub-district, the transfer credit is 10,000 sq. ft. (FAR) per acre of land within the ESRA-PV sub-district;

D. The maximum gross density for the non-ESRA-PV area of the site shall not exceed 150% of the maximum density or FAR allowed by the underlying sub-district;

E. The owner of the transferring property shall execute a covenant with the City that records the transfer of units. The covenant must be found to meet the requirements of this section and be recorded before building permits are issued; and

F. All other applicable development standards, including setbacks and building heights, shall continue to apply when a density transfer occurs however, the minimum lot size may be reduced by 20% for only those units transferred outside of the ESRA-PV district. Such transfers and reductions shall be exempted from a PD process.

4.1452 Map Verification and Modification of ESRA-PV Boundary

The ESRA-PV sub-district boundary may have to be adjusted occasionally to reflect the true location of a resource and its feature values on a site as a result of a site specific environmental survey. Also, in those cases where mitigation occurs outside the current ESRA-PV and/or part of a site within the ESRA-PV has been developed, the ESRA-PV boundary must be adjusted to recognize the relocation of the resource.

A. ESRA-PV Map Verification.

1. Exempt Development. Development, (including all impervious surfaces and landscaping), that is outside of any ESRA-PV and no closer than 100 feet to the border of an ESRA-PV based on the City's Pleasant Valley Plan District ESRA Map, may proceed without having to comply with this section.

2. The ESRA-PV Boundary shall be field verified, field staked and located to scale on all submittal documents.

3. The Map Verification process is the process of verifying the location of the ESRA-PV boundary in the field relative to the location of the ESRA-PV boundary on the Pleasant Valley Plan District Map. The Map Verification process shall not be used to dispute whether identified ESRA-PV sub-districts provide the features or the ecological functions that they are assumed to provide.

4. The map verification requirements described in this section shall be met at the time an applicant requests a development permit, building permit, grading permit, tree removal permit, land division approval, or some other land use decision. A property owner, or another person with the property owner's consent, may request to verify the location of the ESRA-PV on a real property lot or parcel pursuant to this section at other times. If a person receives verification of the ESRA-PV boundary separate from a concurrent request for a development permit, building permit, grading permit, tree removal permit, land division approval, or some other land use decision, then the person may use the verification to satisfy the requirements of this section at any time up until five years after the date the verification was issued.

5. Notwithstanding any other provisions of this section for utility projects undertaken by public utilities, the utility shall not be required to map or provide information about the property except for the proposed area of construction impact within the ESRA-PV or within 100 feet of the ESRA-PV boundary.

B. ESRA-PV Map Modification.

The Map Modification process shall be used to modify the location of the ESRA-PV Boundary in the following circumstances:

1. Obvious Misalignment between Property Lot Lines and Mapped ESRA-PV. In some cases, the mapped ESRA-PV layer in the GIS database might not align precisely with the tax lot layer that shows property lines, resulting in an ESRA-PV map that is also misaligned with tax lot lines. An applicant who believes that the ESRA-PV map is inaccurate based on such an obvious misalignment may comply with this subsection. The applicant shall submit the following information regarding the real property lot or parcel:

a. A detailed property description; and

b. A scaled property map indicating the City adopted ESRA-PV, any approved ESRA-PV map amendments provided by the City at the time of application and any proposed development improvements; and

c. The most recent summer aerial photograph of the property, with lot lines shown, at a scale of at least 1 map inch equal to 50 feet for lots of 20,000 or fewer square feet, and a scale of 1 map inch equal to 100 feet for larger lots (available from the Metro Data Resource Center, 600 N.E. Grand Ave., Portland, OR 97232; 503-797-1742); and

d. The information required to be submitted under **Section 4.1449** of this ordinance if the applicant proposes development within any ESRA-PV under those provisions; and

e. A documented demonstration of the misalignment between the ESRA-PV map and the property's tax lot boundary lines. For example, an applicant could compare the boundary lot lines shown for roads within 500 feet of a property with the location of such roads as viewed on the aerial photograph of the area surrounding a property to provide evidence of the scale and amount of incongruity between the ESRA-PV maps and the property lot lines, and the amount of adjustment that would be appropriate to accurately depict the ESRA-PV location on the property.

f. Any other factual information that the Manager requests or the applicant wishes to provide to support map verification.

2. Mapping Error in the Presence, Location, Size or Extent of the Natural Resource Feature. Mapping errors of this nature are limited to natural resource features that include only the following: vegetation, both woody and non-woody; tree groves; water bodies, such as streams, creeks and wetlands; and floodplain. In some cases, the mapped natural resource feature such as a stream or creek in the GIS database might not align precisely with the verified field location of that resource. An applicant who believes that the ESRA-PV map is inaccurate based on such an obvious misalignment may comply with this subsection. The applicant shall submit the following information regarding the real property lot or parcel:

a. A detailed property description; and

b. A scaled property map indicating the City adopted ESRA-PV and GIS natural resource feature, any approved ESRA-PV map amendments provided by the City at the time of application and any proposed development improvements; and

c. The most recent summer aerial photograph of the property, with lot lines shown, at a scale of at least 1 map inch equal to 50 feet for lots of 20,000 or fewer square feet, and a scale of 1 map inch equal to 100 feet for larger lots (available from the Metro Data Resource Center, 600 N.E. Grand Ave., Portland, OR 97232; 503-797-1742); and

d. The information required to be submitted under **Section 4.1449** of this ordinance if the applicant proposes development within any ESRA-PV under those provisions; and

e. A narrative justifying the ESRA-PV map modification prepared by a qualified professional with experience and credentials in natural resource areas, including wildlife biology, ecology, hydrology and forestry; and

f. A documented scaled property plan demonstrating the misalignment between the adopted ESRA-PV map location and GIS natural resource feature and the proposed ESRA-PV map location and field verified natural resource; and

g. The existing and proposed ESRA-PV Boundary shall be field verified, field staked and located to scale on all submittal documents; and

h. Any other factual information that the Manager requests or the applicant wishes to provide to support map modification.

C. The ESRA-PV boundary may be adjusted after the following has been met, as applicable:

1. Adding a mitigation area to the ESRA-PV sub-district: An approved mitigation plan has been successful and a new restored or enhanced resource site presently exists outside the ESRA-PV which should be included in the ESRA-PV for future protection.

2. Relocating or modifying the ESRA-PV resource in accordance with **Section 4.1452(B)**.

3. If the modification of ESRA-PV boundary under this section results in land being relocated or removed from ESRA-PV designation then the former ESRA-PV land shall assume the Pleasant Valley Plan District sub-district(s) designation adjacent to the land.

4.1453 Corrections to Violations

For correcting violations, the violator must submit a remediation plan that meets all of the applicable standards of the ESRA-PV sub-district. If one or more of these standards cannot be met then the applicant's remediation plan must demonstrate that there will be:

A. No permanent loss of any type of resource or function;

B. A significant improvement of at least one function; and

C. There will be minimal loss of resources and functions during the remediation action until it is fully established.

4.1454 Consistency and Relationship to Other Regulations

A. Where the provisions of the ESRA-PV sub-district are less restrictive or conflict with comparable provisions of the Gresham Community Development Code, other City requirements, regional, state or federal law, the provisions that are more restrictive shall govern.

B. Development in or near wetlands and streams may require permits from the Oregon Division of State Lands (D.S.L.) and the U.S. Army Corps of Engineers. If a federal permit is required, a water quality certification from the Oregon Department of Environmental Quality may also be required. The Manager shall notify the Division of State Lands and the Army Corps of Engineers when an application for development within the ESRA-PV sub-district is submitted. Because these agencies may have more restrictive regulations than the City, applicants are encouraged to contact them before they prepare their application.

Pleasant Valley Overlay Sub-districts

General

4.1460 Overlay Sub-districts in General

Overlay Sub-districts apply land use designations and standards that combine with the underlying zone. Where a conflict exists between the overlay and the underlying zone, the overlay zone applies.

The Elementary and Middle School Overlays, Neighborhood Park Overlay, and Community Park Overlay are intended to indicate the general location of schools and parks, consistent with the Plan Map and Comprehensive Plan.

4.1461 Sub-district Location and Boundaries

The locations and boundaries of the Overlay Sub-districts are initially established on the Plan Map. Modifications of Sub-district boundaries shall be consistent with Sub-district characteristics and location criteria provided below.

Purpose and Characteristics

4.1462 Elementary School Overlay – Pleasant Valley (ESO-PV) and Middle School Overlay – Pleasant Valley (MSO-PV)

A. Purpose and Characteristics

1. The Elementary and Middle School Overlay Sub-districts mark the location of existing schools and the desired location of potential new schools in Pleasant Valley, consistent with the Comprehensive Plan. This overlay does not preclude the submittal and review of applications for any use permitted in the base zone. The applicable school district shall be provided notice of any proposed permit or pending land use decision in this overlay sub-district.

2. Elementary schools serve grades K through 6 and serve 600 students. Elementary school sites are typically 10 acres or smaller where recreational play fields can be shared by more than one school or between a school and park.

3. Middle schools serve grades 7 and 8 and serve between 750 and 1,000 students. Middle school sites are typically 10 acres or smaller where recreational play fields can be shared by more than one school or between a school and park.

B. Location Criteria

Schools should be sited as shown on the Plan Map. Where an alternate school location or configuration is proposed, the following criteria apply:

1. All schools shall have frontage onto a collector street for school bus service.

2. Student walking distance is one mile, and students residing within ¼ mile of the school should be able to walk to school without crossing an arterial street.

3. Public schools and public parks should be located next to one another, with the park located adjacent to the school fields whenever practicable. Such parks should be at least 2-3 acres in size, and larger parks are encouraged to allow more opportunity for school and community events.

4. Elementary and middle schools should not be located in a Town Center, Neighborhood Center, or Employment Sub-district, but a school location next to such a district is acceptable when it would allow for dual-purpose trips, the possibility of shared parking, and other efficiencies.

4.1463 Neighborhood Park Overlay (NPO-PV)

A. Purpose

The Neighborhood Park Overlay Sub-district marks the desired location of new neighborhood parks in Pleasant Valley, consistent with the Comprehensive Plan. This overlay does not preclude the submittal and review of applications for any use permitted in the base zone. All land use reviews where the subject property or area-wide master plan affects the potential site of the park will include a determination of how the park can be incorporated into the land use decision, including potential acquisition or dedication of the park site.

B. Location Criteria

In general, Pleasant Valley's neighborhood parks are intended to serve each neighborhood as described in the characteristics cited above. It is recognized that the final location and size of parks will be determined as part of land use reviews, considering site specific conditions, availability of land for dedication or sale, proposed area master plans, and other factors. Locational criteria for Neighborhood Parks are described in the Parks section of the Plan District.

4.1464 Community Park Overlay (CPO-PV)

A. Purpose

The purpose of Pleasant Valley's community park is to provide active and/or passive recreational opportunities for all area residents and accommodate large group activities. Community parks are intended to serve several neighborhoods, rather than the whole city. They provide a variety of accessible recreation opportunities for all age groups, environmental education opportunities, serve recreation needs of families, and provide opportunities for community social activities.

The Community Park Overlay Sub-district marks the desired location of a community park in Pleasant Valley, consistent with the Comprehensive Plan. This overlay does not preclude the submittal and review of applications for any use permitted in the base zone. All land use reviews where the subject property or area-wide master plan affects the potential site of the park will include a determination of how the park can be incorporated into the land use decision, including potential acquisition or dedication of the park site, or portions of it.

The purpose of the community park designated east of the town center is to provide a wide variety of recreational opportunities in a central location of the community.

B. Location Criteria and Characteristics

In general, Pleasant Valley's community park is intended to provide a wide variety of recreational opportunities in a central location of the community as described in the characteristics cited above. It is recognized that its final location and size will be determined as part of land use reviews, considering site specific conditions, availability of land for dedication or sale, proposed area master plans, and other factors. Locational criteria for the Community Park are described in the Parks section of the Plan District.

4.1465 Neighborhood Transition Design Area Overlay Sub-district

A. Purpose

The neighborhood transition design area provides a transition between the ESRA-PV and adjoining land uses. Careful design and site planning can ensure that schools, residences, businesses, and other uses reduce their impact on the natural resources while enjoying the benefits of adjoining these natural areas.

B. Characteristics

1. The Neighborhood Transition Design area is a 100-foot transition area bordering the ESRA-PV. This area contains, as appropriate, a mix of uses including open space, trails, infrastructure (e.g. stormwater treatment), parkways and boulevards, residences, community centers and ESRA-oriented facilities such as a nature center or interpretative kiosk.

2. Residential areas are oriented towards and present a "friendly face" to the ESRA-PV. Such areas may be accessed via an alleyway. The rear yard of a dwelling in the NTDA may not face the ESRA. The City may allow exceptions to this standard due to topography, existing development, street layout, or other reasons that make this requirement impractical.

3. Where appropriate, local green streets follow the edges of the residential community as part of the transition area bordering the ESRA.

C. Standards

To the extent practicable development within the NTDA shall be consistent with the characteristics described above and the following standards. These standards are intended to promote careful design and site planning so that uses and development within the NTDA reduce their impact on, and benefit from, the adjacent ESRA areas.

Master plans must consider the following in designs for NTDAs:

1. Location of compatible uses, such as open space, trails, infrastructure (e.g., stormwater treatment), parkways and boulevards, residences, community centers, and ESRA-oriented facilities such as a nature center or interpretative kiosk.

2. Residential areas that are oriented towards and present a friendly face to the ESRA. Such areas may be accessed via an alleyway.

3. Where appropriate, local green streets follow the edges of the residential community as part of the transition area bordering the ESRA.

4. When a lot or parcel borders the ESRA a maximum four foot high fence is permitted within 10 feet of the ESRA. This includes vegetative fencing.

D. Illustrations

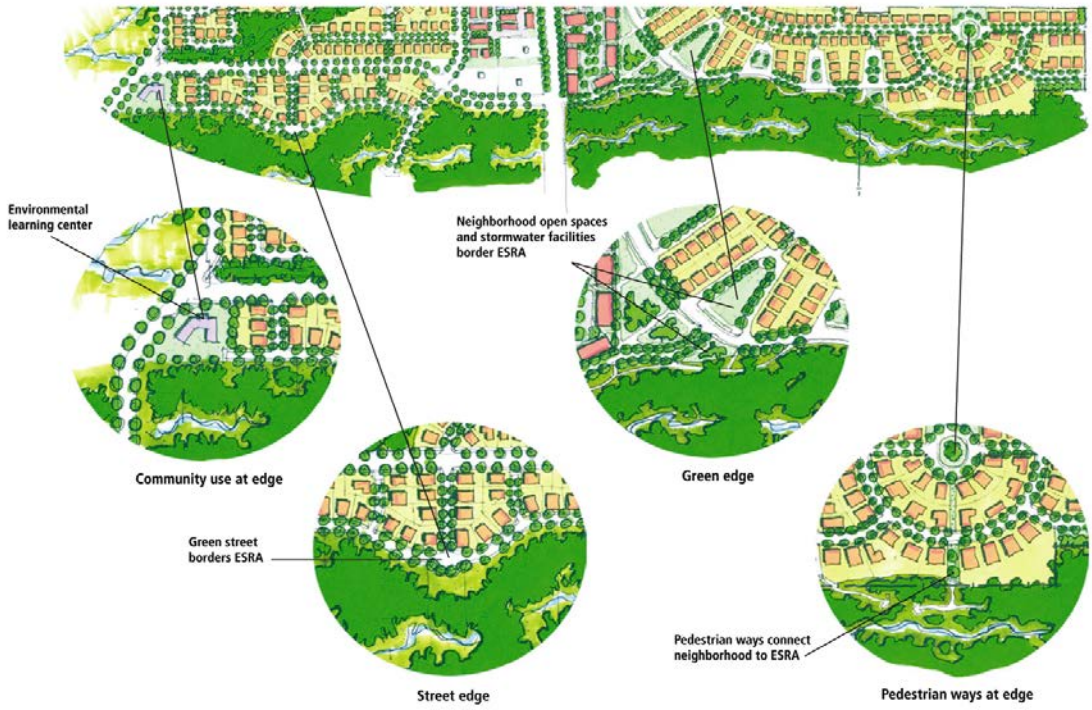
The model designs in **Figure 4.1465** illustrate four ways to create good transitions between neighborhoods and the ESRAs.

1. *Community Uses* – With appropriate access, the neighborhood edge can be an ideal location for community uses such as day care centers, schools, environmental learning centers, and community centers. The new elementary school planned for Pleasant Valley is adjacent to the confluence of Clatsop Creek and Kelley Creeks.

2. *Street Edge* – The street edge model places a public green street in the transition area. Homes along the street face the green street and the ESRA, making the ESRA a visible and valued part of the neighborhood. On the homes side of the street, there is a typical sidewalk. On the ESRA side of the street, pedestrian access can be provided on a soft surface trail.

3. *Pedways* – It will not always be feasible to place a community use, street, or open space along all ESRAs. In cases where the backs of lots are in the transition area, pedestrian ways should be provided. The pedestrian ways should be space similar to the street network, i.e., one pedway about every 400 to 500 feet.

Figure 4.1465 – Neighborhood Transition Design



Model Designs for Neighborhood Transition Design Areas in Pleasant Valley

Additional Pleasant Valley Standards

4.1468 Green Development Practices and Green Streets for Stormwater Management

The City requires prioritization of Green Development Practices and Green Streets to treat and manage stormwater runoff as close as possible to its source and mimic natural processes such as retention, infiltration, and evapotranspiration to treat and reduce the overall volume of stormwater runoff that drains into water bodies. Development within Pleasant Valley shall follow the requirements in this chapter, as well as **Section 9.0501** and the Stormwater Management Manual.

Stormwater Management

A. Purpose and Scope. The regulations of this chapter require the use of Green Development and Green Streets to manage stormwater runoff on-site from all new development. Through the use of Green Development Practices and Green Streets, local and downstream flooding impacts will be minimized and water quality and aquatic habitat will be protected to the maximum extent practicable.

B. Stormwater runoff from new development shall be managed on-site with Green Development Practices to the maximum extent practicable. Green Development Practices shall be designed per the requirements set forth in the Stormwater Management Manual.

C. After management with Green Development Practices, excess stormwater shall be directed to Centralized Stormwater Management Facilities to the maximum extent practicable prior to release to natural waterways. Centralized Stormwater Management Facilities shall be designed per requirements set forth in the Stormwater Management Manual.

D. Submittal Requirements Prior to Tentative Land Division or Design Review Approval. Prior to tentative land division or design review approval, applicants for new development must submit a stormwater report with the development permit application. Submittal requirements for the stormwater report are detailed in the Stormwater Management Manual.

E. Submittal Requirements Prior to Building Permit Approval. Prior to building permit approval, applicants for development on private property must meet the submittal requirements as specified in the Stormwater Management Manual.

F. Parking lot landscaping may be used as Green Development Practice for parking lots, if designed as provided by the Stormwater Management Manual.

1. Purpose: This section is enacted with the purpose of achieving multiple functions from parking lot landscaping by using it for on-site stormwater management.

2. Appropriate designs are contained in the Stormwater Management Manual.

3. Landscaping for stormwater management within parking lots will count towards total percentage of landscaping required on site.

G. After management in Green Development Practices, excess stormwater from private property must be discharged into an approved conveyance facility.

H. A grading or building permit may not be issued for a property unless a stormwater report has been approved that is consistent with this chapter.

I. Operations and maintenance requirements. The property owner, its successors or assigns, shall adequately maintain the on-site stormwater management facilities according to guidelines in the Stormwater Management Manual and/or contained in a recorded operations and maintenance agreement.

J. Landscaping

1. This section is enacted with the goal of utilizing required landscaping for the purpose of protecting and enhancing water quality and aquatic habitat by providing for the infiltration, storage, and treatment of surface water runoff.

2. Landscaping for stormwater management will count towards total percentage of landscaping required on site.

3. Detailed landscaping requirements for Green Development Practices are included in the Stormwater Management Manual.

4.1469 Tree Planting Requirements

A. Purpose and scope

This section is enacted with the goal of enhancing and protecting the existing tree canopy within the community to improve water quality, habitat, and aesthetics, and to minimize urban heat island effects. The tree-planting standard is a requirement for all new development. It encourages the planting and protection of trees, minimizes the impact of tree loss during development, and ensures a sustained tree canopy.

B. Tree planting requirements

Applicants must submit a tree preservation or planting plan indicating how they will meet the following requirements. All planted trees shall be selected from the City of Gresham Approved Tree List.

1. Single Family Dwellings and Duplexes. The applicant shall meet any one of the three options below. The applicant may choose to meet one or more of these options.

a. Tree preservation. At least 2 inches of existing tree diameter per 1,000 square feet of site area must be preserved. On lots that are 3,000 square feet or smaller, at least 3 inches of existing tree diameter must be preserved per lot.

b. Tree planting. At least 2 inches of tree diameter per 1,000 square feet of site area must be planted. On lots that are 3,000 square feet or smaller, at least 3 inches of tree diameter must be planted per lot.

c. Pleasant Valley Tree Mitigation Fund. This option may be used where site characteristics or construction preferences do not support the planting or preservation of trees. Proceeds from the tree fund may be used only in designated open space areas in Pleasant Valley. The applicant must contribute the cost to purchase and plant the required number of trees before a building permit will be issued:

- For lots with 3,000 square feet or more of area, the cost to purchase and plant at least 2 inches of tree diameter per 1,000 square feet of site area; or
- For lots with less than 3,000 square feet of area, the cost to purchase and plant at least 3 inches of tree diameter per lot.

2. Attached Residential Dwellings. As required in **Section 7.0103 and Section 7.0201**.
3. All Other Development. At least 2 inches of tree diameter per 1,000 square feet of site area must be preserved or planted. This is in addition to any trees used to satisfy street tree or buffering and screening requirements.

Pleasant Valley Master Plans

General

4.1470 Purpose

Master plans in Pleasant Valley are intended to:

A. Guide the design and development of land to create a livable community in Pleasant Valley in accordance with the Comprehensive Plan.

B. Ensure that land proposed for annexation is planned with an overall intent to create cohesive and livable neighborhoods, mixed use centers, employment areas, open spaces, and other parts of the Pleasant Valley community, and

C. Provide a tool for review and refinement of Sub-district boundaries at the time of annexation of properties.

D. **Figure 4.1470** illustrates the master plan concept and is intended as a guideline.

Figure 4.1470 Nursery Neighborhood Illustrative Plan

4.1471 Applicability

Master plan approvals are required before or concurrent with any development applications under **Section 6.0200** Partitions and Subdivisions and/or **Article 7**, Design Review. Subsequent land use approvals must be consistent with the master plan.

4.1472 Master Plans and Refinements of Sub-district Boundaries

The Plan District Map establishes the general location of Sub-districts to be used in master plans and applied upon annexation. Applicants may propose refinements of the Sub-district boundaries as part of the master plan review process. Refinements of Sub-district boundaries may be approved if they:

A. Do not result in increases in density, and;

B. Are consistent with the Comprehensive Plan's goals and policies for Pleasant Valley, and

C. Are consistent with and provisions of the Plan District and this chapter, or

D. Are necessary in light of a physical condition (e.g. topography) that makes the original sub-district designation impractical for the site.

Standards

4.1473 Level of Detail

A. Master plans are intended to display conceptual designs for land use, transportation, natural resource areas, and other physical attributes of the subject property. Similarly, public facility information is intended to be submitted at a conceptual level of detail sufficient to demonstrate compliance with the approval criteria.

B. If the applicant is in exclusive ownership of only part of the master plan area then the applicant shall provide proof of attempt to contact those other owners by registered mail. The purpose of this provision is to encourage and provide opportunity for those property owners to participate in the master plan effort.

4.1474 Size of Master Plan

The purpose of this requirement is to provide a tool to meet the purpose statement above. By requiring minimum areas for master plans, the City intends to avoid incremental and uncoordinated development in Pleasant Valley.

Master plans must cover a minimum of 20 acres. The City may allow a master plan of less than 20 acres when the following are met:

A. Full compliance with this requirement will preclude the orderly and efficient development of an area within Pleasant Valley, or

B. Full compliance with this requirement cannot be achieved due to a unique physical condition, parcel pattern, or other similar constraint, and

C. Will not result in substantial development that could preclude compliance with applicable code provisions and comprehensive plan policies.

4.1475 Neighborhood Design Guidelines

The concept of neighborhoods as the organizing format for residential land use is an essential part of the vision for Pleasant Valley. The development of individual properties is intended to fit together into complete, cohesive neighborhoods. Master plans must demonstrate compliance with the following guidelines, which are intended to be guiding but flexible in application.

A. Pleasant Valley shall have walkable neighborhoods with a defined center and edges. The edge of the neighborhood marks the transition from one neighborhood to another. An edge might be a natural area, a transit stop, or a tree-lined arterial street. The neighborhood center should be a main gathering space with priority given to public spaces, such as parks and civic buildings. From the center to the edge should be a comfortable walking distance of one-quarter to one-half mile radius (5 to 10 minute walk).

B. Lots with less than 50 feet of frontage shall receive access from a rear alley, parking court, an access that is shared with an adjoining property, or other similar access technique approved by the City.

C. Pleasant Valley neighborhoods shall be designed to increase transportation options. Neighborhoods shall be bike and walking friendly, especially so that children can travel safely. Neighborhoods shall be designed with transit in mind. A transit stop(s) should be located within walking distance of a neighborhood.

D. Neighborhoods shall be designed to incorporate the existing natural features in a way that enhances the aesthetic environment while minimizing impacts. A compact, mixed-use neighborhood with transit options is one strategy for preserving open space and natural resource areas.

E. Parks must be designed consistent with the Gresham Public Works Standards.

F. Neighborhoods shall have strong connections to the Kelley Creek and Mitchell Creek open space systems. The design and function of neighborhoods shall facilitate preserving, enhancing, and restoring Pleasant Valley's open space system.

4.1476 Housing Variety

The purpose of this element is to: (a) assist in meeting the housing mixes intended for Pleasant Valley, as described in the Comprehensive Plan, (b) avoid over-repetition of the same building type/lot size, and (c) promote housing choices.

All master plans shall conceptually map and describe the proposed housing mix to demonstrate that a variety of lot sizes and/or building types have been provided.

A. In the LDR-PV Sub-district, this standard is met by providing a housing mix that meets one of the following:

1. A variety of lot sizes for detached dwellings where at least 30 percent of the proposed lots are greater than 7500 square feet and the remaining lots are either less than 7500 square feet or are attached dwellings, or

2. At least 15 percent of the dwellings have accessory dwellings, or

3. At least 30 percent of the dwellings shall be alley loaded and at least two of the street level variety techniques as listed in subsection (5) are implemented within the development, or

4. At least 30 percent of the dwellings shall have attached or detached garages that are either flush or behind the rear building line of the dwelling with access to the front and/or rear of the lot, or

5. Street level variety; four of the following:

a. 100 percent varied front setbacks at a minimum of 3 feet to adjoining lots;

b. 5 or more front elevations with no two the same side by side or opposite;

c. A minimum of two types of front exterior surface treatment, e.g. lap siding, stone, brick, stucco, etc.;

d. 30 percent with attached covered front porch and railing, 48 square feet or larger;

e. 6:12 gable roofs with 2x8 fascia and front elevation shutters;

f. At least 2 or more vertical columns are provided on the front façade of the dwelling. Architectural styles may include Corinthian, Doric, Egyptian, Ionic Romanesque, etc.;

g. 30 percent attached garage located 5 feet or more behind the front building line;

h. Front (street facing) dwelling window treatments that include one or more of the following: bay, bow, box, casement, double-hung, etc.;

i. Garage door treatment, e.g. 4 panel windows, carriage door, etc.; or

6. Other techniques found to be consistent with the purpose of this standard.

B. In the MDR-PV Sub-district, the housing variety standard is met by providing a housing mix that complies with the requirements listed below.

1. For development of 40 dwelling units or less, a mix of housing types must include at least two of the following: Single-family detached dwellings, attached dwellings, single-family attached dwellings (3 or more units), single-family attached dwellings (2 units), duplexes, live-work units, and elderly housing. If two housing types are provided, the lesser number must be at least 30% of the total dwellings. If three or more housing types are provided, two of lesser number of them must comprise at least 30% of the total dwellings;

2. For development of more than 40 dwelling units, a mix of housing types must include at least three of the following: Single-family detached dwellings, attached dwellings, single family attached dwellings (3 or more units), single-family attached dwellings (2 units), duplexes, live-work units, and elderly housing. If three or more housing types are provided, two of the lesser number of them must comprise at least 30% of the total dwellings;

3. For developments of more than 40 dwelling units, a mix of building types, within the same housing type, is required. Building types may vary according to number of units per building, orientation of front entries (street versus courtyard), and number of stories. Live-work units count as a separate building type. A minimum of three building types must be provided, with two of lesser number of them comprising at least 30% of the dwellings.

4. Other techniques which are found to be consistent with the purpose of this standard.

C. Where the Master Plan is proposed that includes LDR-PV and MDR-PV residential sub-districts in the same project, the Plan may combine the densities of the two sub-districts when the following criteria are met:
The LDR-PV Housing Variety per **Section 4.1476** is met; and
The MDR-PV Housing Variety per **Section 4.1476** is met; or

Other techniques found to be consistent with the purpose of this standard; and
The density does not exceed the maximum density allowed by the underlying residential sub-districts.

D. Except as provided in **Subsection (C)**, each sub-district within a Master Plan shall meet the average minimum and maximum density standards required for the sub-district. However, within any particular area of a Master Plan the actual density may be less than the minimum or more than the maximum sub-district requirements.

4.1477 Density Transition

The planned variety of housing types and mix of densities in Pleasant Valley will benefit from carefully planned transitions between the various building types and lot sizes. Transitions of housing types and density shall consider the following guidelines:

A. Similar uses, lot sizes, and building sizes should be located opposite each other on the same street.

B. For adjoining uses, similar street-side setbacks shall be used.

C. Appropriate locations for a change in use, lot size, or building type are:

1. The mid-point of blocks and or along alleys

2. Block ends

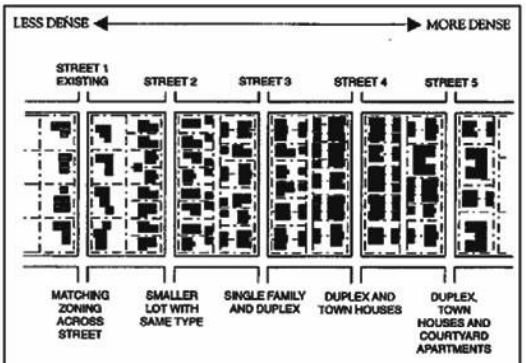
3. On lots that face neighborhood parks, private open spaces and/or ESRAs.

D. The same attached building type (e.g., apartments) should not extend more than 2 blocks or 900 feet (whichever is less) along the same street.

E. **Figure 4.1477** illustrates the density transition concept and is intended as a guideline.

Figure 4.1477 Density Transitions

Density transitions



Adding New, Denser Housing Next to an Existing Large Lot Single Family Area.

Similar building types allow denser development. New housing on Street 1 has lot sizes within 10 percent of the existing single-family lots across the street. It also has the same front and side setbacks and the same heights. Garages are still accessible from the front but are now set behind the new houses. On Street 2, the lots are smaller but the type is still detached single family. On Street 3 duplexes are added, and on Streets 4 and 5 town houses and apartments are introduced. All the types place parking to the rear of the lot, thereby allowing architectural elements such as doors, windows and porches to establish street harmony.

Source: Smart Development Code Handbook, Oregon Transportation and Growth Management Program, 1997

4.1478 Neighborhood Transition Design Areas

Master plans shall address the NTDA as provided for in **Section 4.1465**.

4.1479 Circulation Network

The master plan shall display a conceptual lay out of streets, alleys, pedestrian routes, bicycle routes, trails and transit facilities, and should reflect the Pleasant Valley Transportation System Plan. While the master plan circulation network is conceptual, it shall show conformance with the following: functional street designations; block length; block perimeter; street intersection spacing; street curvature; and trails.

The conceptual future alignments of streets extending from the master plan shall allow for future circulation and demonstrate how access could be provided for adjacent parcels within 600 feet of boundaries of the master plan. Streets shall be designed to form a system of complete blocks and connected circulation network.

4.1480 Parks, Open Space and Natural Areas

The master plan shall display proposed locations for parks, open spaces, trails, and natural areas, consistent with those shown on the Plan District Map and the Pleasant Valley Public Facility Plan. The master plan may propose refinements in the location and size of neighborhood and community parks and schools. The master plan may also propose additional open space areas, greenways and trail networks as part of the overall master plan design.

4.1481 Stormwater Management, Green Development Practices and Green Streets

A stormwater report that generally describes the proposed facilities and demonstrates compliance with the most recent version of the Stormwater Master Plan shall be submitted. If the Master Plan contains Centralized Stormwater Management Facilities (see definition in **Section 3.0103**) the plan must demonstrate that adequate space has been allocated for the future facility. Preliminary hydraulic engineering calculations verifying that the Centralized Facility is sized adequately may be required by the Watershed Division where sizing changes may significantly impact circulation or lotting patterns.

The plan shall call out the use of Green Streets as specified in the Public Works Standards, and Green Development Practices as specified in the Stormwater Management Manual and **Section 4.1468**, throughout the development.

4.1482 Water and Sanitary Sewer System

General routings and locations of proposed water and sanitary sewer facilities consistent with the current City of Gresham Water and Wastewater Master Plans shall be described.

Master Plan Procedures

4.1483 Procedures

Master Plans shall be submitted before or concurrent with any development applications under **Section 6.0200** Partitions and Subdivisions and/or **Article 7** Design Review.

Master Plans are reviewed as a Type III procedure.

4.1484 Approval Criteria

In approving a Master Plan, the approving authority shall find compliance with applicable sections of the Community Development Code and the following:

A. All applicable Master Plan elements and standards have been addressed and met.

B. If a Master Plan includes areas that are not under the exclusive control of the applicant, the Master Plan shall demonstrate compliance with **Section 4.1476** for the part under the exclusive control of the applicant as if it were a stand alone property. The areas not under exclusive control of the applicant shall be assumed to be within the average density range of the underlying district and will be required to demonstrate compliance with **Section 4.1476** as part of subsequent land division or design review application.

C. See also **Section 4.1486** City-Initiated Master Plan.

4.1485 Duration and Implementation

An approved Master Plan remains in effect until development allowed by the plan has been completed or the plan is revised. Subsequent to the approval of the Master Plan, all development permits must be in substantial conformance with the master plan. As used here, substantial conformance means the development permit reasonably implements the conceptual direction of the master plan, recognizing that flexibility is needed to respond to more detailed site information and engineering that is available at the time of the development permit review and approval. Where proposed development permits are not in substantial compliance with the master plan, the applicant shall seek a revision through a separate application or in conjunction with the development application under review. A Master Plan revision is reviewed under the Type III procedure and must comply with **Section 4.1484**.

4.1486 City-Initiated Master Plan

The City Council may choose to initiate a Master Plan to facilitate neighborhood design. Typically a City-Initiated Master Plan will involve at least 50 acres of land and will generally encompass one or more of the neighborhoods identified in the Comprehensive Plan. A City-Initiated Master Plan is required to meet all Master Plan provisions with the following exception:

A. **4.1476** Housing Variety. A City-Initiated Master Plan will show block patterns but need not show detailed compliance with this section. Instead the Master Plan will be accompanied by a lotting/housing study that demonstrates that the block patterns do not preclude consistency with Housing Variety.

B. In the case where a property owner or representative provides detailed housing variety plans that show compliance with this standard those plans will be included and designated in the City-Initiated Master Plan. The areas where such detailed housing plans are not provided shall be assumed to be within the average density range of the underlying district and will be required to demonstrate compliance with **Section 4.1476** as part of subsequent land division or design review application.

4.1487 Solar Energy Standards for Pleasant Valley Districts

Solar energy systems are limited in Pleasant Valley districts as follows:

A. Scale.

1. LDR-PV and ESRA-PV: Small scale solar energy systems are permitted in these districts.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Small and medium scale solar energy systems are permitted in these districts. Large scale systems are permitted with a Special Use Review.

B. Type.

1. LDR-PV and ESRA-PV: Roof-top, flat-roof, integrated and ground-mounted solar energy systems are permitted in these districts.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Roof-top, flat-roof, integrated and ground-mounted solar energy systems are permitted in these districts.

C. Height.

1. LDR-PV and ESRA-PV: The following limitations on maximum height apply to all solar energy systems in these districts:

a. Roof-top, Flat-roof and Integrated. Solar energy systems shall not exceed the district height limit in which they are located and shall not exceed the roof height on which the system is installed.

b. Ground-mounted. Ground-mounted solar energy systems shall not exceed 6 feet in height.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: The following limitations on maximum height apply to solar energy systems in these districts:

a. Roof-top, Flat-roof and Integrated.

i. 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.

ii. For pitched, hipped or gambrel roofs, the solar energy system panels shall not exceed 18 inches in height from the surface of the roof on which the system is installed.

b. Ground-mounted. Ground-mounted solar energy systems shall not exceed 20 feet in height.

D. Setbacks and Yards.

1. LDR-PV and ESRA-PV: Solar energy systems are not allowed in the required front, street-side or side setbacks and are not allowed in the front yard between the building and the street in these districts.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Solar energy systems are not allowed in the required front or street-side setbacks.

4.1488 Wind Energy Standards for Pleasant Valley Districts

Wind energy systems are limited in Pleasant Valley districts as follows:

A. Scale.

1. LDR-PV and ESRA-PV: Small scale wind energy systems are permitted in these districts.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Small and medium scale wind energy systems are permitted in these districts. Large scale systems are permitted with a Special Use Review.

B. Type.

1. LDR-PV and ESRA-PV: Roof-top wind energy systems are permitted in these districts.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Roof-top and ground-mounted wind energy systems are permitted in these districts.

C. Height.

1. LDR-PV and ESRA-PV: The following limitations on maximum height apply to all wind energy systems in these districts:

a. Roof-top. Wind energy systems shall not exceed the district height limit in which they are located and shall not exceed 10 feet above the height of the roof on which the system is installed.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: The following limitations on maximum height apply to all wind energy systems in these districts:

a. Roof-top. The height of roof-top wind energy systems shall not exceed a value equal to the building height when the building height is 45 feet or less. For buildings which exceed 45 feet in height, the wind energy system shall not exceed 45 feet maximum.

b. Ground-mounted. The height of ground-mounted wind energy systems shall not exceed 45 feet as measured from the grade at the base of the equipment to the top of the system. The height limit of 45 feet can be exceeded up to 110 feet with a Special Use Review.

D. Setbacks and Yards.

1. LDR-PV and ESRA-PV: Wind energy systems are not allowed in the required front, street-side, side or rear setbacks or in any yards in these districts.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Wind 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 yard between the building and the street in these districts.

4.1489 Biomass Energy Standards for Pleasant Valley Districts

Biomass energy systems are limited in Pleasant Valley districts as follows:

A. Scale.

1. LDR-PV and ESRA-PV: Small scale biomass energy systems are permitted in these districts.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Small scale biomass energy systems are permitted in these districts.

B. Type.

1. LDR-PV and ESRA-PV: Non-hazardous biomass systems are permitted in these districts.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Non-hazardous biomass systems are permitted in these districts.

C. Height.

1. LDR-PV and ESRA-PV: Biomass energy systems shall not exceed the maximum district height limits in these districts.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Biomass energy systems shall not exceed the maximum district height limits in these districts.

D. Setbacks and Yards.

1. LDR-PV and ESRA-PV: Biomass energy systems are not allowed in the required front, street-side, side or rear setbacks, and are not allowed in front or street-side yards between the building and the street, or in side yards in these districts.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: 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 in these districts.

4.1490 Geothermal Energy Standards for Pleasant Valley Districts

Geothermal energy systems are limited in Pleasant Valley districts as follows:

A. Scale.

1. LDR-PV and ESRA-PV: Small scale geothermal energy systems are permitted in these districts.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Small scale geothermal energy systems are permitted in these districts. Large scale systems are permitted with a Special Use Review.

B. Type.

1. LDR-PV and ESRA-PV: Closed-loop geothermal energy systems that are not in any well field protection areas are permitted in these districts.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Closed-loop geothermal energy systems that are not in any well field protection areas are permitted in these districts.

C. Height.

1. LDR-PV and ESRA-PV: Geothermal systems shall not exceed the maximum district height limits in these districts.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Geothermal systems shall not exceed the maximum district height limits in these districts.

D. Setbacks and Yards.

1. LDR-PV and ESRA-PV: Geothermal systems are not allowed in the required front, street-side, side or rear setbacks in these districts, except that small geothermal heating and cooling units such as heat pumps can project into the setbacks per **Section 9.0900** Projections.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Geothermal systems are not allowed in the required front, street-side, side or rear setbacks in these districts, except that small geothermal heating and cooling units such as heat pumps can project into the setbacks per **Section 9.0900** Projections.

4.1491 Micro-Hydro Energy Standards for Pleasant Valley Districts

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

A. Scale.

1. LDR-PV and ESRA-PV: Small scale micro-hydro energy systems are permitted in these districts.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Small scale micro-hydro energy systems are permitted in these districts.

B. Type.

1. LDR-PV and ESRA-PV: In-pipe micro-hydro energy systems such as systems within water, stormwater or wastewater pipe are permitted in these districts.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: In-pipe micro-hydro energy systems such as systems within water, stormwater or wastewater pipe are permitted in these districts.

C. Height.

1. LDR-PV and ESRA-PV: Generally the district height limits apply in these districts. However, in-pipe systems may exceed the district height limit as allowed for mechanical equipment. If supplemental equipment structures accompany the in-pipe systems, then the district height limit would apply.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Generally the district height limits apply in these districts. However, in-pipe systems may exceed the district height limit as allowed for mechanical equipment. If supplemental equipment structures accompany the in-pipe systems, then the district height limit would apply.

D. Setbacks and Yards.

1. LDR-PV and ESRA-PV: Micro-hydro energy systems contained within piping are allowed and pipe can run within the required setbacks in these districts. However, if supplemental equipment structures accompany the in-pipe systems, then the district setback limits apply.

2. MDR-PV, HDR-PV, TC-PV, NC-PV, MUE-PV and EC-PV: Micro-hydro energy systems contained within piping are allowed and pipe can run within the required setbacks in these districts. However, if supplemental equipment structures accompany the in-pipe systems, then the district setback limits apply.