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to City of Gresham Pleasant Valley District Plan Update Project Team  
from Cathy Corliss and Kate Rogers, MIG | APG  
re City of Gresham Pleasant Valley District Plan Update (PVDPU)  
Task 3.2 Regulatory Barriers and Master Planning – Code Audit  
date 4/7/23

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## Executive Summary

The purpose of Task 3.2 is to highlight regulations that may be creating an obstacle to development and to identify where there is a mismatch between the type of development allowed under current zoning and the type of development that is appropriate, desirable, or feasible as part of growing a complete community in Pleasant Valley. As a part of this task, project team member MIG | APG completed an audit of the Gresham Development Code. The code audit included a review of the applicable development standards, allowed uses, and procedures (including master planning requirements) to identify potential barriers that could be inhibiting development. This memo summarizes the preliminary findings of the code audit. These initial findings will be further informed by discussions with stakeholders and subsequent project tasks such as the market analysis.

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*While the focus of this audit is barriers to development, it is important to recognize that some “barriers” may be necessary to achieve the vision of Pleasant Valley as a complete community.*

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The focus of the audit was on Section 4.1400 (Pleasant Valley Plan District) of the Gresham Development Code. In addition, the audit includes findings related to Article 6 (Land Divisions) and Article 7 (Design Review).

## Key Findings

- The plan district implements the original vision for Pleasant Valley, which was adopted into Volumes 1 and 2 of the Comprehensive Plan (CPA 04-1480). This includes the creation of a “complete community.”
- The master plan process is intended to provide a link between the planning level concepts shown on the Plan Map and site-specific implementation. However, it does represent an extra application process that adds time and expense.

- The master planning process has been identified as a potential barrier that puts developers in Pleasant Valley at a relative disadvantage compared to other areas within Gresham. The 20-acre minimum size for master plans was noted as particularly problematic. However, the basic concept of planning neighborhoods (not subdivisions) is important to achieving the vision of a complete community.
- To date, the City has only had very limited experience applying the master planning provisions and there has been debate how much variation can be allowed through the master plan process and subsequent implementation while still preserving the intent of the original plan.
- As a large greenfield area, Pleasant Valley is unlike other more developed areas of Gresham where development is generally focused on infill, so requiring somewhat different development processes may be appropriate. Pleasant Valley also provides unique opportunities (e.g., the opportunity to address some planning goals at the time of annexation).
- Alternatives to the current master planning process, which would still facilitate the desired vision of a complete community, should be explored in the next phase of this project.
- In general, the development standards do not appear to be a major barrier to development; however, there are some specific requirements that should be re-evaluated and potentially amended to ensure they are not creating an unnecessary barrier. In particular, the two-story minimum height requirement in the Town Center - Pleasant Valley (TC-PV) and Mixed-Use Employment – Pleasant Valley (MUE-PV) subdistricts may be a barrier to commercial and employment development as the market is unlikely to support more than a one-story building for these types of uses.

## Detailed Code Audit

**NOTE:** Only those code sections where we had comments are noted in the table. In the Description column, text in *italics* is directly from the Development Code; where the code has been paraphrased or summarized, it is not italicized.

### SECTION 4.1400 PLEASANT VALLEY PLAN DISTRICT

Section	Description	Commentary
General Provisions		
4.1401 Purpose	<p><i>The purposes of the Plan District are to: ... (2) create a complete urban community as defined by the Comprehensive Plan....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.</i></p> <p>***</p> <p><i>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.</i></p>	<p>The plan district implements the original vision for Pleasant Valley, which was adopted into Volumes 1 and 2 of the Comprehensive Plan (CPA 04-1480). This includes the creation of a “complete community.” Given that, it should be noted that code amendments which would vary significantly from that purpose could necessitate an update to the policies to create a complete community in Volumes 1 and 2 of the Comprehensive Plan.</p> <p>The master plan process is intended to provide a link between the planning level concepts shown on the Plan Map and site-specific implementation. However, it does represent an extra application process that adds time and expense. The PV Master planning requirements are inconsistent with development requirements elsewhere in the city and thus, may put developers in Pleasant Valley at a relative disadvantage compared to other areas within Gresham. However, the master plan requirements are part of the implementing the “complete community.”</p> <p>While the master plan process can also provide the developer with more flexibility than proscriptive standards and zoning, such flexible processes may be problematic for residential development, which is required by State law to have a review process with clear and objective standards (a discretionary process can only be offered in addition to the clear and objective process)</p>

Section	Description	Commentary
<p>4.1402 Pleasant Valley Plan District Plan Map</p>	<p><i>.... 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.</i></p> <p><i>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.</i></p>	<p>This section describes a process where the Pleasant Valley Plan District Plan Map is amended during annexation and master planning as the basis for amending the Community Development Plan Map, which then becomes the basis for development permits and decisions. To date, the City has only had very limited experience applying these provisions. Staff noted that a master plan is not meant to change the underlying designations as much as provide clarity regarding the "blending" that is permitted in the Pleasant Valley Plan. However, this can be a point of contention where the applicant and City disagree about how much change can be allowed while still preserving the intent of the plan.</p> <p>Staff also noted that in some cases, a recorded agreement, rather than an actual master plan, has been used to accomplish the desired outcome. Annexation agreements (which include master plan components) are used in other cities in similar circumstances, so this may be a useful approach. Other alternatives noted include additional City-initiated master plans or establishing more specific zoning in some areas (i.e., similar to the Downtown Plan District).</p>
<p>Pleasant Valley Residential Sub-districts</p>		
<p>4.1404 Low-Density Residential – Pleasant Valley (LDR-PV)</p>	<p><i>The approved master plan shall provide for an average density for single detached dwellings of 5.3 to 8 dwellings per net residential acre in this Sub-district.</i></p>	<p>The maximum density for single detached dwellings in the LDR-PV sub-district of 8 du/net acre is consistent with the minimum lot size of 5,000 sf per single detached unit. The maximum density for townhouses is 25 units per acre, and density maximums do not apply to other middle housing types. These variations in density by housing type may be difficult to calculate and somewhat irrelevant in developments with a mix of housing types.</p> <p>Further updates to density calculations within master plans may be warranted or the city could consider removing the density requirements and instead establish maximum floor area ratio (FAR) standards or other similar standards to address the intensity of development.</p>

Section	Description	Commentary
<p>Table 4.1407: Permitted Uses in the Pleasant Valley District – Residential</p>	<p>With the exception of the following, all uses are treated the same in all three PV residential sub-districts:                      Single Detached Dwelling – Not permitted (NP) in HDR                      Multifamily - NP in LDR                      Elderly housing -NP in LDR                      Residential home – NP in HDR                      Commercial parking – NP in LDR                      Live-work - NP in LDR                      Religious institutions – L/SUR in LDR                      Geothermal energy systems – L in LDR</p>	<p>The residential sub-districts make very few distinctions between the uses. In particular MDR-PV and HDR-PV are very similar except for one important distinction -- MDR allows single detached dwellings. However, ‘plexes and cottage clusters are allowed in all three sub-districts. These can be detached units and lots can be subdivided, which means detached units on their own lots can be created in all sub-districts.</p> <p>Similar to other residential zones within the city, with the exception of daycare and institutional uses such as religious institutions and schools, very few nonresidential uses are permitted, so development of most nonresidential uses must occur within nonresidential zoning. However, to ensure a complete community in Pleasant Valley, additional nonresidential uses could be allowed in residential zones or master plan and/or zoning map could be used to ensure that residential areas are interspersed with nonresidential areas.</p>
<p>4.1408.A Development Standards Table</p>	<p>Minimum Buildable Lot Size *** All other uses: LDR-PV = 10,000 sq. ft. MDR-PV = 5,000 sq. ft.</p>	<p>The minimum lot size of 10,000 sf. ft. in LDR-PV for “other uses” may be a barrier to other uses such as day care facilities and some civic uses, community services and religious institutions.</p>
<p>4.1408.B Development Standards Table</p>	<p>Minimum net density – “All uses” LDR-PV = 5.3 MDR-PV = 12 HDR-PV = 20 30 in Town Center</p>	<p>If the minimum density is applied to <u>all</u> uses it may be a barrier to some nonresidential uses and mixed use developments. The definition of “Net Density” does not exclude area dedicated to non-residential uses. The City may wish to add information about how minimum density is calculated for mixed use as is done in the design districts. This was noted by Staff as an issue in the Corridor Districts as well and one which may be resolved citywide.</p>
<p>4.1408.C Development Standards Table</p>	<p>Maximum density for Single Detached Dwellings: LDR-PV = 8 units/acre (5000 sf/lot) MDR-PV = 20 units/acre</p>	<p>Requiring 5,000 sf (8 units/acre) for single detached dwellings lots created through a standard subdivision may be a barrier to small lot residential in LDR-PV. However, this barrier is addressed in part by recent changes to the code which allow detached ‘plexes and cottage clusters on</p>

Section	Description	Commentary
	HDR-PV = 30 to 40 units/acre	those lots and the subsequent division of the “standard” lot into smaller lots created through a middle housing land division. The minimum and maximum densities for the HDR zone of 20 to 30 units (30 to 40 units in the TC) may be overly prescriptive. Three-story walkup apartments, which is the most likely and cost-effective form of multifamily development for this area, typically hit between 28 and 35 units per acre depending on site conditions, layout, parking ratio, and landscaping.
4.1408.D and E Development Standards Table	The lot width and depth standards in LDR-PV require a minimum 35’- 40’ (width) by 70’ (depth) lot for uses (other than townhouses).	In the future, neighborhoods will have a variety of housing types and lot sizes and dimensions, given that these dimensions (in particular lot depth) may be an unnecessary barrier to lots created through a standard subdivision. See also minimum street frontage.
4.1408.F Development Standards Table	In the MDR-PV and HDR-PV there is a minimum lot width / depth ratio of 0.5:1 for all uses except Single Detached, Duplex, Triplex, Quadplex, and Cottage Cluster.	Requiring a minimum lot width / depth ratio of 0.5:1 could this be a barrier to townhouses, live-work units or narrow commercial lots (e.g., along a main street).
4.1408.G Development Standards Table	<p>Minimum street frontage is required. It is typically the same dimension as the minimum lot width, but is measured at a different location on the lot.</p> <p><i>5. 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.</i></p>	<p>Requiring both minimum street frontage and minimum lot width (even if the same dimension) could present a barrier because the standards are not measured at the same location on the lot. Minimum lot width is measured at the building line rather than the street and can be more difficult to calculate. Given that, the city could consider just requiring lot frontage.</p> <p>There is an exception to the lot frontage standard; however, a lot that has access via a private drive (e.g., a flag lot) but no designated open space must still meet the frontage requirements. Although flag lots may not be preferred for pedestrian-friendly design, they can allow for infill on deep lots, and this standard could be a potential barrier.</p>

Section	Description	Commentary
<p>4.1408.H and I Development Standards Table</p>	<p>The maximum height is 35' in LDR-PV and MDR-PV and 40' in HDR-PV.</p> <p>A “step down” in height relative to the rear lot line is required for single detached and ‘plexes in the LDR-PV sub-district per Section 7.0400.</p>	<p>The 35' and 40' maximum height in MDR-PV and HDR-PV, respectively, may be a barrier to taller multi-unit developments. Typically, 35-40' allows for a 3-story building, though depending on how height is measured, 35' can be tight for 3 stories in some situations.</p> <p>Section 7.0400 requires a step down in height from the rear setback for some uses in the LDR-PV sub-district. An interim policy is in place, which states that the maximum roof height at the rear setback line is 21 feet and increases at a rate of one foot in height for every one foot of distance further from the rear property line, up to the maximum height limit for the district. This is an interim policy, and a formal update is still needed.</p> <p>This requirement only applies to single detached dwellings and duplexes, triplexes and quadplexes. It does not apply to townhouses or other uses in the sub-district. While the interim policy does significantly lessen the impact on development (compared to the current wording in the code), having an additional limitation on height could be a minor barrier to some types of development. However, it is also seen by some neighborhood associations as an important standard.</p>
<p>4.1408.M Development Standards Table</p>	<p>Alley access for garage entrances is required for all uses in HDR-PV and all uses (except townhouses) on lots that are less than 60' wide in MDR-PV.</p>	<p>Limiting driveways can enhance livability by allowing increased street tree canopy and improving pedestrian and bicycle safety. However, it's unclear how the alley access requirement is intended to be implemented in the case of a larger multifamily development where shared parking areas are typically served by driveways. Potentially, this could be a barrier to some designs.</p>
<p>4.1408.N Development Standards Table</p>	<p>Compliance with the Buffer Matrix, in Section 9.0100 is required.</p>	<p>In the HDR-PV and MDR-PV where it is possible to have middle housing next to multifamily, the buffer matrix would appear to require a “Standard A” (10' buffer) on the middle housing site and a “Standard C” (15'-20' landscaped buffer) on the multifamily site. This may be a barrier to some development in those sub-districts (especially smaller multifamily developments).</p>

Section	Description	Commentary															
Pleasant Valley Mixed-Use and Employment Sub-districts																	
<p>4.1416 Town Center - Pleasant Valley (TC-PV)</p>	<p><i>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.</i></p> <p>***</p> <p><i>D. Ranges of Permitted Uses...</i></p> <table border="1" data-bbox="491 743 968 883"> <thead> <tr> <th></th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td><b>Residential</b></td> <td>10%</td> <td>50%</td> </tr> <tr> <td><b>Retail</b></td> <td>20%</td> <td>60%</td> </tr> <tr> <td><b>Office</b></td> <td>20%</td> <td>60%</td> </tr> <tr> <td><b>Other Permitted Uses</b></td> <td>40%</td> <td>40%</td> </tr> </tbody> </table> <p><i>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.</i></p>		Minimum	Maximum	<b>Residential</b>	10%	50%	<b>Retail</b>	20%	60%	<b>Office</b>	20%	60%	<b>Other Permitted Uses</b>	40%	40%	<p>The town center is a key component of the Pleasant Valley complete community concept. However, the mixed use requirements for the town center could be challenging for the property owner/developers to implement. Given the relative timing/viability of residential, retail and office uses, some phasing and land banking may be needed. The various building types may require different developers/builders. The availability of transit is not within the developer’s control and high-quality transit may not be available until a certain population density is achieved.</p> <p>The minimum percentages for residential and nonresidential uses are important to the vision of establishing a complete community. 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. However, it could be difficult to establish the required mix of uses within a single development during design review. In addition, the definitions of "retail" and "office" in the Town Center are unclear, and do not align with the use tables in that subdistrict. In the use table, "Business and Retail Service and Trade" is all one category, and presumably includes both retail and office. Depending on how these terms are defined, the required percentages may be difficult to meet given the market conditions.</p> <p>Further, having a minimum required percentage for “other permitted uses” that is distinct from residential, retail and office creates a potential unnecessary barrier. Doing so means that the minimum percentages of uses total 90%, which leaves very little flexibility.</p> <p>The code notes that provision of 50,000 square feet of upper level office satisfies the minimum required office component. The market study task will explore demand for office in this market. In any case, having a set minimum of 50K SF that applies regardless of the size of the development may make this option unavailable for smaller developments.</p>
	Minimum	Maximum															
<b>Residential</b>	10%	50%															
<b>Retail</b>	20%	60%															
<b>Office</b>	20%	60%															
<b>Other Permitted Uses</b>	40%	40%															



Section	Description	Commentary
4.1417 Mixed-Use Employment – Pleasant Valley (MUE-PV)	<i>Buildings can be up to three stories high. Housing is permitted on the second and third stories, but not as stand-alone buildings.</i>	The requirement for ground floor non-residential uses protects land for future nonresidential development. However, an excess of land zoned MUE-PV may result in a surplus of unleased nonresidential square footage (or unbuilt projects). The market study task will explore this further. A solution that has been proposed is requiring ground floors be built in a way that allows them to be converted to commercial (height and firewalls etc.). Staff also noted that this is the only zone in the City in which mini-storage facilities are permitted.
4.1418 Neighborhood Center – Pleasant Valley (NC-PV)	<i>...provides for a mix of local retail, service, office, and live-work uses that encourages short walking, biking, and driving trips from adjacent neighborhoods.</i>	The neighborhood centers are a key component of the Pleasant Valley complete community concept. However, as noted previously, given the relative timing/viability of residential, retail and office uses, some phasing and land banking may be needed.
4.1419 Employment Center – Pleasant Valley (EC-PV)	<i>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.</i>	The list of permitted industries is somewhat narrow and there is competition to attract these types of uses/employers. The market study will assess the demand for these employment uses in the area and what aspects might attract them to Pleasant Valley.
4.1420 Permitted Uses – Residential	Single detached dwellings and middle housing (except townhouses) are not permitted in any of the mixed use/employment subdistricts. Townhouse, multifamily and residential facilities are only permitted on the ground floor in TC-PV and NC-PV up to 50% of ground floor space in a building or more than 50% if separated from the street by a commercial or civic building. Elderly housing is permitted with SUR in	These limitations on residential uses serve to protect land for future nonresidential development and support the goal of creating a complete community. However, they could be perceived by some as a barrier (at least in the near term). That said, if the amount of land so designated is not scaled appropriately for demand, it could be a long term barrier as well. The market study task will explore this further. In addition, other solutions, such as allowing residential uses on the ground floor but requiring the ground floors be built in a way that allows them to be converted to commercial in the future, should be explored.

Section	Description	Commentary
	all sub-districts except EC-PV (with no limit on ground floor area).	
4.1420 Permitted Uses - Commercial	<p>There are size or percentage limits on most commercial uses in NC-PV (10K sf), MUE-PV (40K sf) and EC-PV (30% of sf).</p> <p>Outdoor commercial uses in TC-PV are... <i>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.</i></p>	<p>The size limits on Business and Retail Service and Trade and Clinics may be a barrier to some development (especially the 10,000 sf limit in NC-PV). The market study task will explore this further. However, the 10k/40k limits are only for buildings entirely occupied by commercial uses. Larger mixed-use buildings are allowed which could provide an incentive for mixed-use, although typically mixed use buildings often have smaller commercial areas.</p> <p>The 30% limitation on childcare facilities is a potential barrier to daycare facilities as a standalone use. The city might consider weighing the relative merits of promoting mixed-use and creating potential barriers to childcare facilities in the EC-PV zone (lack of childcare being a priority for employers in the region). In addition, Live-work is not permitted in the EC-PV zone. The City should consider re-evaluating this given post-pandemic changes in work patterns.</p>
4.1420 Permitted Uses - Industrial	Industrial uses are only permitted in EC-PV. In EC-PV only Industrial Office, Information Services, Manufacturing (limited), and Waste Management are permitted.	The types of industrial uses allowed is somewhat limited, which creates a potential barrier. Allowing additional industrial uses (e.g., Construction, Trade Schools, etc.) provided the activities and storage are indoors or screened, could improve the marketability of land designated EC-PV. [There may an opportunity to provide more flexibility for breweries, wineries, bakeries and similar uses to accommodate a mix of onsite sales and manufacturing (similar to the provisions in Downtown)]
4.1420 Permitted Uses – Institutional	With few exceptions, all institutional uses are permitted in TC-PV, NC-PV and MUE-PV with SUR. There are more significant limitations on institutional uses in EC-PV.	Other than requiring SUR in many cases (similar to in many areas throughout the city) there do not appear to be significant barriers to institutional uses.
4.1421.B Development Standards Table	Minimum Average Floor Area Ratio (FAR) TC-PV – 0.50:1 NC-PV – 0.35:1	Two story buildings are required in TC-PV and MUE-PV, which would make it easier to meet the minimum FAR and still provide surface parking and may encourage the development of residential uses above

Section	Description	Commentary
	<p>MUE-PV – 0.50:1                      EC-PV – 0.40:1</p>	<p>commercial. However, a two-story requirement can be a barrier for commercial development in a suburban context. Single story development is permitted in NC-PV and EC-PV. In that case, the FAR may be difficult to meet while providing surface parking. While more compact urban form with only limited surface parking is a desirable long-term outcome, it may help facilitate development in the near-term if the standards in Section 4.1422 allow for development phasing on a site.</p>
<p>4.1421.F                      Development                      Standards Table</p>	<p>Maximum Building Setbacks                      TC-PV – 5’ front and street side                      NC-PV – 10’ front and street side                      MUE-PV – 10’ front and street side                      EC-PV – 20’ on arterial or collector; 0’ on all other frontages</p>	<p>Requiring a maximum setback from both front and street side lot lines necessitate the placement of the building on the corner of the corner lot. While this is a desirable outcome, it may be a barrier to development on some sites or where the corner will be developed as part of a future phase. Section 4.1423 does not address phased development or sites with more than one street side frontage.</p> <p>There is also an error in maximum setback in EC-PV which is shown as 0’ on all frontages except arterials or collectors but should say “none.”</p>
<p>4.1421.G                      Development                      Standards Table</p>	<p>Minimum Building Height                      TC-PV – 2 stories<sup>2</sup>                      NC-PV – None                      MUE-PV – 2 stories<sup>2</sup>                      EC-PV – 22’</p> <p><sup>2</sup> Any required building must have a habitable floor.</p>	<p>It may be difficult for some uses to meet the minimum building height. The two-story minimum height requirement in the TC-PV and MUE-PV subdistricts may be a particular barrier to commercial and employment development as the market is unlikely to support more than one story structure (with surface parking) for these uses. The Plan envisions commercial uses such as a grocery store in the TC-PV sub-district. Within MUE-PV, flex or small industrial uses would likely be one-story given the height needs for industrial uses. Requiring two stories may be a barrier to these uses. Section 4.1424 does provide an exception to minimum height for institutional buildings, accessory structures, or to buildings with less than 1,000 square feet of floor area. However, relatively small buildings (e.g., under 4000 sf) would be two stories in TC-PV and MUE-PV.</p> <p>Footnote 2 requires buildings to have a “habitable floor”. The intention is that a habitable floor is required for each required “story. although it does not have to encompass the entire second floor. A “habitable Floor”</p>

Section	Description	Commentary
		<p>is defined in Article 3 as “Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a “habitable floor”....” This could be a potential barrier. ).</p> <p>In EC-PV, buildings do not have to be two stories but must be a minimum of 22’. While this is not overly tall for a new industrial/flex building, it is unclear from Section 4.1424 how much of the building must be at that height. In cases where the additional height is not required for a particular industrial use, requiring it could increase the cost to light, heat and cool the space unnecessarily or provide a lower interior ceiling.</p>
<p>4.1421.K Development Standards Table</p>	<p>Transit Design Criteria and Standards apply in all four sub-districts</p>	<p>Per Section 4.1425, the provisions of Section 7.0103 and Section 7.0431 apply to new residential development, and Section 7.0210(A) applies to new commercial, mixed-use, and employment development requiring design review approval in these Sub-districts (see discussion of those sections below).</p>
<p>4.1421.M Development Standards Table</p>	<p>Minimum Landscaping - Per Section 4.1426 MUE-PV, NC-PV - minimum 15% EC-PV - minimum of 20%</p>	<p>The Pleasant Valley Concept Plan emphasized green space and green infrastructure. In some cases, the percentage of landscaping required could be a barrier to development in MUE-PV, NC-PV and EC-PV. However, Section 4.1426 does allow landscaping for stormwater management to count toward required landscaping. It’s possible the city may want to allow green infrastructure in the public right of way to count as well.</p>
<p>4.1421.N Development Standards Table</p>	<p>Commercial Uses standards apply in all four sub-districts</p>	<p>Section 4.1427 limits the amount of outdoor activity for most uses to 15% of the area devoted to buildings.</p>
<p>4.1421.O Development Standards Table</p>	<p>Architectural Design Review Guidelines apply in all four sub-districts</p>	<p>Section 4.1428 applies to new attached dwellings (three or more units), and commercial, mixed-use, and institutional buildings, and substantial improvements to those buildings. There is an exception for accessory structures with less than 1,000 sf. As currently worded, the guidelines are not clear and objective, and therefore may not be applicable to</p>

Section	Description	Commentary
		<p>residential buildings or the residential component of a mixed-use building. For non-residential buildings the discretionary design review process is permissible but is an added cost. The guidelines could be seen as a potential barrier, although they are not overly onerous. Given that multi-family, commercial, and industrial are required to go through standard Design Review under both Articles 7 and 11, this section is likely not needed.</p>
<p>4.1425 Transit Design Criteria and Standards</p>	<p><i>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.</i></p> <p><i>A. In order to achieve these purposes, the provisions of Section 7.0103 and Section 7.0431 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.</i></p> <p><i>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.</i></p>	<p>See discussion of the following sections below under Article 7:</p> <ul style="list-style-type: none"> <li>• 7.0103 Corridor Design District Design Guidelines and Standards</li> <li>• 7.0431 Residential District Townhouse Design Standards</li> <li>• 7.0210 Transit and Pedestrian Design Criteria and Standards - A. Purpose and Applicability and Design Criteria and Standards</li> </ul> <p>Incidental drive-through uses are permitted in all zones, although they are limited in TC-PV to one service window and no more than two queuing lanes. This would not appear to be a significant barrier.</p>

Section	Description	Commentary
Pleasant Valley Overlay Sub-districts		
4.1462 Elementary School Overlay – Pleasant Valley (ESO-PV) and Middle School Overlay – Pleasant Valley (MSO-PV)	<p><i>This overlay does not preclude the submittal and review of applications for any use permitted in the base zone.</i> ***</p> <p><i>Schools should be sited as shown on the Plan Map. Where an alternate school location or configuration is proposed, the following criteria apply:...</i></p>	<p>The school overlays appear to be advisory rather than regulatory; therefore, they don’t appear to be a barrier either to the development of other uses within the overlay or of schools on other sites. Given that, these overlays may not be an effective way to provide opportunities to the school district to site schools in the desired areas.</p> <p>NOTE: The notes and limitations for Schools in the use tables make no mention of the overlays or the Locational Criteria. If these are intended to limit the location of schools within the districts, the limitation should be noted in the use table.</p>
4.1463 Neighborhood Park Overlay (NPO-PV)  4.1464 Community Park Overlay (CPO-PV)	<p><i>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.</i></p>	<p>Because these overlays don’t preclude nonpark uses, they don’t appear to be a barrier to development. However, it’s unclear how successful the “...determination of how the park can be incorporated into the land use decision...” has been in providing the parks that were envisioned in the Plan. Similar to the school overlays, this overlay does not appear to be an effective way to provide opportunities to the city to acquire/dedicate park sites in the desired areas and can be confusing to the public.</p>
Pleasant Valley Master Plans and Standards		
4.1470 Purpose	<p><i>C. Provide a tool for review and refinement of Sub-district boundaries at the time of annexation of properties.</i></p>	<p>The master planning process has been identified as a potential barrier but the basic concept of planning neighborhoods not subdivisions is important to achieving the vision of a complete community. As a large greenfield area, Pleasant Valley is also unlike other more developed areas of the city that are experiencing primarily infill development. However, the relationship of the master plan to the annexation and zoning process should be clarified if the master plan process is maintained.</p>

Section	Description	Commentary
4.1471 Applicability	<i>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.</i>	If the Community Development Plan map is the basis for all land use decisions and development permits (per 4.1402 Pleasant Valley Plan District Plan Map), then it is unclear why subsequent land use approvals must be consistent with the master plan. In addition, the finding of “consistency” is a discretionary process and should not apply to residential development. If maintained, the process should be updated to be clear and objective.
4.1472 Master Plans and Refinements of Sub-district Boundaries	<i>Refinements of Sub-district boundaries may be approved if they: A. Do not result in increases in density, and;...</i>	Given the city’s interest in increasing housing options in PV, if the master plan process is retained, the criteria for refinements of the sub-district boundary amendments should be revised to allow increases in density.
4.1474 Size of Master Plan	<i>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.</i>	The master plan process, and in particular the 20-acre minimum size for master plans has been noted as a significant impediment to development. If an applicant owns only part of the master plan area, then they must provide proof of attempt to contact those other owners by registered mail. However, even if the adjoining property owners don’t want to participate, the applicant must plan for their property. Alternatively, they could also demonstrate that they meet one of the criteria to allow for a smaller master plan. For example, that the smaller master plan “...will not result in substantial development that could preclude compliance with applicable code provisions and comprehensive plan policies.”  Potentially, the city could consider incorporating some of the important elements of the master planning process into annexation criteria.
4.1476 Housing Variety	<i>All master plans shall conceptually map and describe the proposed housing mix to demonstrate that a variety of lot sizes</i>	Ensuring implementation of master plans has reportedly been challenging as the interpretation of “substantial compliance” has been quite broad. If the city were to eliminate or modify the master plan requirement, the

Section	Description	Commentary
	<p><i>and/or building types have been provided.</i></p> <p><i>A. In the LDR-PV Sub-district, this standard is met by providing a housing mix that meets one of the following:</i></p> <ol style="list-style-type: none"> <li><i>1. A variety of lot sizes where at least 30 percent of the proposed lots are greater than 7,500 square feet and the remaining lots are less than 7,500 square feet; or</i></li> <li><i>2. At least 30 percent of the dwellings shall be alley loaded; or</i></li> <li><i>3. At least 50% of the lots shall be designated for middle housing, and no more than 50% of the lots shall be designated for any one residential use type. Future subdivisions shall retain the designated housing mix shown on the master plan</i></li> </ol>	<p>housing variety standard could (more effectively) be applied directly to land division applications rather than through the master planning process. However, some of the options may be difficult to implement for smaller scale developments. If applied directly to land divisions, the city may wish to consider an exception for smaller land divisions. (see comments regarding Section 4.1484)</p> <p>The housing variety standards themselves may present a potential barrier to “standard tract” single-family development; however, this appears to be as intended. That said, the housing variety requirement (A.1: 30% lots over 7,500 sf) will result in some homes being built on larger lots, which could add to their cost. While this is just one option to meet the housing "mix" requirement, the other options may be seen by developers as harder to do.</p>
<p>4.1479 Circulation Network</p>	<p><i>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.</i></p> <p><i>The conceptual future alignments of streets extending from the master plan</i></p>	<p>As noted above, the master plan must encompass at least 20 acres (even if not under the applicant’s control). The requirement to demonstrate access to adjacent parcels with 600 feet further expands the scope and cost of preparing the circulation plan, which could be a barrier to development.</p> <p>In addition, laying out streets for adjoining sites could be highly speculative if those property owners are not participating in the master planning process. And, as noted above, implementation of the master plans has been challenging. However, given the importance of ensuring a connected street system, any update to the code should still require consideration of connectivity beyond the immediate development site. In other parts of Gresham, Section 9.0700 (Neighborhood and Future Street Plans) is used to accomplish similar objectives for an individual</p>



Section	Description	Commentary
	<p><i>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.</i></p>	<p>development site. Some plan districts (Downtown, Civic Neighborhood, and Central Rockwood) include more detailed future street plans, which takes some of the onus off of the developer, but also eliminates some flexibility.</p>
<p>4.1480 Parks, Open Space and Natural Areas</p>	<p><i>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.</i></p>	<p>The master plan process requires applicants to display locations for parks, etc. consistent with the Plan District Map and PV Public Facilities Plan. Applicants may propose “refinements;” however, there are no criteria guiding those refinements in terms of location or size, so there appears to be nothing precluding an applicant from moving the location onto another property owner’s site or reducing the size significantly. Even if parks and trails are shown correctly on the master plan, subsequent applications must only be substantially compliant with the master plan (and we understand this has been interpreted rather broadly). Given those impediments, this requirement has not necessarily been a barrier to development, but it also may not have been entirely successful in delivering the parks outlined in the Plan.</p>
<p>4.1481 Stormwater Management, Green Development Practices and Green Streets</p>	<p><i>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....</i></p>	<p>Stormwater has been identified as a major issue in Pleasant Valley. As noted above, the master plan must encompass at least 20 acres. Demonstrating compliance with the Stormwater Master Plan for areas not under the applicant’s control adds to the expense of preparing a master plan, and thus could be a barrier to development (and may be of limited future value) if not binding on adjoining areas. Given that, the city may wish to consider other solutions.</p>
<p>4.1482 Water and Sanitary Sewer System</p>	<p><i>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.</i></p>	<p>While it is important to ensure that infrastructure is designed efficiently and in a coordinated manner, similar to stormwater management, if the entire 20 acres isn’t within the applicant’s control, the work of identifying water and sanitary sewer systems could be a barrier to development and of limited future value if not binding on the adjoining areas.</p>

Section	Description	Commentary
Master Plan Procedures		
4.1483 Procedures	Master Plans are reviewed as a Type III procedure	New Community Master Plans require a pre-application conference. The Type III decision is made by the Planning Commission and goes to the city Council if appealed. Currently, the application fee is \$2,310 for the pre-application conference and \$6,910 for the Type III application. Additional fees for the subsequent land division and/or design review would apply as well. The extra time and fees required by the master planning process could put development in Pleasant Valley at a relative disadvantage compared to other areas in Gresham.
4.1484 Approval Criteria	<p><i>In approving a Master Plan, ...</i></p> <p><i>A. All applicable Master Plan elements and standards have been addressed and met.</i></p> <p><i>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....</i></p>	The approval criteria require that the applicant address all applicable master plan elements. As noted previously, that may require the applicant to develop plans for areas that are not under their control. This adds cost for the applicant and may not accurately reflect the future plans of the other property owners. Criterion B addresses this issue for housing variety by applying the district standards at the time of a subsequent land division or design review on adjacent lands.
4.1485 Duration and Implementation	<i>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</i>	Section 4.1402 describes a process where the Pleasant Valley Plan District Plan Map is used at the time of annexation and master planning as the basis for amending the Community Development Plan Map, which then becomes the basis for development permits and decisions. However,

Section	Description	Commentary
	<p><i>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....</i></p>	<p>Section 4.1485 doesn't mention the role of the Community Development Plan Map and only describes the master plan as the guiding document, which is inconsistent with Section 4.1402 which states that "Once the Community Development Plan Map is amended it becomes the basis for all land use decisions and development permits."</p> <p>As noted previously, if the entire 20 acres is not within the applicant's control, the master plan may not be an accurate reflection of the adjacent property owner's future plans. While we understand that the city has been very flexible regarding "substantial conformance," master plan amendments are a Type III procedure, and may be a further barrier to development.</p>

## ARTICLE 6 - LAND DIVISIONS

Section	Description	Commentary
Section 6.0000 Introductory Provisions		
6.0011 Residential District Lot and Parcel Configuration	<p><i>B. Split-zoned lots...</i></p> <p><i>2. If the Manager determines a logical lotting pattern is not feasible, the applicant may create lots or parcels split by two or more land use districts as long as all split lots or parcels comply with the standards of the least intensive land-use district applied to the split lots. For the purposes of this section, least intense to most intense is: LDR-7, LDR-5, TR, TLDR, MDR-12, MDR-24.</i></p>	<p>Split zoned lots are generally discouraged in the Gresham Development Code. However, within the PV Master Plan there are some sites with multiple sub-districts. Currently, this can be resolved in the master planning process. However, if that process were eliminated, another approach to zoning sites with multiple sub-districts would need to be identified. Since the intention is not to limit development intensities to the least intensive zone, the approach in Section 6.0011 would not be appropriate. The approach used in the Downtown (Section 4.1117) was identified by staff as a possible alternative.</p>
Section 6.0200 Partitions And Subdivisions		
6.0211 Phased Subdivision	<p><i>The approval authority may authorize a time schedule for platting a subdivision in</i></p>	<p>Phased subdivisions can serve a function similar to that of a master plan; however, the timeframe for implementation is much shorter (5 years).</p>


Section	Description	Commentary
	<i>phases. Each phase may be for a period of time in excess of one year but the total time period for all phases shall not be greater than five years without resubmission of the tentative plan.</i>	Staff noted that each phase of a phased development should meet the code. However, modifications of phasing can result in (for example) all the development of a particular type being pushed off to future phases that expire.
Section 6.0300 Planned Developments		
6.0302 Applicability	<i>PD's shall be permitted for residential-only partition and subdivision developments in any of the following residential zones that permit residential development: VLDR-SW, LDR-5, LDR-7, LDR-PV, LDR-SW, TLDR and TR...</i>	Currently, planned developments are not permitted in Pleasant Valley except in LDR-PV. They are also limited to residential only developments. However, the city could explore “retooling” its PD process in order to provide an alternative to the master plan process in Pleasant Valley.

## ARTICLE 7 – DESIGN REVIEW

Section	Description	Commentary
Section 7.0000 Purpose and Authority		
7.0002 GENERAL	<p><i>D. Uses exempt from Design Review include:</i></p> <p><i>1. Single detached dwellings, duplexes, triplexes, quadplexes, townhouses, and cottage clusters in the ... LDR-PV, MDR-PV, and HDR-PV districts,....</i></p> <p><b>***</b></p> <p><i>E. Exemption from Design Review does not exempt a development from meeting other relevant standards within the Community Development Code including but not limited to: district standards,</i></p>	<p>While residential uses (except multifamily) are exempt from Design Review, they are still subject to the standards in Article 7, including:</p> <ul style="list-style-type: none"> <li>• 7.0420 Design Standards for Single Detached, Duplex, Triplex, and Quadplex</li> <li>• 7.0430 Townhouse Design Standards</li> <li>• 7.0431 Residential District Townhouse Design Standards</li> <li>• 7.0440 Cottage Cluster Design Standards</li> </ul> <p>NOTE: Minor point, but a cross-reference to these Article 7 standards in the LDR-PV, MDR-PV and HDR-PV sub-districts would be helpful.</p>

Section	Description	Commentary
	<i>transit standards, non-conforming development standards, and public facilities standards.</i>	
Section 7.0100 Corridor Design Districts		
7.0101 Introduction	<p><i>A. Applicability:...</i>  <i>Sections 7.0101 – 7.0103 shall apply to:</i></p> <ul style="list-style-type: none"> <li>• <i>Commercial, industrial, and institutional uses;</i></li> <li>• <i>Multifamily uses;</i></li> <li>• <i>Mixed-use developments;</i></li> <li>• <i>Residential facilities and elderly housing;...</i></li> <li>• <i>The multifamily residential component of mixed-use developments in Pleasant Valley and Springwater, unless superseded by the Plan District Standards.</i></li> </ul>	<p>Per Section 4.1425, within TC-PV, NC-PV, MUE-PV and EC-PV, the provisions of Section 7.0103 apply to new residential development. While not a barrier, per se, the applicability of standards as described in this section is somewhat confusing. Staff noted that amendments to clarify that single family and middle housing typologies in LDR-PV, MDR-PV, and HDR-PV are reviewed under 7.0400 are under consideration. In addition, the wording should be clarified regarding the applicability to the multifamily, elderly housing and the multifamily component of mixed-use development.</p>
7.0103 Corridor Design District Design Guidelines and Standards	<p>Building Frontage and Placement - At least 50% of the site’s frontage on any street shall be occupied by buildings oriented to the abutting street (central courtyards can be counted as can publicly accessible open spaces).</p> <p>Parking areas located to the side of the building shall be limited to 50 percent of the site’s street frontage.</p> <p>Attached and directly accessible outdoor private space of no less than 80 sf</p>	<p>The Corridor Design District standards apply to new residential development within TC-PV, NC-PV, MUE-PV and EC-PV. There are a number of standards applicable to multifamily and elderly housing. Some developers may find some of these standards challenging to meet (those that might be particularly challenging are summarized in the description). However, because these design standards apply in other locations in Gresham, they would not appear to put developers in Pleasant Valley at a relative disadvantage.</p> <p>While these standards are helping the city ensure quality development, as part of an overall effort to reduce barriers to housing citywide, the city could revisit these standards. For example, could private outdoor space be required for less than 100% of units or could the minimum dimensions be reduced to make balconies more cost-effective? Staff noted that these</p>

Section	Description	Commentary
	<p>required for all dwelling units, must be 6' in each direction.</p> <p>Common areas and streets shall be visible from 50 percent of the units that face them.</p> <p>A minimum of 20 percent of the net site area shall be landscaped.</p> <p>Buildings abutting a street shall be accessed from and oriented to the street... The primary entry for all ground-floor units abutting the street shall open directly onto the street, not to the interior of the site or to a parking lot.</p>	<p>standards will be under consideration as part of other code update projects.</p>
Section 7.0200 General Design Standards		
<p>7.0210(A) Transit and Pedestrian Design Criteria and Standards</p>	<p><i>A. Purpose and Applicability and Design Criteria and Standards</i></p> <p><i>2. Transit and Pedestrian Design Criteria and Standards shall apply to development along designated Design Streets as shown on Figure 7.0210 and in those Station Center lands that are not within the Rockwood Design District. Section 7.0210(B)(8) and Section 7.0210(B)(10)(b) do apply to developments within the Rockwood Design District.</i></p> <p><i>Figure 2.0210 Design Streets (excerpt)</i></p>	<p>Per Section 4.1425, within TC-PV, NC-PV, MUE-PV and EC-PV, Section 7.0210(A) applies to new commercial, mixed-use, and employment development requiring design review approval in these Sub-districts.</p> <p>The Pleasant View/190<sup>th</sup> corridor is designated on Figure 2.0210 as a Design Street. The applicable design standards do not appear to be overly restrictive.</p>

Section	Description	Commentary
		
Section 7.0400 Residential Design Standards		
<p>Section 7.0400 Residential Design Standards</p>	<p><i>7.0420 Design Standards for Single Detached, Duplex, Triplex, and Quadplex</i>  <i>7.0430 Townhouse Design Standards</i>  <i>7.0431 Residential District Townhouse Design Standards</i>  <i>7.0432 Corridor District Townhouse Design Standards</i>  <i>7.0440 Cottage Cluster Design Standards</i></p>	<p>These sections contain the city’s residential design standards updated and refined with the recent adoption of the HB2001 (Middle Housing) requirements. The city may be making updates to these standards based on input from the development community, but as they apply throughout the city, they do not put developers in Pleasant Valley at a relative disadvantage. However, the applicability of the design standards should be clarified to reflect the following:</p> <ul style="list-style-type: none"> <li>• The standards in 7.0420 apply to Single Detached, Duplex, Triplex, and Quadplex developments in the LDR-PV, MDR-PV and HDR-PV.</li> <li>• The standards in 7.0431 apply to townhouses in LDR-PV, MDR-PV, and HDR-PV. The standards in 7.0430 do not apply.</li> <li>• The standards in 7.0440 apply to cottage clusters in LDR-PV, MDR-PV, and HDR-PV.</li> <li>• The standards in 7.0103 apply to multifamily in MDR-PV, and HDR-PV.</li> </ul>