

To: Coalition of Gresham Neighborhood Associations

From: Mary Phillips, Senior City Planner  
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Memo Date: November 6, 2019

Meeting Date: November 12, 2019

Subject: Discussion of Phase One of the Development Code and Process Updates (DCPU) Project

Attachments: A. Existing and Proposed Section 5.0300 Tables of Contents  
B. Existing and Proposed Section 9.1000 Tables of Contents  
C. Section 11.0800 Neighborhood Meeting draft updates

This work session provides an opportunity for Staff and members of the Coalition of Gresham Neighborhood Associations to discuss the Development Code and Process Updates (DCPU) Project, particularly the work being undertaken for Phase 1 of the project.

**BACKGROUND**

**The Development Code and Process Updates Project**

The DCPU project is a multi-year program to identify and implement Development Code and development review process changes to make Gresham’s Code easier to understand, more efficient to navigate, and more responsive to today’s evolving development climate. The project will focus on targeted policy updates, restructured design district standards and guidelines, utilization of graphics rather than text for Code clarity and consistency, and development review process improvements that support high quality projects and clear, predictable reviews. DCPU efforts are divided into several phases and project tasks as outlined in the schedule below.

DCPU efforts to-date include performance of a code audit identifying issues and opportunities for improvement within the Development Code, an extension of the existing Innovative Housing Ordinance, and beginning drafting of targeted code updates and improvements to streamline multi-family residential and commercial development in the city’s corridors. Future work is anticipated to include: restructuring and refining the design guidelines and standards city-wide for ease of use and policy clarity, updating specific code sections that have been historically difficult to use, reorganizing and reformatting the full code for clarity and ease of use, and updating housing policies to allow for development of additional middle housing types.

**Development Code and Process Updates (DCPU) Project Schedule**

Project/Task	2019	2020	2021	2022
<b>Primary Project Components/Code Updates</b>				
Phase 1: Time sensitive/priority/policy-neutral updates (including Corridor Design District, Tree Code, and Historic Resources reorgs.)				
	■	■	■	
Phase 2: Design districts and design guidelines and standards, tree code policy updates				
			■	■
Phase 3: Code reorganization, reformatting, and remaining policy updates				
			■	■
<b>Innovative Housing Ordinance Extension</b>				
	■			
<b>Middle Housing Policy Update</b>				
		■	■	
<b>Development Review Process Improvements</b>				
	Ongoing			

**CURRENT: DCPU PHASE ONE**

Currently, work on Phase One of DCPU is underway, focusing on Code updates that are time sensitive, high priority, and policy neutral. The intent of this phase is to get small and high impact updates done up front, with minimal policy alterations. The following sections summarize the Development Code updates proposed as part of phase one of the DCPU project.

**General Updates for Clarity and Ease of Use**

Simple updates throughout the development code are proposed as “clean-up” edits in order to improve its usability. These edits primarily include policy neutral changes which:

- Clarify policy language
- Update formatting for ease of use (consistent table formats, bulleted lists rather than long paragraphs, etc.)
- Consolidate redundancies
- Modify code language to be clear and objective where required by State law
- Correct code references and fix minor text errors

**Codification of Existing Policies and Procedures**

The Urban Design and Planning Department utilizes a series a Policy and Procedure documents, signed by the Director, as a means of clarifying development code standards until the code can be updated. The following policy documents will be codified as part of the Phase 1 DCPU updates.

- *Downtown Gravel Parking Lots:* This policy clarifies that compacted gravel parking lots may be used in conjunction with conversion of a single-family detached structure from residential to commercial use in the Downtown Plan Districts and in the Rockwood Town Center District under certain circumstances. This policy will be codified as an update to Section 9.0822.

- *Design Review Levels for Facade Changes:* This policy clarifies that changes to buildings exceeding one story or 160 feet in length are reviewed under the Type I Design Review A (DR-A) procedure when changes are limited to exterior materials that meet the clear and objective standards for primary, secondary, and accent materials. It will be codified as part of the updates to Table 7.0003 Design Review Categories.
- *Design Review for Outdoor Dining:* This policy clarifies that outdoor areas, such as dining areas, that are associated with an approved use in a building where the outdoor dining area does not exceed 1,000 square feet, shall be reviewed using a DR-A. It will be codified as part of the updates to Table 7.0003 Design Review Categories.
- *Temporary Kitchens for Residential Facilities:* This policy permits application for a temporary kitchen facility to feed existing residents of residential care facilities or elderly housing in low-density or multi-family residential districts under a Type I Temporary Use Permit. It will be codified as an update to Table 10.1420.
- *Left Over Parcels and Pleasant Valley and Spring Water:* This policy outlines the conditions for allowance of the division of land to accommodate left-over parcels which are capable of future development but are not one of the phases of a phased subdivision in the annexed areas of Pleasant Valley and Springwater. This policy will be combined with the existing Section 4.0132(E) policies for leftover parcels in LDR-5, LDR-7, TR and TLDR districts and moved to Article 6 Land Divisions, Section 6.0014.
- *Scoreboard Sign Heights:* This policy clarifies that the maximum height for an exempted “scoreboard” sign under GCDC Section A6.050(I) is 18 feet, when the sign is not located in a single-family residential district. This policy will be codified as an update to Section A6.050(I).
- *Shared Driveways in Pleasant Valley:* This policy outlines that shared driveways for single-family detached homes in Pleasant Valley per GCDC Section 4.1476(B) are not required. This policy will be codified as an update to Section 4.1475.
- *Concurrent Review for Single Family Attached Residential:* This policy removes the requirement that single family attached dwellings must do concurrent (combined) review for design review and land division. The update allows greater flexibility for residential development. This policy will be codified as an update to Section 11.0203(B).

**Section 5.0300 Historic Resources**

Proposed updates to the historic resources requirements are summarized as follows. These changes will be discussed in detail at the upcoming November 13, 2019 Historic Resources Subcommittee Meeting.

- *Reorganization:* The section will be reorganized to simplify code navigation and increase its ease of use (see attachment A). A few subsections will be removed and/or consolidated to reduce redundancy.
- *Language Clarifications:* Proposed Code updates include several minor, policy neutral, language edits for content clarity, as well as renamed section titles which more clearly reflect section contents.

- *Changes to Comply with State Law:* Several State policy changes have occurred over the last few years which require updates to the Section 5.0300 policies. The main updates are summarized as follows:
  - *Designation procedures:* Updates to State law mean resources which get listed on the National Register can no longer be automatically listed on a local list. The Code will be updated so that National Register resources will be automatically eligible to be listed (rather than automatically listed) on the City of Gresham Historic and Cultural Landmarks List as a Class 1 Landmark, which can be done under a Type I procedure with consent of the owner.
  - *Delisting:* Updates to State law clearly outline the only conditions under which a resource can be removed from a local list, delisting cannot be allowed for a reason not outlined in the law. The Code will be updated to reflect these conditions for delisting, and the appropriate review procedures for each condition added/updated.
  - *Review Procedures:* There are different review requirements and procedures for National Register Resources, City of Gresham Class 1 Landmarks, Class 2 Landmarks, and Landmark Objects. All review procedures will be updated and new ones added to reflect existing Code requirements and updates to State policies. The updated procedures for each of the different resource designation categories are listed and summarized as follows:
    - *National Register only:* These resources require a Type III review for demolition or relocation. State policies provide a list of review considerations for demolition applications, which have been included in the draft updated procedures for National Register resources.
    - *Both National Register and Class 1 Landmark:* These resources require Type III review for demolition, relocation, and exterior alterations. Updates to the review criteria for these resources reflect those provided in State policies and the existing review procedures and criteria.
    - *Class 1 Landmark:* These resources require Type III review for demolition, relocation, and exterior alteration.
    - *Class 2 Landmark:* These resources require Type III review for demolition.
    - *Landmark Object:* These resources require Type III review for demolition, relocation, and exterior alteration.

**Table 7.0003 Design Review Categories**

Section 7.0003 and Table 7.0003 are used to determine what level of design review applies to a proposed project. These policies were recently updated from text to table format to enhance their ease of use. While the creation of the table helped, many difficulties remain. The table is proposed to be reformatted to further simplify referencing. Policy language updates are also

proposed which clarify requirements, fix errors, correct omissions from previous code updates, remove redundancies, and simplify the review classifications per existing review procedures.

**Corridor Design District Guidelines and Standards (Sections 7.0100 Multi-Family Design Guidelines and Standards and 7.0600 Corridor Design District Commercial Design Guidelines and Standards)**

The Phase 1 DCPU project includes a comprehensive review and consolidation of the design guidelines and standards applicable to projects in the Corridor Design Districts. The guidelines and standards in Sections 7.0103 Multi-Family Design Guidelines and Standards and 7.0603 Corridor Design District Commercial Design Guidelines and Standards are proposed to be combined to provide simpler, more accessible code language that reduces repetition of standards and focuses on standards that encourage quality urban design. The result will be a single set of design guidelines and standards for development in the Corridor Design District, which will be formatted and organized similarly to the recent design guidelines and standards created for the Civic Neighborhood Plan District.

The consolidation of standards will also include a few language modifications. The intent is that these are primarily policy neutral, and any policy issues and other larger revisions to the design standards will be considered as part of future phases of the DCPU project. Proposed modifications to the existing code language include:

- *Consolidation of Complementary Standards:* Where standards are complementary, they may be grouped into one standard.
- *Clarification of Standards:* Additional language may be added to standards to clarify intent.
- *Reconcile Conflicting Standards:* Where standards conflict, adjustments will be necessary to reconcile the difference. Any modifications proposed will be in line with the original design intent of the section.
- *Eliminate Repetition of Standards:* Where design standards repeat or reference standards that are found elsewhere in the code, they may be deleted.

**Section 9.1000 Tree Regulation Update**

Improvements to the Tree Code are anticipated to be included as part of several phases of the DCPU project. The first phase of tree code updates will be a policy-neutral reorganization. The intent of this work is to make this code section more user-friendly and streamlined with current content. Subsequently, we will monitor whether the reorganization helps address what some users feel is not clear in its current configuration. Policy questions and issues that arise from what we learn post-reorganization will be addressed in a later code update phase that includes larger policy questions.

Proposed 9.1000 Updates:

As part of DCPU Phase One, there are currently two anticipated updates to Section 9.1000:

- **Reorganization.** The section will be reorganized to simplify code navigation and increase its ease of use (see attachment B).
- **Policy Restoration.** A code provision allowing for design modifications for tree protection was inadvertently left out in the last tree code update and will be restored.

**Section 10.0120 Standards**

The existing parking requirement for accessory dwelling units (ADUs) will be removed to comply with recent updates to State law (from House Bill 2001) which no longer allow parking to be required for an ADU.

**Section 11.0800 Neighborhood Meeting**

The recommended changes to the Development Code based on work sessions with the Planning Commission and the Coalition of Gresham Neighborhood Associations will be included as part of the phase one updates. For more information see Attachment C.

**PHASE ONE NEXT STEPS**

A draft timeline for adoption of the Phase One updates is outlined below. Public outreach is planned to include a full project summary (similar to this memo) posted on the project website and a draft code open house in January 2020. The project summary and an invitation to the open house will also be sent out to the project email list, Neighborhood Association Land Use Chairs, and recent applicants for Design Review Level E projects.

**Phase One Schedule**

Oct. 14, 2019: Urban Forestry Subcommittee discussion	Jan. 15, 2020: Public Open House
Nov. 12, 2019: Neighborhood Coalition discussion	Jan. 15, 2020: Design Commission draft code
Nov. 13, 2019: Historic Resources Subcommittee discussion	Feb. 10, 2020: Planning Commission draft code
Nov. 20, 2019: Design Commission discussion	March 9, 2020: Planning Commission public hearing
Dec. 9, 2019: Planning Commission discussion	April 21, 2020: City Council public hearing
Jan. 2020: Public Outreach	May 19, 2020: City Council enactment
	June 18, 2020: Code Effective

**Attachment A: Existing and Proposed Section 5.0300 Tables of Contents**

**Existing Table of Contents**

**Section 5.0300 Historic and Cultural Landmarks Overlay District**

**General**

5.0301 Introductory Provisions

**Permitted Uses**

5.0310 Permitted Land Uses

**Development Requirements**

5.0320 Dimensional Development Standards and Non-Conforming Signs

5.0321 Review of Proposed Alterations Affecting the Exterior Appearance of Landmarks

5.0322 Review of Proposed Demolition of Landmark Buildings

5.0323 Review of Proposed Actions Affecting Landmark Objects

5.0324 Discovery of Archaeological Objects and Sites North of Interstate 84

5.0325 Criteria for Designation of Historic and Cultural Landmarks

5.0326 Procedure for Designation as a Historic or Cultural Landmark

5.0327 Procedure for a Change in Status or for Removal of Historic or Cultural Landmark Designation

5.0328 Procedure for Proposed Alterations or Demolition Affecting a Landmark

5.0329 Requirements for Historic Resources Inventory

5.0330 Historic and Cultural Landmarks List

**Proposed Table of Contents**

**Section 5.0300 Historic and Cultural Landmarks Overlay District**

**5.0310 General**

5.0311 Purpose and Applicability

5.0312 Permitted Uses

**5.0320 Identification and Designation**

5.0321 Requirements for the Historic Resources Inventory

5.0322 Designation of Historic or Cultural Landmarks

5.0323 Change in Status or for Removal of Historic or Cultural Landmark Designation

5.0324 Historic and Cultural Landmarks List

**5.0330 Development Requirements**

5.0331 Non-Conforming Landmark Structures and Signs

5.0332 Reconstruction of Class 1 Landmarks

5.0333 Relocation or Exterior Alterations of Landmarks

5.0334 Demolition of Landmark Buildings

5.0325 Demolition or Relocation of National Register Resources

5.0336 Actions Affecting Landmark Objects

5.0337 Archaeological Objects and Sites North of Interstate 84



**Attachment B: Existing and Proposed Section 9.1000 Tables of Contents**

**Existing Table of Contents**

**Section 9.1000 Tree Regulations**

**General**

- 9.1010 Purpose and General Standards
- 9.1011 Applicability
- 9.1012 Required, Regulated and Significant Tree Types
- 9.1013 Tree Dimension Standards
- 9.1014 Approved Tree List for Required Trees

**9.1020 Standards for Single-Family Detached Dwellings, Duplexes and Single-Family Attached Dwellings**

- 9.1021 Exemptions

**During Development**

- 9.1022 Tree Protection During Development
- 9.1023 Street Tree Planting During Development
- 9.1024 Tree Removal During Development
- 9.1025 Tree Replacement for Trees Removed During Development

**Post-Development**

- 9.1026 Tree Removal Post Development
- 9.1027 Tree Replacement Post Development

**9.1030 Standards for Other Uses (Not including Single-Family Detached Dwellings, Duplexes, and Single-Family Attached Dwellings) and Parking Lots**

- 9.1031 Exemptions

**During Development**

- 9.1032 Tree Protection During Development
- 9.1033 Street Tree Planting During Development
- 9.1034 Tree Removal During Development
- 9.1035 Tree Replacement During Development

**Post-Development**

- 9.1036 Tree Removal Post Development
- 9.1037 Tree Replacement Post Development

**9.1040 Pruning of Required and Significant Trees**

**9.1050 Significant Trees**

**9.1060 Civil Penalties**

**Proposed Table of Contents**

**Section 9.1000 Tree Regulations**

**9.1010 General**

- 9.1011 Purpose
- 9.1012 Applicability
- 9.1013 Exemptions
- 9.1014 Required, Regulated, and Significant Tree Types

**9.1020 Trees: Existing Development**

- 9.1021 Tree Removal Existing Development
- 9.1022 Tree Replacement Existing Development

**9.1030 Trees: New Development**

- 9.1031 Tree Protection During Development
- 9.1032 Tree Removal During Development
- 9.1033 Tree Replacement During Development

**9.1040 Tree Planting and Pruning**

- 9.1041 Approved Tree List for Required Trees
- 9.1042 Tree Dimension Standards
- 9.1043 Pruning of Required and Significant Trees
- 9.1044 Street Tree Planting (During Development)

**9.1050 Significant Trees**

- 9.1051 Purpose
- 9.1052 Procedures for Designating, Maintaining, and De-Listing Significant Trees and Groves
- 9.1053 Criteria for Designation of Significant Trees
- 9.1054 Protection of Significant Trees and Groves (During Development)
- 9.1055 Pruning of Significant Trees
- 9.1056 Removal of Significant Trees
- 9.1057 Significant Tree Education and Promotion

**9.1060 Civil Penalties**



**Attachment C: Section 11.0800 Neighborhood Meeting Draft Updates**

**SECTION 11.0800 NEIGHBORHOOD MEETING**

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**11.0803 Procedures and Evidence of Compliance**

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B. Meeting Location and Time. Neighborhood meetings shall be held at a location in reasonable proximity to the subject site. The meeting shall be held at a location open to the public ~~or at a public facility~~ that is ADA accessible. The neighborhood meeting may be combined with a regularly scheduled meeting of the recognized neighborhood association in which the project is located, if feasible. An 8½ x 11” sign shall be posted at the entry of the building before the meeting. The sign will announce the meeting, state the meeting is open to the public and that interested persons are invited to attend. The starting time for meeting shall be limited to weekday evenings between the hours of 6 pm and 8 pm or Saturdays between the hours of 10 am and 4 pm. Neighborhood meetings shall not be held on national holidays. If no one arrives within 30 minutes of the scheduled starting time for the neighborhood meeting, the applicant may leave.

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F. Meeting Notes. The applicant shall take notes of the discussion at the neighborhood meeting, including a summary of issues raised. Notes will indicate how many people attended the names and contact information of those attending the meeting. Within seven (7) calendar days of the neighborhood meeting and before submitting an application to the City, the applicant shall send a copy of the meeting notes by certified mail to the President and Land Use Chair of the recognized neighborhood association in which the project is to be located. The neighborhood association may also prepare and submit notes of the neighborhood meeting. The purpose of the notes is to demonstrate that the meeting occurred.

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G. Evidence of Compliance.

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8. At the discretion of the Neighborhood Association in which the proposed development is located, submittal items (G)(3) and (G)(7) (certified mailing receipts) may be substituted with email documentation from the Neighborhood Association that sufficient notice was provided to the Neighborhood Association.

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