

# SECTION 4.0300

## INDUSTRIAL LAND USE DISTRICTS

### General Provisions

4.0301 Purpose

### Industrial Land Use Districts Characteristics

4.0310 Heavy Industrial (HI)

4.0311 General Industrial (GI)

### Permitted Uses

4.0320 Permitted Uses

### Development Standards

4.0330 Development Standards Table

4.0331 Additional Industrial District Standards

4.0332 Solar Energy Standards for Industrial Districts

4.0333 Wind Energy Standards for Industrial Districts

4.0334 Biomass Energy Standards for Industrial Districts

4.0335 Geothermal Energy Standards for Industrial Districts

4.0336 Micro-Hydro Energy Standards for Industrial Districts

4.0341 Stormwater Green Development Practices

### General Provisions

---

#### 4.0301 Purpose

This section of the Community Development Code implements Section 10.313 - Industrial Land Use within Volume 2 of the Comprehensive Plan. The purposes of the Industrial Land Use Districts are to: (1) implement the Comprehensive Plan's goals, policies, and action measures to promote economic development (2) include provisions to support viable industrial trends; and, (3) provide clear and objective standards so that implementation of the Industrial Land Use Districts is efficient, effective, and fair.

### Characteristics

---

#### 4.0310 Heavy Industrial (HI)

The Heavy Industrial District (HI) is intended to provide space for industrial users that may include operational characteristics that could create compatibility issues for adjacent land uses (such as noise and/or air emissions). This district also permits certain uses from the General Industrial District.

#### 4.0311 General Industrial (GI)

The General Industrial District (GI) is primarily intended to provide space for a wide range of industrial uses, related enterprises serving primarily industrial clients, and employment oriented uses in office-type

buildings. Primary uses shall include manufacturing and associated industrial uses, knowledge-based industries (graphic communications, creative services, and information technology), research and development facilities, professional services primarily serving industrial and business clients and other industry focused uses and limited retail and commercial professional services that cater to the general public.

## Permitted Uses

---

### 4.0320 Permitted Uses

**Table 4.0320** lists those uses that are permitted in each Industrial District.

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

Each of these uses must comply with the land use district standards of this section and all other applicable requirements of the Community Development Code.

**Table 4.0320: Permitted Uses in the Industrial Land Use Districts**

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

| <b>INDUSTRIAL</b>                      |                     |                     |
|--|---------------------|---------------------|
| Construction                           | P                   | P                   |
| Exclusive Heavy Industrial Uses        | P                   | NP                  |
| Industrial Office                      | L <sup>2</sup>      | P                   |
| Information Services                   | NP                  | P                   |
| Manufacturing                          | P                   | P                   |
| Miscellaneous Industrial               | P                   | L <sup>3</sup>      |
| Trade Schools                          | NP                  | P                   |
| Transportation/Distribution            | P                   | P                   |
| Warehousing/Storage                    | P                   | P                   |
| Waste Management                       | P/SUR <sup>4</sup>  | P/SUR <sup>4</sup>  |
| Wholesale Trade                        | NP                  | P                   |
| <b>INSTITUTIONAL USES</b>              |                     |                     |
| Civic Uses                             | SUR                 | SUR                 |
| Community Services                     | L/SUR <sup>5</sup>  | L/SUR <sup>5</sup>  |
| Medical                                | NP                  | NP                  |
| Parks, Open Spaces and Trails          | L/SUR <sup>6</sup>  | L/SUR <sup>6</sup>  |
| Religious Institutions                 | L/SUR <sup>7</sup>  | L/SUR <sup>7</sup>  |
| Schools                                | L/SUR <sup>7</sup>  | L/SUR <sup>7</sup>  |
| <b>RENEABLE ENERGY<sup>8</sup></b>     |                     |                     |
| Solar Energy Systems                   | P <sup>9</sup>      | P <sup>9</sup>      |
| Wind Energy Systems                    | L/SUR <sup>10</sup> | L/SUR <sup>10</sup> |
| Biomass Energy Systems                 | L/SUR <sup>11</sup> | L/SUR <sup>11</sup> |
| Geothermal Energy Systems              | P <sup>12</sup>     | P <sup>12</sup>     |
| Hydro-Micro Energy Systems             | L <sup>13</sup>     | L <sup>13</sup>     |
| <b>OTHER</b>                           |                     |                     |
| Basic Utilities                        |                     |                     |
| Minor basic utilities                  | P                   | P                   |
| Major basic utilities                  | SUR                 | SUR                 |
| Heliports                              | SUR                 | SUR                 |
| Wireless Communication Facilities      | SUR                 | SUR                 |
| Temporary, Intermittent & Interim Uses | P                   | P                   |
| Marijuana Businesses                   | L <sup>14</sup>     | L <sup>14</sup>     |

Notes:

<sup>1</sup> This includes the sale of goods and materials and of professional services to the general public. Examples include restaurants, stores, mini-marts, factory outlet stores and office supplies. Examples of professional services that cater to daily general public customers include bank branches, financial, insurance, real estate, legal, medical and dental offices.

In order to ensure that these uses are primarily intended to serve the needs of workers in the immediate area the

following standards apply:

The total gross leasable square footage shall not exceed 3,000 square feet per use and shall not exceed 5,000 square feet cumulative gross leasable square footage within the same development project. For the purposes of this section, a development project is: a) a single building with less than 50,000 square feet of gross floor area that does not share common development features (such as access, parking, or utilities) with another building that has less than 50,000 square feet of gross floor area, whether or not the second building is located on the same or a different parcel or lot; or b) more than one building with less than 50,000 square feet of gross floor area that shares common development features (such as access, parking, or utilities) with another building that has less than 50,000 square feet of gross floor area, whether or not the buildings are located on the same or a different parcel or lot; or c) a single building with 50,000 square feet or more of gross floor area.

Shall not be permitted in a stand-alone building and instead be included within a building whose primary purpose is for an industrial use.

<sup>2</sup> Only administrative offices which are related to the operation of the industrial use of the property are permitted in the HI. Up to 20% of the total floor area may consist of these administrative offices. Multiple tenant office buildings are prohibited.

<sup>3</sup> Auto and truck salvaging and wrecking are not permitted in GI. All other miscellaneous industrial uses located adjacent to properties that are residentially designated land shall be located at least 100 feet from the residential property.

<sup>4</sup> Waste Management uses are permitted uses, except for solid waste transfer station, composting facilities, and landfills, which are subject to a Special Use Review. When located in the GI, waste management uses adjacent to residentially designated land shall be located at least 100 feet from the residential property.

<sup>5</sup> The following Community Service Uses are not permitted in the HI and GI districts: adult or senior centers, drug and alcohol treatment facilities, cemeteries, and mausoleums.

<sup>6</sup> The following Parks, Open Spaces, and Trails are not permitted in the HI and GI districts: public urban plazas, public neighborhood parks, public community parks, and golf courses. However, public urban plazas, public neighborhood parks, and public community parks are permitted in the HI and GI districts 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.

<sup>7</sup> Religious institutions, elementary schools, middle schools and high schools are permitted in the HI and GI districts 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.

<sup>8</sup> See **Section 10.900** for additional standards that apply.

<sup>9</sup> For limitations, see **Section 4.0332** Solar Energy System Standards for Industrial Districts.

<sup>10</sup> For limitations, see **Section 4.0333** Wind Energy System Standards for Industrial Districts.

<sup>11</sup> For limitations, see **Section 4.0334** Biomass Energy System Standards for Industrial Districts.

<sup>12</sup> For limitations, see **Section 4.0335** Geothermal Energy System Standards for Industrial Districts.

<sup>13</sup> For limitations, see **Section 4.0336** Micro-Hydro Energy System Standards for Industrial Districts.

<sup>14</sup> For limitations, see **GRC 9.63.090**.

## Development Standards

---

### 4.0330 Development Standards Table

**Table 4.0330** summarizes development standards which apply within the Industrial Land Use Districts. The standards contained in this table are supplemented by the referenced subsections and footnotes, which provide additional clarification and guidance.

**Table 4.0330 Development Standards for the Heavy Industrial and General Industrial Districts**

|  | HI   | GI   |
|--|--|--|
| A. Minimum Lot Size                                    | None: See Section 4.0331(A)  | None: See Section 4.0331(A)  |
| B. Minimum Average Floor Area Ratio (FAR)              | None   | None   |
| C. Minimum Building Setbacks                           | 20 feet front & street side; 0 feet for interior side and rear   | 20 feet front & street side; 0 feet for interior side and rear   |
| D. Minimum Building Height                             | None   | None   |
| E. Maximum Building Height                             | None   | None   |
| F. Height Transition Standards                         | See Section 9.0600   | See Section 9.0600   |
| G. Minimum Off-Street Parking Required                 | See Section 9.0851   | See Section 9.0851   |
| H. Maximum Off-Street Parking                          | See Section 9.0851   | See Section 9.0851   |
| I. Pedestrian Circulation and Standards                | See Section 7.0203   | See Section 7.0203   |
| J. Screening & Buffering                               | See Section 9.0100   | See Section 9.0100   |
| K. Landscaping   | See Section 7.0203   | See Section 7.0203   |
| L. Outdoor Uses and Outdoor Storage Uses               | Yes; 100% of the site area may include outdoor uses and outdoor storage associated with industrial uses. Screening required, see Sections 4.0331(B) and 9.0100 | Yes; no more than 50% of the site area may include outdoor uses and storage associated with industrial uses. Screening required, see Sections 4.0331(B) and 9.0100 |
| M. Parking, Loading and Unloading Area Standards       | See Section 4.0331(C) and 9.0800   | See Section 4.0331(C) and 9.0800   |
| N. External Effects                                    | See Section 4.0331(D)  | See Section 4.0331(D)  |
| O. Mechanical Equipment Screening                      | See Section 4.0331(E)  | See Section 4.0331(E)  |
| P. Exterior Building Treatment                         | See Section 4.0331(F)  | See Section 4.0331(F)  |
| Q. Well Field Protection                               | See Section 4.0331(G)  | See Section 4.0331(G)  |
| R. Public Facility Site and Supplementary Requirements | See Section 4.0331(H)  | See Section 4.0331(H)  |
| S. Stormwater Management                               | See Section 4.0341   | See Section 4.0341   |

#### **4.0331 Additional Industrial Land Use District Standards**

- A.** Lot Area. Division of lots or parcels are permitted as follows:
- 1.** Lots or parcels 50 acres or smaller may be divided into any number of smaller lots or parcels.
  - 2.** Undeveloped lots, parcels, or tracts larger than 50 acres in size may be divided into smaller lots, parcels, or tracts so long as the resulting land division yields at least one lot, parcel, or tract of at least 50 acres in size. If a land division results in more than one lot, parcel, or tract of 50 acres or greater in size, only one of those 50+ acre lots, parcels, or tracts, if further divided, must yield a lot, parcel, or tract of at least 50 acres in size.
  - 3.** Development lots or parcels 50 acres or larger in size may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city so long as at least 40 percent of the net area or the lot or parcel has already been developed with industrial uses or uses accessory to industrial uses, and no portion of the lot is developed, or proposed to be developed, with uses considered Business and Retail Service and Trade.
  - 4.** Notwithstanding parts **(2)** and **(3)** of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to right-of-ways for the following purposes:
    - a.** To provide public facilities and services;
    - b.** To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225:
    - c.** To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or
    - d.** To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.
- B.** Outdoor Uses to be Screened
- 1.** All outdoor storage uses shall be screened from adjacent properties by a six foot high sight-obscuring fence or wall.
  - 2.** All screened or walled outdoor use and storage areas which abut a public street shall be set back a minimum of 25 feet from the property line(s). Within that setback area trees and evergreen shrubs shall be planted. The plants shall be of such a variety and arranged so as to allow only minimum gaps between foliage of mature trees and plants within four years of planting.
  - 3.** Alternate plan: an applicant may propose a reduction in the minimum setback required in (2) above to a minimum of at least 20 feet by providing a detailed plan with specifications for landscaping and screening, including plantings, fences, walls, walks, berms and other features designed to afford the degree of the desired screening. The manager may approve an alternative plan if proposed buffering and screening makes up for the lack of horizontal distance and the result minimizes any impact that the storage has to the public street.
- C.** Parking, Loading and Unloading Areas
- 1.** Parking, loading and unloading areas shall not be located within the required setback.
  - 2.** No loading or unloading facilities shall be located adjacent to lands designated for

residential uses or parks if there is an alternative location of adequate size adjacent to commercial, industrial or other institutional uses.

**D. External Effects**

1. In the GI district, the emission of air pollutants or odorous gasses and changes in temperature detectable by the human senses without the aid of instruments at any point beyond the property line is prohibited.
2. In both the HI and GI districts, electrical disturbances which interfere with the normal operation of equipment or instruments on adjacent properties are prohibited.
3. In the GI district, except for exterior lighting, operations producing heat or glare shall be conducted entirely within an enclosed building.
4. In the GI district, loud, unnecessary, or unusual noise which endangers health, peace or safety is prohibited.
5. Prior to the City taking any action on a Type I, Type II or Type III land use application or on issuance of certificate of occupancy information sufficient to determine the degree of compliance shall be furnished by the applicant. Such request may include continuous records of operations, for periodic checks to ensure maintenance of standards, or for special surveys.

**E. Mechanical Equipment**

Roof mounted mechanical equipment such as ventilators and ducts for buildings located adjacent to residential districts, major arterial or standard arterial streets or transit streets shall be contained within a completely enclosed structure that may include louvers, latticework, etc. Screening shall obscure mechanical equipment at elevation.

**F. Exterior Building Treatment in the GI District**

In the GI District, unfinished metal structure siding shall not be the major (over 50%) exterior material. Materials such as finished metal, wood, tilt-up concrete, masonry or glass should be the primary structural siding materials.

**G. Well Field Protection**

Industrial and commercial development may be subject to the provisions of Gresham Revised Code Article 5.75 Well Field Protection.

**H. Public Facility Site and Supplementary Requirements**

All developments shall also be subject to the applicable requirements of **Sections 4.0320 and 4.0341; Article 9** – Common Requirements and **Appendix 5.000** - Public Facilities.

#### **4.0332 Solar Energy Standards for Industrial Districts**

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

- A. Scale. Small, medium and large scale solar energy systems are permitted.
- B. Type. Roof-top, flat-roof, integrated and ground-mounted solar energy systems are permitted.
- C. Height. The following limitations on maximum height apply to all solar energy systems:
  1. Roof-top, Flat-roof and Integrated. The solar energy systems on frames shall not exceed 10 feet above the roof height on which the system is installed.
  2. Ground-mounted. Ground-mounted solar energy systems shall not exceed 20 feet in height.

- D. Setbacks and Yards. Solar energy systems are not allowed in the required front or street-side setbacks.

#### **4.0333 Wind Energy Standards for Industrial Districts**

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

- A. Scale. Small, medium and large scale wind energy systems are permitted. Large scale systems require a Special Use Review when the system is:
  - 1. Located on a building or on a site that is a historic, cultural or archeological resource; or
  - 2. Located adjacent to residentially designated lands.
- B. Type. Roof-top and ground-mounted wind energy systems are permitted.
- C. Height. The following limitations on maximum height apply to all wind energy systems:
  - 1. Roof-top. Wind energy system height shall not exceed a value equal to 45 feet above the roof top.
  - 2. Ground-mounted. Ground-mounted wind energy systems shall not exceed 110 feet in height.
- D. Setbacks and Yards. Wind energy systems are not allowed in the required front, street-side, side or rear setbacks.

#### **4.0334 Biomass Energy Standards for Industrial Districts**

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

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

#### **4.0335 Geothermal Energy Standards for Industrial Districts**

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

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

#### **4.0336 Micro-Hydro Energy Standards for Industrial Districts**

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

- A. Scale. Small scale micro-hydro energy systems are permitted.
- B. Type. In-pipe micro-hydro energy systems such as systems within water, stormwater or wastewater pipe are permitted.

- C. Height. Generally the district height limits apply. However, in-pipe systems may exceed the district height limit as allowed for mechanical equipment. If supplemental equipment structures accompany the in-pipe systems, then the district height limit would apply.
- D. Setbacks and Yards. Micro-hydro energy systems contained within piping are allowed and pipe can run within the required setbacks. However, if supplemental equipment structures accompany the in-pipe systems, then the district setback limits apply.

#### **4.0341 Green Development Practices for Stormwater Management**

The City requires prioritization of Green Development Practices, such as rain gardens, stormwater planters, ecoroofs, and porous pavement to manage stormwater runoff as close as possible to its source and use natural processes such as retention, infiltration, and evapotranspiration to treat and reduce the volume of stormwater runoff that drains into downstream water bodies. The implementation of Green Development Practices detailed in the Stormwater Management Manual will minimize local and downstream flooding, improve water quality, and protect aquatic habitat to the maximum extent practicable.

- A. Stormwater runoff from new or redevelopment shall be managed on-site with Green Development Practices and Green Streets to the maximum extent practicable. Green Development Practices shall be designed in accordance with the requirements set forth in the Stormwater Management Manual and Green Streets shall be designed in accordance with the Public Works Standards.
- B. Submittal Requirements Prior to Tentative Land Division or Site Design Approval. Prior to tentative land division or site design approval, applicants for new or redevelopment must submit a stormwater report with the development permit application. The stormwater report shall contain the information required by the Stormwater Management Manual to demonstrate the development is consistent with this section.
- C. Submittal Requirements Prior to Building Permit Approval. Prior to building permit approval, applicants for development on private property must meet submittal requirements as specified in the Stormwater Management Manual.
- D. 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.
- E. After management in Green Development Practices, excess stormwater from private property shall be conveyed to an approved discharge point.
- F. A grading or building permit may not be issued for a property until a stormwater report has been approved that meets the requirements listed in the Stormwater Management Manual.
- G. Operations and maintenance requirements. The property owner, or its successors or assigns, shall adequately maintain the on-site Green Development Practices according to guidelines in the Stormwater Management Manual and/or contained in a recorded operations and maintenance agreement.

**H. Landscaping**

- 1.** Landscaping shall provide multiple purposes, whenever possible, including: 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 and for parking lots.
- 3.** Detailed landscaping requirements for Green Development Practices are included in the Stormwater Management Manual.