



GRESHAM CITY COUNCIL

GUIDANCE AND POLICY DIRECTION AGENDA ITEM

Sustainability Policy Recommendation

Meeting Date: October 13, 2009
Service Area: Environmental Services

Agenda Item Number: 3
Service Area Manager: David S. Rouse

REQUESTED COUNCIL ACTION

Staff seeks Council feedback and direction regarding the draft Sustainability Policy.

PUBLIC PURPOSE AND COMMUNITY OUTCOME

The Natural Resources and Sustainability Committee (NRSC) has drafted a Gresham Sustainability Policy for Council consideration. After discussion and direction from Council, the Policy will be forwarded for adoption. The Sustainability Policy, if approved, will provide an overarching policy to guide future actions by the City in three major areas:

Economy: Support a stable, diverse and equitable economy.

Community: Promote community health and well-being, outdoor recreation, cultural awareness, and encourage learning.

Environment: Protect and improve the quality of the air, water, land and other natural resources by reducing human impacts and increasing public awareness of the valuable services they provide.

BACKGROUND

The NRSC was established by Council in September 2008 to advise Council on policy development matters and actions related to the protection, restoration and enhancement of natural resources, watershed health, water quality, fish and wildlife habitat, urban tree canopy, the provision of public health, and the development, improvement and expansion of city parks, trails and green space for present and future generations.

The Committee believes that the quality of our environment is critical to the livability of our community, and that local government plays a vital role in fostering sustainability. As the Committee developed their work plan, a top priority was assigned to the preparation of a Gresham Sustainability Policy. The policy reflects the Committee's vision for a sustainable Gresham and sets forth guiding principles for implementation. Also included is a listing of current sustainability efforts and possible future efforts that the City may want to consider regarding sustainability.

The Policy has been reviewed by City staff as well as the Parks and Recreation Advisory Subcommittee and the Urban Forestry Subcommittee. Mayor Bemis and members of the City Council received a preliminary review of the Policy at their June Roundtable Meeting. Councilors Strathern and Craddick are liaisons to the NRSC.

RECOMMENDATION AND ALTERNATIVES

N/A

BUDGET / FINANCIAL IMPACT

N/A

PUBLIC INVOLVEMENT

N/A

NEXT STEPS

If Council supports the Sustainability Policy recommendations, staff will schedule this item for the October 20, 2009 Council meeting.

ATTACHMENTS

A. Draft Sustainability Policy

FROM:

David S. Rouse, Environmental Services Director
Kim Hughes, Chair, Natural Resources and Sustainability Committee

REVIEWED THROUGH:

Mike Abbate', Urban Design and Planning Services Director
David Ris, City Attorney
Office of Governance and Management

FOR MORE INFORMATION

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DRAFT Gresham Sustainability Policy

Natural Resources and Sustainability Committee, June 22, 2009

Staff draft 8.18.09

Background Statement

The City of Gresham recognizes that the quality of our environment is critical to the livability of our community. We also recognize that being a sustainable city will ensure our ability to attract, maintain and grow successful businesses, and the jobs they provide.

The City of Gresham recognizes that local government plays a vital role in fostering sustainability and is committed to demonstrating it through the adoption, implementation, and maintenance of sustainable practices. This sustainability policy has been drafted to ensure that actions of the City are consistent with this goal.

There are four primary sustainability issues facing Gresham now and in the future:

- Climate change
- Constrained natural resources (water, power, land, ecosystems)
- Community livability & social equity
- Financial stability

The City has already committed itself to address these issues through the Mayor's proclamation on climate change and related initiatives for increased efficiency, alternate energy use, recycling, and waste and toxics reduction. These efforts will continue to expand as staff and public understanding, support and capacity grow.

Vision

Gresham will be regionally recognized as a leader and model for development and implementation of 'green' practices, and known as a great place to live and a source of highly-skilled employees. The City will be known for its system of well-linked, well-distributed, and well-maintained parks. There will be a healthy abundance of trees, greenspaces, and streams supporting salmon, trout, and wildlife. The community will be universally aware of the ecological services the environment provides, and the natural resources we all consume. Collaborative public and private work will strive to reduce our environmental footprint. The City will

consider the 'triple bottom line' (environment, community, economy) in its actions to accomplish this vision.

Guiding Principles

Guiding principles are key to the successful incorporation of sustainability in decision making and in our actions:

- Approach problems from a systems perspective, defining mutually supportive economic, social and environmental goals and objectives.
- Incorporate a long-term and global perspective of human activities and environmental conditions when making decisions and establishing policies.
- Account for the social and environmental costs and benefits, as well as making explicit the inherent value of the natural environment.
- Exercise caution in public policy when there are threats of serious or irreversible environmental or public health damage.
- Align regulations, fees and taxes to encourage the widespread adoption of best practices.
- Inspire and promote public action to help Gresham achieve this vision and goals.

Sustainability Policy

The City of Gresham will strive to design and deliver services that:

- Support a stable, diverse and equitable economy (ECONOMY)
- Promote community health and well-being, outdoor recreation, cultural awareness, and encourage learning (COMMUNITY)
- Protect and improve the quality of the air, water, land and other natural resources by reducing human impacts and increasing public awareness of the valuable services they provide (ENVIRONMENT)

City Efforts

ECONOMY

Current Efforts:

- Targeting of business recruitment efforts in the clean technology sector
- Business retention program focusing on traded sector employers with a goal of retaining and growing existing businesses and family wage jobs
- Working with educational and workforce partners to strengthen pathways into family wage jobs
- Modification of industrial zones to allow maximum flexibility and new clean tech businesses
- Planning for infrastructure construction in Springwater, an Urban Growth Boundary expansion area, designed for 15,000 employees with a sustainable focus
- Hosted regional Biofuels Conference attracting industry experts & leaders
- Comprehensive Plan Amendments for the Kelley Creek Headwater Urbanization Plan
- Development of green building standards that have been incorporated into industrial zones
- Lobby Salem for tax rate reform
- Create a transportation maintenance funding strategy

Possible Future Efforts:

- Attract a large office-based employer to help revitalize downtown
- Implement Economic Development Goals & Strategies 2009-2010 to increase the number of family wage jobs in Gresham
- Target City construction of renewable energy projects in such a way as to both save energy and promote creation of a clean technology industry in Gresham
- Look into a public safety levy to support new police officers
- Successful pursuit of ARRA funding to assist in attracting “green” target industries
- Expand Great Business Program focusing on conservation efforts that result in lowering business operating costs

COMMUNITY

Current Efforts:

- Construction of new multi-modal paths such as the Gresham-Fairview Trail
- Integration of sustainable design principles into Gresham’s Development Code
- Continue advocating for regional transit facilities in Gresham, including High Capacity Transit on Powell Corridor, North-South connector
- Promote Earth Day celebration to increase awareness of sustainable practices

- Continue successful Green Schools program (18 Gresham schools currently certified)
- Continue Great Business Program offering free assistance, resources and recognition related to conservation and environmental protection
- Construction and programming for the Center for the Arts Plaza, Sports Park and Skate Park
- Neighborhood Stabilization Program – to help mitigate impact of foreclosed properties on neighborhoods
- Adoption of the Park and Recreation Master Plan – scheduled for Sept 2009

Possible Future Efforts:

- Begin a recreation program for citizens focused on health and wellness
- Expand the role of the NRSC to serve as citizen speaker bureau for local business and community, on issues related to sustainability
- Expand Green Power Challenge to even more Gresham residents & businesses.
- Develop a community funding strategy for Parks and Recreation
- Promote development of walkable, “complete neighborhoods”, where major activities and services are within a 20 minute walk of home
- Construct a new LEED-rated City Hall Building to serve as a sustainability demonstration project to the city and region

ENVIRONMENT

Current Efforts:

- Completion of the Urban Forestry Management Plan
- Fleet replacement with hybrids and more fuel efficient vehicles
- Signed on to the US Mayors Climate Protection Agreement
- Gresham recognized as EPA Green Power Community
- Working with METRO to preserve future parks and open spaces
- Wastewater Treatment Plant’s use of a cogenerator to convert methane gas to power, will install solar array in 2009 to accomplish 100% renewable energy at plant
- LED street light pilot project
- Smart traffic signals that improve air quality by reducing exhaust emissions from idling and improve capacity
- Installation of rain gardens throughout the city, including City Hall
- Implemented a number of projects/programs that “greened” the city’s facilities, fleet and infrastructure including: green team sustainability efforts, employee commute program, fleet vehicles use of biodiesel fuel blends and hybrid vehicles, installation of electric vehicles charging station, energy saving upgrades to lighting and HVAC, and certification of many City facilities as GREAT
- Restoration and conservation of critical habitat
- Created new green development standards

Possible Future Efforts:

- Secure funding for major restoration, management and maintenance of natural areas and open spaces
- Tax certain recyclable materials and products to encourage recycling
- Conduct comprehensive audit of city's natural resources
- Clearly identify Greenhouse Gas Emissions for city facilities
- Develop more opportunities for multi-modal transportation choices
- Look at possible alternatives to the current fleet vehicles
- Expand recycling and solid waste collection to include commercial food waste
- Look into alternative work schedules for City staff to save energy/commutes
- Look for additional opportunities to use renewable energy

DRAFT



GRESHAM CITY COUNCIL

AGENDA ITEM TYPE: GUIDANCE AND POLICY DIRECTION

Downtown Implementation Action Plan

Meeting Date: Oct. 13, 2009
Service Area: Urban Design & Planning

Agenda Item Number: 4
Service Area Manager: Mike Abbaté

REQUESTED COUNCIL ACTION

Discuss and provide feedback and direction to staff on Downtown Plan implementation priorities.

PUBLIC PURPOSE AND COMMUNITY OUTCOME

The Downtown Implementation Action Plan is the final component of the Downtown Plan/Downtown Design Standards project, which is on the 2009 Council Work Plan. The project created a new vision for Downtown to update the City's 1995 Downtown Plan. It also led to a new set of development guidelines and standards for Downtown, approved as a Downtown Design Manual.

The Implementation Action Plan will prioritize City actions that can help the Downtown vision become a reality. These actions include short and long-range plans for priority public projects or programs, as well as development projects and other actions that will provide a catalyst for new development and a more vibrant Downtown.

BACKGROUND

The 2009 City of Gresham Downtown Plan envisions a Downtown that is one of the region's great urban settings - a lively, diverse and appealing place to live, work, shop and play as the basis for a truly sustainable City. The overall vision for Downtown is:

Downtown will be the recognized center of Gresham, and will include most significant civic and governmental functions, including public parks and the Center for the Arts. It will include large numbers of professional sector jobs, medium- and high-density residential development and a thriving and unique entertainment, nightlife and shopping district.

The City Council in 2009 approved new goals, policies and action measures for Downtown, which described the vision for Downtown and the City's policies toward land use, urban design, parks, transportation, and economic development. The action measures listed specific steps the City could take to make sure that vision becomes a reality.

In addition, the Council in June approved a new Design Manual for Downtown, which updated the Development Code to elevate design for developments Downtown while providing additional flexibility.

Since then, City staff members have collected implementation ideas from the action measures, discussions with Downtown stakeholders, ideas that arose during the Downtown planning process, and from other cities' Downtown implementation plans. These ideas fit into five implementation strategies:

1. **Enhance existing assets:** Maintain or improve existing assets, such as businesses, historic buildings, storefronts, parks, and plazas.
2. **Invest in Downtown:** Provide infrastructure (water and sewer), roads/streets, parks, streetscape elements, gateway improvements, and sustainability features. Consider new civic uses. This strategy could include revising the Capital Improvement Program and its priorities to address Downtown priorities.
3. **Provide financial incentives for development:** Downtown development can present more risk and confront developers with higher costs. Financial incentives can help bridge the financial gap and make Downtown projects more desirable and feasible. These could be geared toward projects that provide a catalyst for other development or toward projects that meet a certain size threshold.
4. **Promote development:** Link property owners and interested developers, recruit businesses, provide technical assistance, update the Development Code.
5. **Participate in development:** Work with partners to develop City-controlled land, providing catalytic projects for Downtown.

Under these categories, City staff identified 44 different actions the City could take to implement the Downtown Plan. Staff also identified 14 funding options, some that the City currently is using and others that would be new funding sources. The action items and funding options are described in Attachment A and listed on Attachment B. Staff then identified the action items that are the highest priority. They were selected for their ability to:

- Provide a catalyst for future development;
- Provide an “early win” - visible, physical effects within a year.

The action items and funding options were discussed with a Downtown Implementation Focus Group made up of Downtown stakeholders and updated to reflect their comments. The priority items listed below are sorted into those that are possible using existing City resources (some are ongoing and some the Council could prioritize by putting on the Council Work Plan) and others that would require new funding sources. They also are found in bold on Attachment B.

High-priority Actions – Possible with Existing Resources

Enhance existing assets

- Wayfinding & signage improvements – Downtown: Create a wayfinding plan and install signage to direct visitors to parking and key destinations. (ongoing)

Invest in Downtown

- New City Hall feasibility study: Work with the University of Oregon Sustainable Cities Initiative to study the feasibility of constructing a new City Hall Downtown. (ongoing)
- Build MAX path: A MAX path, funded by a grant, is planned for the north side of the MAX tracks between Downtown and Rockwood. (ongoing)

Provide financial incentives

- Tax credits: Continue the Vertical Housing Tax Credit. (ongoing)

Promote development

- Downtown Parking Plan: Create a comprehensive Downtown Parking Plan to improve management of existing parking and update parking Code requirements.
- Developer outreach and interviews: Review copies of Downtown Plan with developers to better understand barriers to development and determine incentives.

High-priority Actions – Possible with New Funding

Enhance existing assets

- Storefront improvement program: Provide grants or loans for property owners or business owners to improve storefront appearance.
- Marketing efforts: The City could lead or participate in an effort to brand/market Gresham and Downtown, in cooperation with business/community groups.
- Relocate Farmers' Market: Improve Third Avenue and the Center for the Arts Plaza as needed to provide the Farmers' Market with a permanent home.

Invest in Downtown

- New City Hall: Select and acquire a site Downtown and construct a new City Hall.
- Third Street improvements: Complete festival street construction between Hood and Kelly adjacent to the Center for the Arts and other improvements west of Hood.
- Center for the Arts fountain: City assistance in constructing the planned fountain at the Center for the Arts plaza.
- Gateway treatments: Design and construct major and minor gateway elements (signs or piers, for example) at major gateways identified in the Downtown Plan.
- Main Avenue improvements: Enhance streetscape on Main Avenue between Fifth and Division to match existing streetscape between Powell and Fifth.
- Upgrade MAX path: Add improvements to MAX path design such as an art walk or enhanced paving/landscaping/signage.
- Streetscape design and construction: Develop streetscape designs that specify amenities such as lighting, paving, street furniture, signage and art locations.

Provide financial incentives

- Restructured fees: Study the feasibility of restructuring fees, such as System Development Charges (SDCs), to encourage Downtown development while ensuring systems or services paid for by fees remain adequately funded.

Promote development

- Promote Small Business and Reduce Vacancy Rate: Develop a package of programs and incentives to attract small businesses Downtown, which could include:
 - Restructured fees (see "Provide financial incentives" section above)

- Low-interest or no-interest loans for tenant improvements.
- Small business start-up loans, possibly working with Small Business Administration.
- A marketing effort to demonstrate that the City is promoting small businesses and that Downtown is “open for business.”
- A Small Business Summit to generate ideas to make Downtown more business-friendly.
- Establishing a “small business ambassador” who would help small businesses through the City permitting or licensing process, possibly by coordinating with various City departments – planning, building, transportation, business licenses, etc.

Participate in development

- Arts incubator/magnet project: Renovate an existing building or construct a new building to attract artists (building on the momentum of the Center for the Arts Plaza).
- Assemble sites: Assembling parcels for a development, parks, or parking.

High-priority Funding Sources

- Urban Renewal and Tax Increment Financing: Capture increases in assessed value of property and pool it to invest within the urban renewal boundaries.
- Voter-approved capital bonds: Bonds issued upon a citywide vote, typically for parks, libraries, city hall buildings, transportation projects, fire and police stations.
- Local Improvement District (LID): A geographic area in which real property is assessed to defray costs of a public improvement.

RECOMMENDATION AND ALTERNATIVES

Recommendation:

Staff requests approval to proceed with prioritized projects to implement the downtown plan.

Alternatives:

The Council’s options include:

1. Directing staff to proceed with some action items or funding sources.
2. Adding selected action items to future Council Work Plans.
3. Directing staff to provide more information.
4. Directing staff not to proceed.

BUDGET / FINANCIAL IMPACT

Costs associated with this project were included in the 2009-2010 fiscal year budget.

PUBLIC INVOLVEMENT

Outreach efforts included:

- Action items were discussed during various public outreach opportunities during the Downtown Plan process.
- Staff conducted a Downtown Implementation Focus Group meeting on Sept. 14 that included Councilor Josh Fuhrer; property and business owners, and representatives from the Center for the Arts Foundation, Gresham Downtown Development Association and the Historic Downtown Gresham Business Association.

NEXT STEPS

Based on Council's direction, staff will complete a Downtown Implementation Action Plan that lists the City's priorities. Staff also will pursue action items that the Council deems a high priority, including those placed on the 2010 Council Work Plan.

ATTACHMENTS:

- A. Strategies, Action Items and Funding Options
- B. Summary List - Potential Action Items and Funding Options

FROM:

Mike Abbaté, Urban Design & Planning Director
Jonathan Harker, Long Range Planning Manager
Brian Martin, Associate Planner

REVIEWED THROUGH:

Dave Rouse, Department of Environmental Services Director
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DOWNTOWN IMPLEMENTATION ACTION PLAN

Strategies, Action Items and Funding Options

Attachment A

Urban Design & Planning – Comprehensive Planning
Sept. 29, 2009
Prepared by Brian Martin, AICP, LEED AP

Introduction

The City Council adopted in 2009 a new Gresham Downtown Plan – the first update in 14 years. The Community Development Plan amendments include updated goals, policies and action measures for Downtown that provide a vision for a more urban, active, vital Downtown. The amendments also included a Design Manual that sets a higher design standard for Downtown while encouraging innovation and creativity.

Determining how to make the new Downtown vision become reality is the next step in Downtown planning.

This document describes various implementation strategies and identifies implementation actions under each that would provide the most positive effects for Downtown Gresham – whether to enhance existing assets or act as a catalyst for the development and improvement of Downtown. These strategies and actions, which were suggested by City staff and Downtown stakeholders, were compiled to facilitate discussion about the most effective ways to implement the Downtown Plan.

Although several implementation actions can be completed with existing resources, many require finding new funding (such as grants or bond measures) or shifting existing City funding to Downtown (such as by reprioritizing items in the Capital Improvement Program and Transportation System Plan).

The ideas in this document were discussed with a group of Downtown stakeholders on Nov. 14. Staff will ask the City Council for policy direction at a 3 p.m. Oct. 13 work session in the City Hall Conference Center.

This document is organized into the following sections:

1) Top Priorities for Downtown Actions

Table 1: High-Priority Actions Possible with Existing City Resources

Table 2: High-Priority Actions – New Funding Required

Table 3: High-Priority New Funding Options

2) Implementation Strategies and Actions – Full List

3) Funding Options

4) Downtown Goals and Action Measures

I. Top Priorities for Downtown Actions

The actions tentatively identified as high priorities are listed in tables on the next two pages.

TABLE 1 lists the high-priority projects that could be accomplished with existing City resources. Some are ongoing projects, and others could be conducted if the City Council determines they are priority projects for a future Council Work Plan.

TABLE I: HIGH-PRIORITY ACTIONS POSSIBLE WITH EXISTING CITY RESOURCES

Action

Enhance existing assets

1.g. Wayfinding & signage improvements – Downtown (ongoing)

Invest in Downtown

2.n. New City Hall feasibility study (ongoing)

2.m. Build MAX path (ongoing - planned project funded by grant)

Provide financial incentives

3.a. Tax credits (ongoing - Vertical Housing Tax Credit)

Promote development

4.a. Downtown Parking Plan

4.b. Developer outreach and interviews

Table 2 on the following page shows the 14 implementation actions tentatively determined by staff to be the highest priority for Downtown. The actions were chosen because of their:

- Ability to provide a catalyst for future development.
- Ability to provide an “early win” - visible, physical effects within a year.

Table 3 on the following page shows the funding options staff identified as the highest priorities. The actions were chosen because they have the ability to provide the level of funding that would be needed to implement moderate- or high-cost actions. Most implementation actions would likely need to draw upon a variety of existing and new funding sources.

These lists were generated to further discussion on what the City’s key implementation items should be. The lists were refined based on input from Downtown stakeholders. The City Council will provide the final direction on priorities and funding options.

TABLE 2: HIGH-PRIORITY ACTIONS – NEW FUNDING REQUIRED

Rank	Action	Potential Cost	Potential for visible, physical results within 1 year
Enhance existing assets			
2	1.b. Storefront improvement program	Low	Moderate/High
12	1.e. Marketing efforts	Low	Moderate
14	1.h. Relocate Farmers’ Market	Low	Moderate
Invest in Downtown			
1	2.c. New City Hall	High	Low
4	2.d. Third Street improvements	Moderate	Low
5	2.p. Center for the Arts fountain	Low	Moderate/High
6	2.i. Gateway treatments	Moderate	Moderate
7	2.f. Main Avenue improvements	Moderate	Moderate
10	2.j. Streetscape design and construction	Moderate	Moderate
11	2.o. Upgrade MAX path	Low	Moderate
Provide financial incentives			
9	3.b. Restructured fees	Moderate	Low
Promote development			
3	4.i Promote Small Business and Reduce Vacancy Rate	Low/Moderate	Moderate/High
Participate in development			
8	5.d. Arts incubator/magnet project	Moderate	Low, although possible in 2 to 5 years.
13	5.a. Assemble sites (for parks, parking, development)	Moderate/High	Low

TABLE 3: HIGH-PRIORITY NEW FUNDING OPTIONS*

Action	Potential Revenue	Potential for availability within 1 year?
1. Urban Renewal	High	Low. Requires voter approval.
2. Voter-approved capital bond	High	Low. Requires voter approval.
6. Local Improvement District	Moderate	Moderate. Requires approval of property owners.

*Other funding sources – existing and new – may be necessary in addition to the three high-priority funding sources listed here.

2. Implementation Strategies and Actions – Full List

The following strategies are general approaches to Downtown implementation. They can be used by themselves or in combination, although many Downtowns have found the most success using a combination of strategies.

A list of actions (projects or programs) that would have a catalytic effect or provide benefits to existing Downtown assets, are listed after each category. Implementation actions that could be completed with existing City resources and would not require a new funding source are labeled with the words “EXISTING RESOURCES.”

Potential Strategies and Actions

1. Enhance existing assets

Maintain or improve existing assets, such as businesses, historic buildings, storefronts, parks, plazas.

Moderate cost potential (\$1 million to \$10 million)

- a. Enhanced maintenance: Allocate more resources to maintenance of existing City assets, such as parks, plazas, streets, streetscapes, parking lots, sewer and water infrastructure

Low cost potential (Less than \$1 million)

- b. Storefront improvement program: Provide grants or loans for property owners or business owners to improve storefront appearance. (Possibly in cooperation with Gresham Downtown Development Association)
- c. Street furniture: Design and implement street furniture improvements, such as benches, trash cans, bike racks.
- d. Business retention: Commit additional staff time to work with businesses to help them remain Downtown.
- e. Marketing effort: The City could lead or participate in an effort to brand/market Gresham and Downtown (in cooperation with business/community groups).
- f. Wayfinding and signage improvements - citywide: Design a wayfinding system to direct people to Downtown from major streets throughout the City. Install signs at locations identified in a wayfinding study.
- g. Wayfinding and signage improvements - Downtown only: A project is under way to design and install a wayfinding and signage system to direct people to parking facilities and major destinations Downtown. **EXISTING RESOURCES**
- h. Relocate Farmers’ Market: Improve Third Avenue and the Center for the Arts Plaza as needed to enable the Farmers’ Market to move to that area, providing the market with a permanent home.

2. **Invest in Downtown**: Provide infrastructure (water and sewer), roads/streets, parks, streetscape elements, gateway improvements, sustainability features. Consider new civic uses. Could include revising the Capital Improvement Program and its priorities to address Downtown priorities.

High cost potential (\$10 million or more)

- a. New parking facilities: Acquire land and/or construct new surface lots or parking structures as needed (to be determined as part of Downtown Parking study).
- b. Center for the Arts future phases: City assistance, if any, in constructing future phases of plaza or center buildings.
- c. New City Hall: Select and acquire a site Downtown and construct a new City Hall.

Moderate cost potential (\$1 million to \$10 million)

- d. Third Street improvements: Festival street construction between Hood and Kelly adjacent to the Center for the Arts and other improvements west of Hood.
- e. Beech Street corridor improvements: Reconstruct Beech Street as a green/shared street from the Center for the Arts to the Gresham Transit Center and beyond to Division Street.
- f. Main Avenue improvements: Enhance streetscape on Main Avenue between Fifth and Division to match existing streetscape between Powell and Fifth.
- g. Green/shared streets on Fifth and Ninth: Update streets to achieve new green/shared Downtown street type.
- h. Other street reconstruction/enhancement: Update streets to achieve new Downtown Street Types:
 - i. New Stanley Street as Town Fair redevelops
 - ii. Other improvements
- i. Gateway treatments: Design and construct major and minor gateway elements (signs or piers, for example) at major gateways identified in the Downtown Plan:

Major gateways

- i. Burnside and Eastman
- ii. Division and Eastman
- iii. Powell and Eastman
- iv. Powell and Hogan
- v. Division and Burnside

Minor gateways

- vi. 6th and Eastman
 - vii. 3rd and Eastman
 - viii. Main and Powell
 - ix. Beech and Division (as redevelopment occurs)
 - x. Main and Division
- j. Streetscape design and construction: Develop streetscape designs that specify such amenities as lighting, paving, street furniture, signage, art locations, public spaces.

- k. Main Avenue MAX station: Work with Tri-Met and other partners to study and/or implement a MAX station.
- l. Pocket parks/plazas: Acquire land and or develop new parks/plazas.
 - i. Town Fair “village green”
 - ii. Other parks
 - iii. Plaza, such as at library, revamped MAX station, Eastman/Division
- m. Build MAX Path: A multi-use path is planned to run along the MAX light-rail tracks from the Cleveland Avenue Station to the Ruby Junction Station. This is partially funded by grants. **EXISTING RESOURCES**

Low cost potential (Less than \$1 million)

- n. New City Hall feasibility study: In the short term, study the feasibility of building a new City Hall in the Downtown and selling or leasing the existing building/campus. The University of Oregon Sustainable Cities project team of students will be conducting a study in 2009/2010. The City may need to follow up to refine or expand on the study. **EXISTING RESOURCES**
- o. Upgrade MAX path: Add improvements to MAX path design such as such as an art walk or enhanced paving/landscaping/signage.
- p. Center for the Arts fountain: City assistance in constructing the planned fountain at the Center for the Arts plaza.
- q. New Library: Work with Multnomah County to get a new library built Downtown that will provide a significant civic architectural presence and adequate space for one of the busiest libraries in the Multnomah County system.

3. **Provide financial incentives for development**: Downtown development can present more risk and confront developers with higher costs. Financial incentives can help bridge the financial gap and make Downtown projects more desirable and feasible. These could be geared toward projects that provide a catalyst for other development Downtown or toward projects that meet a certain size threshold.

Moderate cost potential (\$1 million to \$10 million)

- a. Tax credits: Continue Vertical Housing Tax Credit (already available in Gresham) or consider Transit-Oriented Development Tax Exemption or other Gresham tax incentives.
- b. Restructured fees: Study the feasibility of restructuring fees, such as System Development Charges (SDCs), to encourage Downtown development while ensuring systems or services paid for by fees remain adequately funded.
- c. Loans: Provide low- or no-interest loans to encourage development of significant projects.

Low cost potential (Less than \$1 million)

- d. Grants: Provide grants for such activities as market/site studies, building rehabilitation, permanent interior upgrades
- e. Purchase Transit-oriented Development Easements: As part of Metro’s Transit-Oriented Development Program, the agency sometimes purchases transit-oriented

development easements to provide owner incentives for more intense development in areas near transit.

4. **Promote development:** Link property owners and interested developers, recruit businesses to Downtown, provide technical assistance, update Development Code.

Low cost potential (Less than \$1 million)

- a. Downtown Parking Plan: Create a plan that takes care of today's parking needs while preparing for a more active, dense, vital Downtown in the future. This would involve new parking management strategies and parking requirements (ratios). **EXISTING RESOURCES**
- b. Developer outreach and interviews: Review copies of Downtown Plan with 2 Gresham developers, 4 metro-area developers and 4 outside developers to determine the most effective measures the City can implement to provide incentives for private development. Interview developers to better understand barriers to development. This also would serve to market Downtown Gresham. **EXISTING RESOURCES**
- c. Downtown Redevelopment Summit: Similar to 2009's Economic Development Summit, invite local and out-of-town experts to discuss issues including financial incentives, redevelopment outlook and trends, urban housing, downtown employment trends/challenges and Main Street retail. **EXISTING RESOURCES**
- d. Gresham Town Fair Property Owner Corporate Outreach: Meet with Kimco Realty corporate officials who deal with development to discuss potential redevelopment of the Town Fair site. This would include reaching out to the regional office in Bellevue, Wash. **EXISTING RESOURCES**
- e. Hotel/conference center feasibility study and outreach: Study feasibility of such a facility. Attend national hotel meeting, such as American Hotel and Lodging Association or International Hotel/Motel & Restaurant Show) and interview four potential hotel/conference center developers. **EXISTING RESOURCES**
- f. Technical assistance: Provide technical assistance to development community, such as real estate market information, architectural/design assistance.
- g. Development facilitation: Connect property owners and interested developers. **EXISTING RESOURCES**
- h. Recruit large businesses/employers: Step up efforts to seek major employers or activity generators, such as new major developments to the PGE site along Burnside/Hogan or office users to areas along Eastman. **EXISTING RESOURCES**
- i. Promote Small Business and Reduce Vacancy Rate: Develop package of programs and incentives to attract small businesses Downtown, possibly including:
 - Restructure fees (see 3.b.).
 - Low-interest or no-interest loans for tenant improvements.
 - A marketing effort to demonstrate that the City is promoting small businesses and that Downtown is "open for business."

- Small business start-up loans, possibly working with Small Business Administration.
 - A Small Business Summit to generate ideas to make Downtown more business-friendly.
 - Establishing a “small business ambassador” who would help small businesses through the City process, possibly by coordinating with various City departments – planning, building, transportation, businesses licenses, etc.
- j. Hire staff dedicated to Downtown development: Add a City staff member dedicated to Downtown development and redevelopment.
- k. Temporary funding for Main Street Program staff person: Provide short-term funding to get Downtown’s Main Street program started until permanent funding can be found for the position.
5. **Participate in development:** Develop City-controlled land to provide a catalytic project for Downtown. This often involves transferring the land at a discount, but the City would retain some control over how the site is developed.

High cost potential (\$10 million or more)

- a. Assemble sites: Assembling parcels for a development, parks, or parking.
- b. Public/private partnerships: Partner with private developer(s) on projects. An example would be contributing to the construction of a private parking garage where a portion of the garage would remain open for public access.

Low cost potential (Less than \$1 million)

- c. Provide development sites: Sell or lease City-owned land to a developer.

EXISTING RESOURCES

- d. Arts incubator/magnet: Renovate an existing building or construct a new building (possibly a high cost potential project) that would attract artists and build upon the momentum generated by the Center for the Arts Plaza.

3. Funding Options

Many of the potential implementation actions require funding. Options include:

High revenue potential (\$10 million or more)

1. Urban Renewal and Tax Increment Financing – captures increases in assessed value of property and pools it to invest within the urban renewal boundaries.
2. Voter-approved capital bonds – bonds issued upon a citywide vote, typically for parks, libraries, city hall buildings, transportation projects, fire and police stations.
3. Serial levy – Short-term property-tax increase (often 3 to 5 years) approved by the voters for a specific purpose.
4. Revenue bonds – typically used in infrastructure projects, where bonds are issued to pay for a project and utility fees are used to pay off the bonds. (Already available)

Moderate revenue potential (\$1 million to \$10 million)

5. Non-voter-approved capital bonds – bonds issued backed by the City’s general fund – count against the City’s property tax limit
6. Local Improvement District (LID) – A geographic area in which real property is assessed to defray all or part of the costs of a public improvement.
7. Metro Transit-Oriented Development Program - provides financial incentives and uses public/private partnerships to enhance the economic feasibility of higher density mixed-use projects served by transit. The program uses site control and requests for proposals and qualifications to engage a private development partner or purchases a transit-oriented development easement on projects eligible for program funding.¹ (Already available)
8. New fees
 - a. Transportation Utility Fee (citywide for maintenance - already in place but set to \$0)
 - b. Parks Utility Fee (citywide)
 - c. Fee-in-lieu of parking or in lieu of street improvements (Downtown - likely low potential – less than \$1 million)

Low revenue potential (Less than \$1 million)

9. Economic Improvement District (EID) – assessment to property owners to fund non-physical revitalization programs and projects. Gresham has an existing EID. (Already used to fund Gresham Downtown Development Association). A business license fee is another way to collect funds under an EID.
10. Community Development Block Grants (already available)
11. Reimbursement Districts (one was used to fund Beech Street block)

Varied revenue potential

12. Grants

¹ Metro. www.oregonmetro.gov/index.cfm/go/by.web/id/140. Accessed July 15, 2009

- a. Regional, state or federal grants (Some already available and being used, such as Metropolitan Transportation Improvement Plan funds; could seek others)
 - b. Other grants
13. System Development Charges
- i. Transportation (Transportation Impact Fees)
 - ii. Water
 - iii. Wastewater
 - iv. Stormwater
 - v. Parks
14. Taxes (gas tax, property tax)
15. Rates (water, sewer)
16. General fund
17. Other private resources, such as donations, sponsorships, and investments from developers and property owners

4. Downtown Goals & Action Measures

This following Downtown goals and action measures were approved by the City Council in 2009 and added to the City's Comprehensive Plan. They are included as background information that describes what action measures the City Council already has approved. Some already have been completed, but many remain to be accomplished. The City's Community Development Plan also includes additional policies. They were not copied below in the interest of brevity.

Downtown Vision Goal

Goal: Downtown will be the recognized center of Gresham, and will include most significant civic and governmental functions, including public parks and the Center for the Arts. It will include large numbers of professional sector jobs, medium and high density residential development and a thriving and unique entertainment, nightlife and shopping district.

Land Use

Goal: Make Downtown the recognized business and social center of Gresham as a thriving, unique, mixed-use part of the Regional Center with connection to the Civic Neighborhood.

Action Measures:

1. Develop a new Downtown Plan with a new plan map, land use districts and development standards that will be guided by the above policies and Land Use Framework.
2. The City will consider relocating City Hall to Downtown or try to attract another major civic use anchor.
3. Continue to support housing affordability, special needs housing, ownership opportunities and housing rehabilitation in Downtown through the Community Development Block Grant and HOME programs.
4. Attract major commercial uses to locate along Hogan/Burnside and Powell (Hwy. 26) that can help Downtown capture the "gateway traffic" market of people driving to and from Mt. Hood, Central Oregon, Columbia River Gorge, etc.

Urban Design

Goal: Make Downtown a special place that is visually interesting and that has buildings and streetscapes of high design quality.

Action Measures

1. Develop a design manual with mandatory design principles, standards and guidelines that will apply to future Downtown buildings and streetscapes.
2. Create development concepts for specific opportunity areas that will help inform the development of design standards. The concepts should explore alternative use/design scenarios for the height, scale, massing and relationship of potential buildings to the public realm of streets, parks and plazas.
3. Develop development code (such as allowing higher buildings) and/or other incentives that will encourage developers to provide:
 - a. Plazas, courtyards or other extensions of the public realm.

- b. Outdoor art such as sculpture and wall murals.
 - c. Green roofs and other sustainable design features.
4. Develop special design standards for:
 - a. Building facades/streetscapes of designated shopping streets.
 - b. Redeveloping the MAX facility and adjacent area.
 - c. Developing the Beech Street “park block” and adjacent area.
 - d. Emphasizing the major gateways (street entries into Downtown) that are shown on the Issues and Opportunities Map.
 - e. Promoting a unifying design theme for streetscapes including public signage, art, landscaping, pedestrian crossings, street lights, street furniture, etc.
 - f. Protecting important viewpoints of Mt. Hood and Gresham Butte.
 5. Designate areas of Downtown that can have unlimited building height.

Transportation & Connections

Goal: Develop a transportation system that supports the vision of a vibrant Downtown and provides for the safe and efficient movement of pedestrians, automobiles, bicycles, transit and emergency vehicles.

Action Measures

1. Develop a transportation plan for Downtown that:
 - a. Addresses all transportation modes (pedestrian, automobile, transit, etc.).
 - b. Shows future street connections and pedestrian linkages.
 - c. Shows future transit extensions and improvements of MAX, etc.
 - d. Identifies and has street design standards for major pedestrian and transit streets.
 - e. Includes strategies for creating a more pedestrian-friendly environment and crossing of the Division Street and Eastman Parkway intersection.
2. Develop a Regional Center (Civic and Downtown) parking plan that has strategies for managing existing public and private parking resources more efficiently and which also addresses the long term need for structured parking.
3. Offer incentives in the development code to encourage developers to locate parking in structures above and below ground.

Parks & People Places

Goal: Create a cohesive and linked public and private system of parks, plazas, courtyards, gardens, and major pedestrian streets/paths, etc. that will help make Downtown a great place to live, work and visit.

Action Measures

1. Develop a Downtown parks plan that:
 - a. Addresses the economic realities of limited funds for parks.
 - b. Utilizes adopted 2007 Parks Design Standards to all public and privately-financed public park, trail and natural area projects.

- c. Prioritizes funding for existing facilities such as Main City Park and the Center for the Arts Plaza.
- 2. Continue to partner with other agencies, the arts, businesses, non-profits, etc. in order to leverage funds for parks construction and maintenance.
- 3. Continue to apply for industry, non-profit, community, state, and federal grants.
- 4. Acquire appropriate park acreage from willing sellers and donors. New parks, plazas and trails should only be constructed when maintenance dollars have been identified.

Economic Development

Goal: Use development tools and incentives to encourage redevelopment of Downtown and the creation of more businesses and housing.

Action Measures

- 1. Develop a plan for funding the capital improvement projects that are currently unfunded in the Capital Improvements Plan (CIP) as well as projects that are proposed in the new Downtown Plan. Consider one or more of the following tools:
 - a. Forming an urban renewal district for the entire Regional Center to fund needed improvements, land assembly, marketing and other programs.
 - b. Establishing a policy that Transportation Impact Fees and System Development Charges collected in Downtown will be reinvested Downtown for public facility projects, including structured parking.
 - c. Working with property owners to form Local Improvement Districts to provide funding that supplements other sources.
 - d. Applying for appropriate grant funding.
- 2. Update the CIP to include public projects to implement the Downtown Plan, such as:
 - a. The Center for the Arts and other new parks
 - b. New City Hall
 - c. New Library
 - d. New Street Typologies and street extensions
- 3. Seek funding to implement measures to encourage more redevelopment and property improvements, such as:
 - a. Establishing a redevelopment loan and grant program to help finance redevelopment projects and improvements to building facades and streetscapes.
 - b. Providing technical assistance for market or site studies, architectural/design assistance, etc.
 - c. Develop financial incentives for private developments that exceed minimum standards,
 - d. Consider participation in the Main Street program in cooperation with Gresham Downtown Development Association and Historic Downtown Business Association.

POTENTIAL DOWNTOWN IMPLEMENTATION ACTION ITEMS

CITY OF GRESHAM DOWNTOWN IMPLEMENTATION ACTION PLAN

Attachment B: Summary List - Action Items and Funding Options

Existing Resources

High-priority actions possible with existing City resources

- 1. ENHANCE EXISTING ASSETS
 - 1.g. **Wayfinding & signage improvements – Downtown**
- 2. INVEST IN DOWNTOWN
 - 2.n. **New City Hall feasibility study**
 - 2.m. **Build MAX path**
- 3. PROVIDE FINANCIAL INCENTIVES
 - 3.a. **Tax Credits (Vertical Housing Tax Credit - ongoing)**
- 4. PROMOTE DEVELOPMENT
 - 4.a. **Downtown Parking Plan**
 - 4.b. **Develop outreach and interviews**

Require New Funding

Actions that would require identifying new funding sources.

1. ENHANCE EXISTING ASSETS	Potential Cost	2. INVEST IN DOWNTOWN	Potential Cost	3. PROVIDE INCENTIVES	Potential Cost	4. PROMOTE DEVELOPMENT	Potential Cost	5. PARTICIPATE IN DEVELOPMENT	Potential Cost
1.a. Enhanced maintenance	Moderate	2.a. New parking facilities	High	3.a. New tax credits	Moderate	4.c. Downtown Redevelopment Summit	Existing Resources	5.a. Assemble sites	Moderate/High
1.b. Storefront improvement program	Low	2.b. Center for the Arts future phases	High	3.b. Restructured fees	Moderate	4.d. Gresham Town Fair property owner outreach	Existing Resources	5.b. Public/private partnerships	Moderate/High
1.c. Street furniture	Low	2.c. New City Hall	High	3.c. Loans	Moderate	4.e. Hotel/conference center feasibility study	Low, or Existing	5.c. Provide development sites	Low, or Existing
1.d. Business retention	Low	2.d. Third Street improvements	Moderate	3.d. Grants	Low	4.f. Technical assistance	Low	5.d. Arts incubator/ magnet project	Moderate
1.e. Marketing efforts	Low	2.e. Beech Street corridor improvements	Moderate	3.e. Purchase transit easements	Low	4.g. Development facilitation	Low		
1.f. Wayfinding & signage improvements - citywide	Low	2.f. Main Avenue improvements	Moderate			4.h. Recruit large businesses/ employers	Existing Resources		
1.h. Relocate Farmers' Market	Low	2.g. Green/shared street improvements	Moderate			4.i. Promote small business and reduce vacancy rate	Low to Moderate		
		2.h. Other street improvements	Moderate			4.j. Hire staff dedicated to Downtown Development	Low		
		2.i. Gateway treatments	Moderate			4.k. Temporary funding for Main Street staff person	Low		
		2.j. Streetscape Design and Construction	Moderate						
		2.k. Main Avenue MAX station	Moderate						
		2.l. Pocket parks/plazas	Moderate						
		2.o. Upgrade MAX path	Low						
		2.p. Center for the Arts fountain	Low						
		2.q. New Library	Low						

Items in bold were identified as high priorities.

Low = less than \$1 million
Moderate = \$1 million to \$10 million
High = more than \$10 million

POTENTIAL FUNDING OPTIONS

Level of Potential Funding

HIGH	MODERATE	LOW	VARIED
1. Urban Renewal	5. Non-voter-approved capital bonds	9. Economic Improvement District (EID) - GDDA	12. Grants
2. Voter-approved capital bonds	6. Local Improvement District (LID)	10. Community Development Block Grants	13. System Development Charges
3. Serial levy	7. Metro Transit-Oriented Development Program	11. Reimbursement Districts	14. New Taxes
4. Revenue bonds	8. New fees		15. Increased Rates
			16. General fund
			17. Other private funds

Options in **bold** were identified as high priorities.

GRESHAM CITY COUNCIL

AGENDA ITEM TYPE: GUIDANCE AND POLICY DIRECTION



Development Code Improvement Project

Meeting Date: October 13, 2009
Service Area: Urban Design & Planning

Agenda Item Number: 5
Service Area Manager: Mike Abbaté

REQUESTED COUNCIL ACTION

Discuss and provide feedback and direction on the 2009 Development Code Improvement Project (DCIP) issues for 2009 that have been addressed to date and the code amendment approaches that are recommended for dealing with them.

PUBLIC PURPOSE AND COMMUNITY OUTCOME

This project is part of the 2009 Council Work Plan. It is a follow-up to the 2008 DCIP which recommended and adopted a number of Development Code amendments. The purpose of this project is to improve the effectiveness of the Development Code, reduce uncertainty, and increase consistent interpretations and applications of the code.

BACKGROUND

Staff has begun work on the following topics of the 2009 DCIP:

- Land division article updates
- Child care facility updates required by changes to State child care regulations
- Plan Map amendment updates
- Additions to structures with a non-conforming Floor to Area Ratio (FAR)
- Temporary uses
- Big box retail ordinance research
- Domestic poultry

Staff has already discussed the temporary use topic with Council and will discuss the big box retail topic at the October 13 Meeting as a separate agenda item. Domestic poultry will be discussed at a Council hearing October 20th.

At this time, Urban Design and Planning would like to discuss recommended updates regarding the land division article, child care facilities, Plan Map amendments, and non-conforming Floor to Area Ratios. These topics have been discussed with the Planning Commission in recent work sessions.

What follows is a summary for each of the topics that includes background information, a description of the relevant issues that have been identified and recommended approaches for drafting code amendments that will address the issues.

1. Land Division Article Update

Background: The land division article of the code primarily regulates three actions:

- *Partitioning or Subdividing Land.* One divides land either through the subdivision or partition process. A partition creates two or three parcels and a subdivision creates four or more lots. Both are processed under the Type II and Type I permit procedures. The City first approves a tentative or preliminary plan with a written decision that includes conditions of approval (Type II procedure) and then approves a final plat conforming to the tentative plan and conditions (Type 1 procedure). The plat is then reviewed by the County surveyor and recorded with Multnomah County.
- *Creating Condominium Ownership.* A condominium is a structure containing one or more units where each unit is privately owned but the underlying land is in common ownership through a homeowners association. Condominium ownership can be new development and proposed as part of a residential project undergoing design review or it can be the conversion of an existing apartment development to condominium ownership. These are processed under the Type II permit procedure.
- *Adjusting Lot Lines and Consolidating Lots.* A lot line adjustment relocates a property line. A lot consolidation occurs when two or more lots are combined into one lot. Both are processed under the Type I permit procedure.

Issues & Recommendations: The following issues and recommendations have been discussed with the Planning Commission:

A. Condominium Plats

Issue: Should new condominium developments, processed as Type II design review permits, require City approval of their final plats?

The Community Development Code (Section 6.0020) requires City review of all condominium plats under the Type II permit procedure. Staff has questioned the need to process condominium plats for new condominium developments that have already undergone design review.

The main concern about condominium ownership is the design and location of common facilities such as open spaces and parking areas, and the provision of public facilities. In the case of new developments, these features are reviewed against applicable standards as part of the site design review process. After design review, review of the plat is not necessary. Nor does State law require the City to review condominium plats.

There is a need to continue to review condominium plats for converting apartments into condominium ownership as required by code. It is important to ensure that individually owned units meet public facility standards such as those relating to local utility services.

Recommendation: *Draft code amendments that do not require the City to review plats for new condominium projects that have undergone design review. Planning Commission concurs with this recommendation and also recommends that our regulations specifically allow commercial and industrial developments to convert to condominium ownership.*

B. Lot Line Adjustments

Issue: It is necessary to ensure that the City is able to require utility easements for properties undergoing a lot line adjustment.

The Development Code exempts lot line adjustments from a number of code sections, including the public facilities standards. There have been instances where lot lines were relocated that resulted in water or sewer lines being on a different property than they

served. The City currently does not have the authority to require the lot line adjustment applicant to record easements for such utility lines which convey a legal right for the neighboring property to continue to use them. Stating that the City has the authority to require utility easements would address this need.

Recommendation: Draft code amendments to allow the City to require utility easements for lot line adjustments. The Planning Commission concurs with this recommendation.

C. Lot Consolidations

Issue: Code requirements for lot consolidations need to be consistent with State law.

The City reviews lot consolidations to ensure that the minimum density requirements of the applicable plan district will be met. Gresham code requires a “final survey map and legal descriptions” to be submitted as the final step in the process, before they are recorded with the County. The County Surveyor has informed us that in most situations a “replat” of the original subdivision or partition is required for a consolidation and not a survey map. This code section therefore needs to be rewritten to be consistent with the terminology and requirements of State law.

Recommendation: Draft code amendments to make the lot consolidation requirements consistent with State law. The Planning Commission concurs with this recommendation.

2. Child Care Facilities Update

Background: Child care facilities are among the community service uses allowed by the Development Code. They are licensed and regulated by the Oregon Child Care Division and subject to applicable State law. They are located in single family dwellings and provide day care services. They are allowed as a Type III Community Service Use which requires a public hearing. There are two types:

- A child care facility that is *operated by a person who does not reside in the home* where the care is given, currently limited to no more than 12 children.
- A child care facility *operated by a person who resides in the home* where the care is given. The code allows such facilities to serve 13 or more children when approved as a Type III community service use. Facilities serving 12 or less children do not require a community service permit but must still meet other applicable City regulations (building code, business license, etc.) and State requirements.

Issue: References to 12 children is not consistent with State law.

The code limitation of no more than 12 children for a child care facility reflects an older State limitation for such facilities. In 2005, the State legislature approved a law (House Bill 2999) that increased the maximum number of children from 12 to 16. Therefore, current code is not consistent with State law.

Recommendation: Code amendments should be drafted addressing the number of children allowed in child care facilities in order to be consistent with State law. The Planning Commission concurs with this recommendation.

3. Community Development Plan Map Amendments Update

Background: A Plan Map Amendment (PMA) changes the land use designation of a property or group of properties from one designation to another, usually to allow a more intensive use. An example would be a PMA proposing that the land use district applying to a property be changed from Low Density Residential (LDR-5), allowing detached single family housing, to Moderate Density Residential (MDR-12), allowing attached housing and a higher density. PMAs require public hearings before the Planning Commission and the City

Council. There are two PMA types. A Type IV PMA is initiated by the City and affects a large area with multiple ownerships. A Type III PMA can be initiated by either the City or an applicant and affects one property or a small group of properties.

- A. Issue: The Community Development Plan has a policy allowing PMAs to be conditioned to require a specific use. There needs to be code language that implements this policy.

Volume 2 (Policies) of the Community Development Plan has a policy that directs the City to allow, as an option, the City to condition a PMA so that it allows only the use proposed by a design review application (or similar permit) that is being processed with the PMA. The level of specificity would be up to the City.

This provision could be utilized to ensure a PMA meets an applicable approval criterion. For example, when a PMA is currently evaluated for traffic impact, the City must assume that a site will be developed with the most intense use listed in the proposed district that would generate the most traffic. This may result in a finding that the PMA would cause a nearby intersection to fail without a substantial amount of improvements that may be inordinately expensive or not practical. This could mean that the PMA would not meet the criteria about a PMA “not negatively impacting existing or planned public facilities”. However, the applicant may be proposing a use that would generate less traffic than the most intense use allowed and that would not cause an adverse impact on the intersection. Allowing the City to condition the PMA to the proposed use would enable it to make a finding that it meets the public facilities criterion because there would be an assurance that only the proposed use will be allowed.

Recommendation: Draft code amendments that will implement the policy direction of the Community Development Plan and allow PMAs to be conditioned to require a particular use when that use is proposed in a concurrent application. The Planning Commission concurs with this recommendation. They also recommend that use conditioned PMAs have a time limit for applicants to develop an approved use on a site and that a simple option be included for the concurrent application.

- B. Issue: The Type III PMA approval criteria need to be amended to remove ambiguity concerning “vicinity”. Criteria c.ii states that an applicant must demonstrate that:

“The site is suitable for the proposed designation and there is a lack of appropriately designated alternative sites within the vicinity. The size of the vicinity will be determined on a case-by-case basis since the impacts of a proposed land use designation and its potential uses vary. The factors to be used in determining suitability are parcel size and location.”

The purpose of this criterion is to establish a public need for a PMA. If there are no available developable sites of comparable size that are already zoned with a land use district that would allow the use proposed by the applicant, then rezoning additional land to the district may be appropriate. This requirement helps to fully utilize existing appropriately designated areas. However, staff and applicants find it difficult to determine what should be the appropriate size of the vicinity surrounding a property. There is no direction in the code about how large the vicinity should be. The criteria states the vicinity should be determined on a “case by case basis” and is dependent on the proposed land use district and the uses it allows. One possible alternative that would be clearer is to change “vicinity” to “City”. Another alternative would be to define “vicinity” and provide better guidance on how to determine its size. More analysis is needed to determine what would be the most appropriate way of addressing this issue.

Recommendation: Draft code amendments that address this issue. The Planning Commission concurs with this recommendation. They also recommend the approach of defining “vicinity” by referencing a certain distance from a site or having it be a specific geographic area containing the site.

- C. Issue: The Type III PMA approval criteria need to be amended to correct references.

The criteria incorrectly reference the Community Development Code in regard to applicable plan policies and implementation strategies. Plan policies and implementation strategies are found in Volume 2 of the Community Development Plan and not in the Development Code. Also, the reference to “locational criteria” needs to be changed to “Land Use District (or sub-district) Characteristics”.

Recommendation: *Draft code amendments that correct the references. The Planning Commission concurs with this recommendation.*

4. Non-Conforming Development & Floor Area Ratio (FAR) Requirements

Background: A non-conforming development is an element associated with the use of a property which was permitted in the district when the development was first established but which does not conform to current development standards. The code has extensive requirements regarding non-conforming uses and development, including those for expanding non-conforming development.

Land use districts found in Civic Neighborhood, Downtown and Rockwood have FAR requirements. An FAR requires a certain amount of building floor area for every square footage of site area. For example, an FAR of 2:1 means that a building must have at least two square feet of building floor area for every one square foot of site area.

Issue: There is no guidance in the code for how to apply FAR requirements to proposed expansions of non-conforming development when the proposed expansion would result in an FAR less than the minimum required FAR.

The code does not address how expansions of non-conforming development should address FAR requirements. This has been an issue particularly in Downtown, where there are many older buildings that were constructed before the FAR requirements were established in 1995. Many buildings do not meet the minimum requirement.

However, meeting the full requirement could present a hardship to property owners, often not allowing small additions and requiring the entire building to be replaced with a larger building. For example, an existing building may have an FAR of .25 that is below a district’s minimum FAR of 1:1. The owner may want to construct an addition that would result in the building increasing the FAR to .5:1 but still not meeting the 1:1 minimum for new development. Because there is no exemption from the FAR requirement for additions to non-conforming development or other guidance, as in the case of other standards, the City may not be able to approve the addition.

Hillsboro allows an addition to a non-conforming development in station centers if the addition would result in the entire building having a greater FAR than what currently exists and if the addition would not prevent further development on the site. This approach allows non-conforming developments to expand over time and achieve greater conformity with the FAR standard.

Recommendation: *Code amendments should be drafted addressing how expansions of non-conforming developments should be treated relative to FAR requirements. The Planning Commission concurs with this recommendation. They also recommend that a size cap be placed on additions that would fall under this amendment to prevent non-conforming new buildings, and that an architectural design upgrade requirement be considered for the front façade.*

RECOMMENDATION AND ALTERNATIVES

Recommendation:

Staff recommends that Council direct staff to proceed with the project as outlined in the above issues/recommendations discussion.

Alternatives:

1. Modify the above recommended approaches to project issues.
 2. Pursue other approaches as directed by Council.
 3. Do not proceed with the CIP issues presented in the staff report.
-

BUDGET / FINANCIAL IMPACT

Costs associated with this project are included in the FY09/10 budget.

PUBLIC INVOLVEMENT

The public involvement efforts for the 2009 DCIP continue the efforts of the 2008 DCIP. This includes work sessions with the Planning Commission, meetings with the neighborhood Coalition and Development Group, outreach through Ask Gresham and news items in the City newsletters.

NEXT STEPS

Staff will be presenting at the December 8th Council meeting, and will provide information relating to two additional topics of the 2009 DCIP: an assessment of the Community Service Uses section and treatment of alternative energy systems. If directed to proceed, staff will develop Code amendments that will come to a Planning Commission hearing on February 8, 2010 and a City Council hearing on March 16, 2010.

ATTACHMENTS (None)

FROM:

Mike Abbaté, Urban Design & Planning Director
Jonathan Harker, Comprehensive Planning Manager
John Pettis, Associate Comprehensive Planner

REVIEWED THROUGH:

Rick Faus, City Attorney's Office
Dave Rouse, Environmental Services Director
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GRESHAM CITY COUNCIL

AGENDA ITEM TYPE: GUIDANCE AND POLICY DIRECTION



Development Code Improvement Project: Big Box Retail

Meeting Date: October 13, 2009
Service Area: Urban Design & Planning

Agenda Item Number: 6
Service Area Manager: Mike Abbaté

REQUESTED COUNCIL ACTION

Staff seeks Council feedback and direction on whether a project that would result in Community Development Code amendments to regulate big box retail, 100,000 square feet or larger, should be considered for a future Council Work Plan.

PUBLIC PURPOSE AND COMMUNITY OUTCOME

Some cities in Oregon and in the country have taken action to limit or manage “big box” retail development. The current Gresham Development Plan policies and Code do not distinguish or regulate these uses separately from other commercial land uses. The purpose of this presentation is to examine the issues related to big box retail, their applicability to Gresham and to seek direction from Council. A community outcome could be a Comprehensive Plan Amendment (CPA) project that addresses the applicable issues by recommending new development code standards.

BACKGROUND

The City’s concern about big box retail development began in 2005 when a Wal-Mart Super Center store was proposed near Powell Boulevard and 181st Avenue. Although the City denied the proposal based on traffic impacts, the Council subsequently reviewed a staff memo that discussed big box retail regulatory and policy issues. At the time Metro had indicated that they were going to do a regional study on big box retail in which Gresham would participate. However, Metro later decided not to pursue the study.

Council has requested more information about the impacts of big box retail and how other jurisdictions have dealt with them. Providing this report is part of the 2009 Council Work Plan Development Code Improvement project.

The pace of retail development in the nation has slowed and this trend is expected to continue in the foreseeable future. Many economists believe the nation is “over retailed”, that there are too many stores given the amount of money consumers can spend. Households are expected to spend less as they pay off debt and increase savings. This should result in less demand for retail development in the coming years.

What follows is a description of each issue, a summary of how jurisdictions have dealt with the issue and its applicability to Gresham. Attachment A has sample provisions from other jurisdictions on key issues as well as how the Gresham Community Development Code currently addresses the issue. Attachment B shows potential sites for future big box retail stores. Attachment C is a copy of the City of the Fort Collins, Colorado big box retail ordinance, which has become a national model.

ISSUES & APPLICABILITY TO GRESHAM

1. Issue: Defining Big Box Retail

The retail industry classifies big box retail as: general merchandise stores, up to 260,000 sq. ft. (e.g. Wal-Mart); specialized product stores, up to 120,000 sq. ft. (e.g. Best Buy); factory outlets, up to 180,000 sq. ft. (e.g. Burlington Coat Factory) and warehouse clubs, up to 160,000 sq. ft. (e.g. Costco). However, staff research finds that jurisdictions that regulate big box retail define them more generally and as having a minimum building size that varies from 25,000 sq. ft. to 100,000 sq. ft. or greater. Fort Collins defines a “*large retail establishment*” as “a retail establishment, or any combination of retail establishments in a single building or in separate but abutting buildings, or a movie theatre, or an indoor recreational use, occupying more than 25,000 gross square feet of floor area”.

Applicability to Gresham. The development code does not have a definition for big box retail development. The City would need to define big box retail if such development were to be regulated separately from other commercial uses.

2. Issue: Limiting Commercial Building Size

Some jurisdictions limit commercial building size as a means of preventing larger scale stores (e.g. super centers) they consider to be incompatible with their neighborhoods. Most caps tend to be at approximately 100,000 sq. ft. of floor area.

Applicability to Gresham. This is not seen as an issue for Gresham. Gresham has building size limitations for three of its five commercial districts that are outside centers. Three of the districts have limits of 40,000 sq. ft. or less. General Commercial (GC) and Community Commercial (CC) do not have limits. Since there is very little GC zoned land, CC is essentially the only district without a limit.

Staff has analyzed the CC district and there are only three sites that are large enough, (at least 8 acres) to accommodate a one story store of 100,000 sq. ft. or more and parking. All three would need to be redeveloped since they have existing commercial buildings. A fourth site (PGE property) was identified within the Downtown Plan district, however FAR requirements would require a two story building in order to accommodate the amount of parking that is typical of big box retail. All four sites are shown on Attachment B.

3. Issue: Design

Big box retail development, particularly large buildings (100,000 sq. ft. +), can present challenges for integrating them into nearby neighborhoods and being compatible with a community’s aesthetic values. Major design issues and approaches are:

A. *Site Design:*

- Orient building to street. One of the key ways of making big box retail stores relate better to the pedestrian environment of nearby streets and other commercial buildings is to require the building to be located closer to the street and to require at least one building entrance to face and be connected to the public sidewalk.
- Screen utilities and loading/storage areas. Loading docks, outside storage areas, waste collection facilities and roof top HVAC systems should be screened so they are not visible from the street and adjoining properties. Buffering loading docks from adjacent residential properties is especially important because of truck engine noise and nighttime lights. Some jurisdictions have required brick or

masonry walls next to loading docks for this purpose.

- Reduce visual impact of parking lot from street. Limits have been put on the total number of parking spaces and the amount of parking to be located between the building and the street. In addition, there are requirements for parking areas to be broken up into sections divided by features such as parts of the building, landscaping, internal sidewalks and natural features. Almost all jurisdictions require landscaped islands with trees between parking rows and perimeter landscaping.
- Utilize Crime Prevention Through Environmental Design (CPTED) Strategies. The built environment affects public safety. How buildings and sites are designed can reduce criminal behavior and encourage people to keep an eye on the street. Crime Prevention through Environmental Design (CPTED) provides principles and strategies for reducing crime through design modifications. CPTED strategies applicable to site design include: natural surveillance, natural access control, and territorial reinforcement.

Applicability to Gresham. Gresham already has standards in its development code that address most of the site design issues. These are:

- Building Orientation. The Transit Street Design Standards apply to sites along most arterial streets and to corridor districts. They require non-residential buildings to be primarily oriented to (facing) the street, rather than a parking lot, and to have an architecturally emphasized main entrance facing the street.
- Parking Lot Design. Gresham has extensive requirements for parking lots. Parking lots must be located along the sides and/or in the back of buildings, not between the building and the street. A parking lot cannot occupy more than 50% of a site's street frontage. Parking areas must be divided into clusters, not exceeding 50 spaces, separated by landscaping or buildings. Landscaping is required for both the interior of a parking lot and along the perimeter, and sidewalk connections must be made to the building entrance. Also, there is a cap on the maximum number of parking spaces that can be provided, based on the use.
- Screening & Buffering. The design review requirements for commercial development require screening of commercial rooftop HVAC units, waste/recycling facilities and storage areas. There are no requirements for screening and buffering truck loading areas or parking lots from residential uses. However the code does have screening/buffering standards that require a 20 ft. wide landscaped buffer and a 6 ft. high fence between a commercial use and residential uses. A larger buffer, 40 ft. wide with a 6-8 ft. high masonry wall, is required between industrial and residential uses. It may be appropriate to require the latter buffer for larger retail stores that abut to residential.
- CPTED Strategies. The Transit Street Design Standards implement some of the CPTED strategies. For example, at least 20% of a building wall facing the street must be covered by windows and the entry. This helps to increase the opportunity for natural surveillance of outside areas or "eyes on the street". Additional standards could be added to address the other strategies.

B. *Building Design.* Big box retail buildings can look like large featureless boxes that reflect a standard corporate design that is used elsewhere in the nation unless more is required. In reaction, jurisdictions have developed standards that require better architectural quality. The following building features are addressed:

- Wall projections/recesses. The front façade (wall) should have projections or recesses instead of a flat wall in order to provide visual interest. In addition, they can be used to emphasize parts of the building such as the main entry.
- Windows/entries. Windows, entries and awnings break up the front façade of buildings, provide a pedestrian friendly environment and prevent having a large blank wall face the street. Jurisdictions require a certain percentage of the front façade to have windows, awnings and entry areas.
- Roof design. Requiring variations in the roof line of big box retail buildings is another way of providing visual interest and avoids having one large flat roof visible from the street.
- Materials. Many big box stores use concrete blocks or tilt-up concrete panels for building walls. Some jurisdictions require a certain percentage of the building exterior to include higher grade materials such as brick, rock, stone, tile, and/or tinted and textured concrete masonry units.

Applicability to Gresham. Currently, there are no design standards for commercial buildings in corridor districts. Gresham only has the above window/entry area requirements. There are no architectural standards that address having minimum recesses or projections for front facades, requiring variations in the roof line and having a certain percentage of high quality building materials. Also there is no Design Commission review of buildings outside of Downtown. It is important that the appearance of commercial buildings reflect Gresham's community values rather than a standard corporate design. Architectural design standards addressing these features could be added to the commercial design review requirements. The current Rockwood Urban Design Standards project will include developing design standards for commercial buildings and a two track design review process. It may serve as a template for regulating building design along arterial corridors. Such a project could be done for the Corridor Design Districts.

4. Issue: Stormwater Management.

Big box retail increase stormwater run-off because they have extensive impervious surface areas of parking lots and building roofs. Stormwater drains directly from streets and parking lots into the nearest stream. Without treatment, pollutants can seriously impair the water quality of streams.

Applicability to Gresham. Gresham already addresses this issue. Gresham has stormwater management standards that require new development that will have 1,000 square feet of impervious surface area or more to treat stormwater runoff before it is released off-site. These standards offer developers the option of using low-impact approaches (instead of mechanical devices) such as constructing rain gardens, stormwater planters and porous pavement to filter run-off.

5. Issue: Economic Impact Study:

Some states and local jurisdictions require applications for big box retail to include an economic impact study that addresses economic and fiscal impacts. Particularly, how they will impact local wages, employment levels, existing retail stores and the fiscal health of the local jurisdiction. Jurisdictions that have adopted such ordinances tend to be smaller towns with well established downtowns and in states with a sales tax which exempts groceries. Loss of sales tax revenue is an important issue for these states because some big box retail stores, such as super centers, have large grocery departments. An Oregon bill that would have made economic impact studies an optional tool for jurisdictions to use for evaluating stores over 100,000 square feet was introduced in two legislative sessions (2007 & 2009) but failed to move out of committee both times.

Applicability to Gresham. An economic consultant would have to be hired to review an economic impact study and make a recommendation about whether a big box proposal would have an adverse impact on the local economy. Developing criteria approaching the “clear and objective” nature of the development code standards would be very problematic. Gresham does not have a sales tax and Oregon’s unique property tax system would make evaluating local fiscal impact challenging. Gresham is also surrounded by other cities that could capture a big box store that was denied by Gresham and which could still affect the local economy. Therefore an economic impact study is not recommended as a tool for Gresham. This could be reconsidered if the State adopts a law addressing such studies for big box retail.

6. Issue: Traffic Impact Study:

Large big box retail stores can generate large volumes of traffic. Transportation planners use the Institute of Transportation Engineers (ITE) report, *Trip Generation Manual*, for estimating the amount of traffic that will be generated by a particular land use. A traffic impact study is used to evaluate impacts on the street system.

Applicability to Gresham. Gresham already addresses this issue. Like most jurisdictions, Gresham requires a traffic impact study. The developer must hire a traffic engineer to develop the study. The report must identify the projected traffic volumes on the nearby streets/intersections, recommend mitigation measures to correct projected conditions that fall below the jurisdiction’s acceptable traffic level standard(s) for intersections and show how the applicant will make the recommended improvements.

7. Issue: Vacant Stores:

Vacant big box retail stores can have a negative impact on a community’s landscape as well as on adjacent businesses. Buildings and empty parking lots are not only unsightly; they also become targets for graffiti, vandals and other criminal activity. This has mainly been a problem for eastern states that have many older stores. To deal with this issue they have adopted “white elephant” ordinances requiring a cash deposit or bond to cover demolition of a proposed store if it is later abandoned and/or a plan showing how it can be reused for other uses.

Applicability to Gresham. This has not been a significant issue for Gresham. As can be seen on Attachment B, there are only a relatively small number of sites where future big box retail stores (100,000 sq. ft. +) could locate. Also, because cities in Oregon must have an Urban Growth Boundary, big box retailers cannot abandon older stores in developed urban areas and build new stores in outlying rural areas, as they have done elsewhere in the nation. Therefore, the potential for vacant stores is limited.

RECOMMENDATION AND ALTERNATIVES

Recommendation:

Taking into consideration the small number of potential big box retail sites and a decreasing demand for retail development, staff recommends that Council not initiate a Comprehensive Plan Amendment project addressing big box retail. Site and building design issues could be addressed in a future project that would establish design standards for the Corridor Design Districts.

Alternatives:

1. Initiate a Comprehensive Plan Amendment project to develop design standards, principles and guidelines and a two track process for all types of commercial development in the Corridor Design Districts.
 2. Initiate a Comprehensive Plan project to develop regulations specific to big box retail.
-

BUDGET / FINANCIAL IMPACT

Costs associated with this project are included in the FY09/10 budget.

PUBLIC INVOLVEMENT

If a big box retail commercial development CPA project were to be placed on a future Council Work Plan, staff would develop a public participation plan.

NEXT STEPS

Staff will proceed with Council direction on this issue.

ATTACHMENTS

- A Sample Jurisdictional Big Box Retail Provisions
 - B Potential Big Box Retail Sites in Gresham
 - C City of Fort Collins, CO Large Retail Design Standards
-

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ATTACHMENT A

SAMPLE JURISDICTIONAL BIG BOX RETAIL PROVISIONS

<u>Issue</u>	<u>Approach by Other Jurisdictions</u>	<u>Gresham</u>
<p><i>Limiting Building Size</i></p>	<p>Powell, Ohio has a size cap of 65,000 sq. ft. of useable floor area in one building and allows up to 35,000 square feet per building tenant.</p> <p>Arroyo Grande, California limits stores to 105,000 sq. ft. and up to 3% of the floor area can be devoted to groceries.</p> <p>Santa Maria, California limits stores to 90,000 sq. ft. with up to 8% devoted to groceries.</p> <p>Turlock, California limits stores to 100,000 sq. ft. with up to 5% for grocery sales.</p> <p>Oakland, California prohibits any stores over 100,000 sq. ft. that devote more than 10% of their merchandise to non-taxable (sales tax) items such as groceries.</p> <p>Hamden, Connecticut and Minneapolis, Minnesota, require a conditional use permit and design review with a public hearing for big box retail over a certain size.</p>	<p>Gresham limits the floor area of commercial buildings in three of its eight districts where commercial uses are allowed, outside of centers. These districts are:</p> <ul style="list-style-type: none"> • Moderate Commercial – buildings limited to 40,000 sq. ft. • Corridor Mixed Use – buildings limited to 10,000 sq. ft. • Neighborhood Commercial – general retail buildings limited to 10,000 sq ft., grocery stores limited to 35,000 sq. ft. <p>These remaining commercial districts do not have floor area limits:</p> <ul style="list-style-type: none"> • General Commercial • Community Commercial
<p><i>Building & Entrance Orientation to Street</i></p>	<p>Fort Collins, Colorado and Winchester/Clark County, Kentucky require that any smaller “liner” stores associated with a big box retailer to be oriented solely to street. The big box retail component is allowed to be primarily oriented to an internal parking lot.</p>	<p>Most commercial districts in Gresham that would allow a big box scale commercial development are found along arterial streets classified as “Transit Streets”, and/or within corridor districts. Both are subject to the Transit Street design standards. These</p>

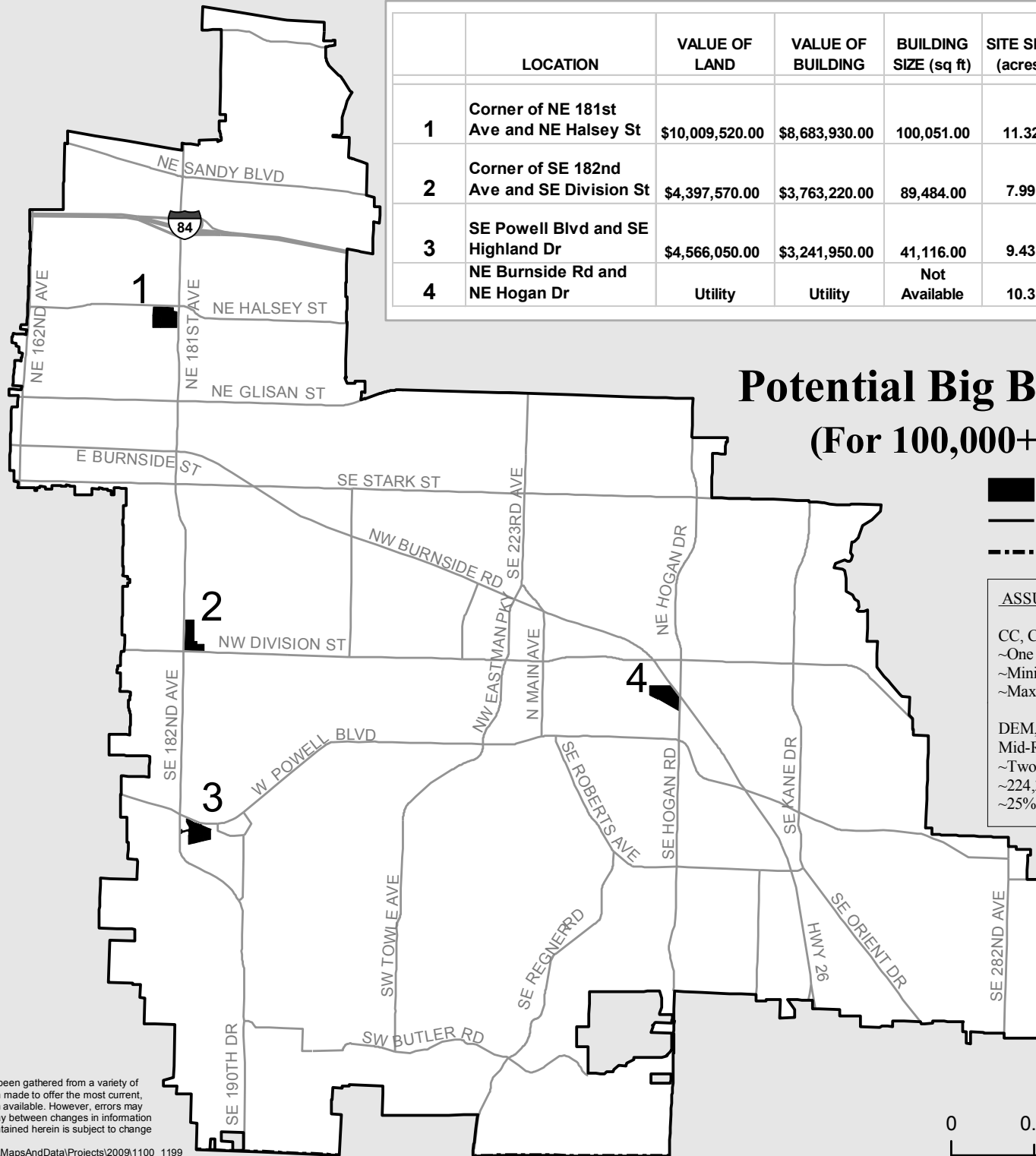
<i>Building & Entrance Orientation to Street (cont.)</i>		standards require commercial buildings to be primarily oriented to (facing) the street, rather than a parking lot, and to have a primary building entrance to be architecturally emphasized, well lighted and oriented to the street. There are no requirements specific to ancillary "liner" stores.
<i>Parking Lot Distribution & Orientation</i>	Fort Collins allows no more than 50% of the parking area to be located between the building and the adjacent primary street. Paso County, Florida requires big box retail parking lots to be divided into groups of no more than 100 spaces (150 spaces for uses requiring 501 or more spaces), with at least 10% of the spaces put along the sides of the building. The groups must be separated from one another by landscaping, natural features or parts of the building.	Along Transit Streets and in corridor districts in Gresham, commercial parking lots must be located along the sides and to the rear of buildings, not between the building and the street. A parking lot cannot occupy more than 50% of the site street frontage. Parking areas must be divided into clusters, not exceeding 50 spaces, with the clusters separated from one another with landscaping or buildings.
<i>Screening of Loading Dock & Truck Bays</i>	Albuquerque, New Mexico requires big box retail truck bays to be setback at least 40 ft. from a residential property line, with at least a 15 wide landscaped buffer (with evergreen trees, etc.) provided along the property line and then a 6 ft. high masonry wall. Another 8 ft. high masonry wall is required to screen the loading dock itself. Also, trucks are not allowed to idle between 10:00 p.m. and 6:30 a.m. when within 300 ft. of a residential property.	Gresham has no screening requirements for loading docks and truck bays.
<i>Providing Outdoor Public Amenities</i>	Fort Collins requires big box retail development with over 100,000 sq. ft. of floor area to provide at least two amenities from a list that has amenities such as a patio seating area, water feature, clock tower outdoor play area and a pedestrian plaza with benches.	Gresham has no requirements for commercial development to provide outdoor public amenities.
<i>Wall Projections & Recesses</i>	Fort Collins and Talent, OR require big box retail front facades of more than 100 ft. to incorporate projection or recesses. They must have a depth equal to at least 3% of the façade length and extending at least 20% of the length of the façade. No façade length is allowed to exceed 100 ft. without having a projection or recess.	Outside of Downtown, Gresham has no requirements for commercial buildings to have projections or recesses in their front facades.

<i>Windows & Entries</i>	<p>Fort Collins and Delaware Ohio require that at least 60% of a front façade to have windows, awnings and entry areas.</p> <p>San Diego, California requires that windows cover at least 25% of the front façade of big box retail.</p>	<p>Gresham requires commercial buildings along Transit Streets and in corridor districts to have at least 20% of the ground floor front façade to be occupied by windows, and/or entries. Darkly tinted and mirrored windows are prohibited in order to provide two-way visibility.</p>
<i>Roof Design</i>	<p>Fort Collins and McMinnville OR require big box retail to have at least two of the following three roof features: parapets concealing a flat roof and HVAC units; overhanging eaves that project at least 3 ft. from the front façade; sloped roofs with at least 1 ft. of vertical rise per 3 ft. of horizontal run; and three or more roof planes.</p>	<p>Outside of Downtown, Gresham has no requirements for roof design of commercial buildings.</p>
<i>Exterior Building Materials & Color</i>	<p>McMinnville OR requires that at least 75% of exterior building materials include one or more of the following materials: brick, rock, stone, tile, and/or tinted and textured concrete masonry units, or other material as approved by the planning director. The remaining 25% of the building exterior may include smooth faced concrete masonry units, metal siding or smooth-faced tilt-up concrete panels, but only when found by the planning director to meet the design goals and standards of the ordinance.</p> <p>Fort Collins allows low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.</p>	<p>Outside of Downtown (materials only), Gresham has no requirements regarding exterior materials and color for commercial buildings.</p>
<i>Parking Lot Design</i>	<p>Fort Collins limits the number of parking spaces to no more than 125% of the minimum amount required by the off-street parking standards.</p> <p>Moline, Illinois requires that big box parking areas be divided into “pods” with each pod having a maximum of 100 spaces. Large landscaped islands of at least 400 sq. ft. each are required at the end of all parking aisles and for every 20 parking spaces in a parking aisle.</p>	<p>Gresham’s parking standards require the following:</p> <ul style="list-style-type: none"> • There are minimum as well as maximum requirements regarding the number of parking spaces allowed for commercial uses. • In regard to the landscaping of parking lots, a minimum 5 ft. wide landscaped perimeter strip is required between the

<p><i>Parking Lot Design (cont.)</i></p>	<p>Toledo, Ohio also requires the parking to be divided up into sections with each section having no more than 200 spaces. Sections are to be separated by landscaping, access drives or public streets, interior sidewalks or the building.</p>	<p>parking lot and the street. At least 10% of the parking lot must be landscaped with raised planter islands (180 sq. ft. minimum). The islands must include trees so that on average there is one tree per nine parking spaces.</p> <ul style="list-style-type: none"> • A minimum 5 ft. wide raised sidewalk is required to go through a parking area of 50 or more spaces and connect to a sidewalk in front of the building. • Along Transit Streets and in corridor districts parking areas must be divided into clusters, not exceeding 50 spaces, with the clusters separated from one another with landscaping or buildings.
<p><i>Stormwater Management</i></p>	<p>The King County Department of Natural Resources in its 2007 publication, <i>Model Low Impact Development Strategies for Big Box Stores</i>, recommends the following strategies to reduce the impact of stormwater run-off:</p> <ul style="list-style-type: none"> • <i>Preserve Native Vegetation.</i> Retaining some areas of native vegetation, especially trees, reduces runoff as well as soil disturbance during construction. • <i>Reduce Impervious Surface Coverage.</i> Using multi-story instead of one-story buildings, using structured or underground parking, sharing existing parking spaces of adjacent uses, and capping the amount of overall parking are examples of employing this strategy. • <i>Use Pervious Surfaces Instead of Impervious Surfaces.</i> Permeable materials allow water to penetrate and drain into the underlying soil. Examples include porous asphalt and concrete, concrete unit pavers, reinforced soil/grass and confined gravel grid systems. • <i>Use Bio-retention Facilities.</i> These are vegetated water collection areas such as rain gardens and bio-filtration swales 	<p>Gresham developed and adopted low-impact development standards (addressing rain gardens, stormwater planters, porous pavement, and tree planting credits) in July 2007 with the "Green Development Practices for Stormwater Management Manual". All new developments in the Pleasant Valley and Springwater Plan Districts are required to use Green Development Practices to manage stormwater on-site. Development in the existing city has the option of using Green Development Practices to meet stormwater management requirements.</p>

<p><i>Stormwater Management (cont.)</i></p>	<p>that convey, treat and control run-off. They are typically incorporated into the landscaping features such as parking lot planter strips and perimeter landscaping. Vegetated or “green roofs” could also be used to capture and filter rain water.</p> <ul style="list-style-type: none"> • <i>Harvest Rainwater.</i> Big box stores use thousands of gallons of water per day. For example, king County found that a typical Costco store uses about 5,500 gallons of water per day. Roof top systems can be used for collecting rainwater that would otherwise drain off the roof and into streams. it can be stored under the building or parking lot. The water can then be used to irrigate landscaped areas, water plants in the garden center, for washing, flushing toilets and for drinking if treated. 	
<p><i>Economic Impact Study</i></p>	<p>Maine and Vermont require big box retail to address economic and fiscal impacts relative to wages, employment, existing stores and fiscal health of local jurisdiction. The studies follow these general steps:</p> <ol style="list-style-type: none"> 1. The analyst identifies the lines of goods to be offered by the big box retailer. Large discount stores offer tens of thousands of individual products across multiple lines of goods, which may or may not add diversity to the choices available to the public. A sales forecast (in dollars) is developed for each line of goods and an estimate is made of the jobs and wages associated with the forecast. 2. The analyst characterizes the existing local retail activity and conditions. This includes a determination of the extent of the retail market area for the proposed store, quantifying both the demand for and the existing retail sales in the market area for each line of goods, estimating existing retail employment and other aspects. 3. The analyst then examines how the market area economy will respond to the big box store. The main consideration here is how much of the retailer’s projected sales will be drawn from existing merchants and how much will be new to the locality. Analysts often develop this forecast into a range, reflecting the 	<p>Gresham does not require an economic Impact study.</p>

<p><i>Economic Impact Study (cont.)</i></p>	<p>medium, or most probable scenario, as well as the high and low ends of the forecast. The low scenario forecast generates the least new sales to the locality and depends more on diverting or capturing the market from existing merchants. The high scenario generates the most new sales to the local market area and depends least on diverting sales from existing merchants. The medium scenario represents the most likely mix of new and diverted sales.</p> <p>4. Finally, the analyst projects the impact on retail employment, wages, tax revenue, municipal costs of providing services for the big box, the net fiscal impact on the jurisdiction and other factors.</p>	
<p><i>Vacant Stores</i></p>	<p>Wauwatosa, Wisconsin, put in place a requirement that big box retailers (50,000 sq. ft. +) set aside a cash deposit for demolition should one of their buildings be abandoned. The fee is equivalent to \$.20 per square feet of retail space. The property owner or operator is required, within 12 months of closure, to submit a plan for either the demolition or reuse of the building. If the owner fails to provide a plan, the city uses the funds to either remove the building or to reuse it.</p> <p>Oakdale, California has a similar requirement but requires a surety bond instead of a cash deposit.</p> <p>Los Angeles recently passed an ordinance requiring a big box with a grocery component to include as part of the application a plan for re-leasing, reusing or selling the store if it is vacated.</p>	<p>Gresham has no requirements regarding vacant commercial buildings.</p>
<p><i>Crime Prevention Through Environmental Design (CPTED)</i></p>	<p>Cities such as Orlando Florida, Durham North Carolina, Fort Wayne Indiana, and Los Angeles have guidelines (not requirements) for implementing CPTED principles for commercial and other kinds of development.</p>	<p>Gresham has no guidelines or requirements regarding CPTED principles.</p>



	LOCATION	VALUE OF LAND	VALUE OF BUILDING	BUILDING SIZE (sq ft)	SITE SIZE (acres)	CURRENT USE	CURRENT PLAN DISTRICT
1	Corner of NE 181st Ave and NE Halsey St	\$10,009,520.00	\$8,683,930.00	100,051.00	11.32	Safeway and Other Tenants	CC
2	Corner of SE 182nd Ave and SE Division St	\$4,397,570.00	\$3,763,220.00	89,484.00	7.99	Rockwood Shopping Center	CC
3	SE Powell Blvd and SE Highland Dr	\$4,566,050.00	\$3,241,950.00	41,116.00	9.43	Former QFC Site	CC
4	NE Burnside Rd and NE Hogan Dr	Utility	Utility	Not Available	10.3	PGE Service Center	DEM

Potential Big Box Retail Sites (For 100,000+ sq. ft. Store)

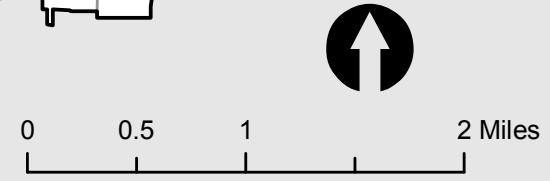
- Large Re-developable Sites
- City Limits
- County Line

ASSUMPTIONS:

CC, COMMUNITY COMMERCIAL
 ~One story store
 ~Minimum 100,000 sq. ft. floor area
 ~Maximum 30% site coverage by building

DEM, DOWNTOWN EMPLOYMENT
 Mid-Rise (PGE SITE)
 ~Two story building
 ~224,334 sq. ft floor area
 ~25% site coverage by building

DISCLAIMER AND NOTICE:
 The information on this map has been gathered from a variety of sources. Every attempt has been made to offer the most current, correct, and complete information available. However, errors may occur or there may be a time delay between changes in information and updates. The information contained herein is subject to change at any time and without notice.
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Design Standards and Guidelines for Large Retail Establishments

**DESIGN STANDARDS AND GUIDELINES
FOR LARGE RETAIL ESTABLISHMENTS**

City of Fort Collins
Community Planning and Environmental Services

*Adopted by the Council of the City of Fort Collins
January 17, 1995*

Special Thanks To:

The Citizen Advisory Committee on Superstores

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Jim Heaton
Kathy Herbener
Tom Kalert
Les Kaplan
Tom McKenna
Susan Meyer
Bob Pennock
Bill Strickfaden
Larry Stroud

***And the interested citizens who provided information
and comments during the planning process.***

City of Fort Collins

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INTRODUCTION

The City of Fort Collins adopted a moratorium on large retail developments to study the community impacts of the "superstore" phenomenon in more detail and to provide the community with clear and enforceable policies to mitigate those impacts. The moratorium provided the opportunity to review existing retail developments with community-wide or regional impacts and to set standards for future developments to ensure that future development fits with the expectations and meets the needs of the community.

These standards and guidelines are a response to dissatisfaction with corporate chain marketing strategy dictating design that is indifferent to local identity and interests. The main goal is to encourage development that contributes to Fort Collins as a unique place by reflecting its physical character and adding to it in appropriate ways.

Large retail developments depend on high visibility from major public streets. In turn, their design determines much of the character and attractiveness of major streetscapes in the city. The marketing interests of many corporations, even with strong image-making design by professional designers, can be potentially detrimental to community aspirations and sense of place when they result in massive individual developments that do not contribute to or integrate with the city in a positive way.

Fort Collins already has a development review system that promotes solutions to these general issues. The purpose of these standards and guidelines is to augment those existing criteria with more specific interpretations that apply to the design of large retail store developments.

These standards and guidelines require a basic level of architectural variety, compatible scale, pedestrian and bicycle access, and mitigation of negative impacts. The standards are by no means intended to limit creativity; it is the City's hope that they will serve as a useful tool for design professionals engaged in site specific design in context. They are placed within the framework of the Land Development Guidance System which provides for variance from the requirements if the proposal is equal to or better than the City requirements.

PROCEDURE

The following standards and guidelines are intended to be used as a design aid by developers proposing large retail developments in community regional shopping centers or as uses-by-right; and as an evaluation tool by the City staff and the Planning and Zoning Board in their review processes. These standards and guidelines apply to all projects which are processed according to the criteria for Community Regional Shopping Centers in the LAND DEVELOPMENT GUIDANCE SYSTEM as Planned Unit Developments and to all projects for retail establishments of more than 25,000 square feet as uses-by-right. "Standards" denoted by (+) are mandatory. "Guidelines" denoted by (o) are not mandatory, but are provided in order to educate planners, design consultants, developers and City staff about the design objectives. These standards and guidelines are to be used in conjunction with the All Development Criteria of the L.D.G.S.

The Planning and Zoning Board is empowered to grant variances to the mandatory (+) standards under the following circumstances:

1. The strict application of the standard would result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the owner of the affected property; or
2. The alternative site planning and building design approach meets the design objectives as stated in the standard, equally well or better than would compliance with the standard; and
3. In either of the foregoing circumstances, the variance may be granted without substantial detriment to the public good.

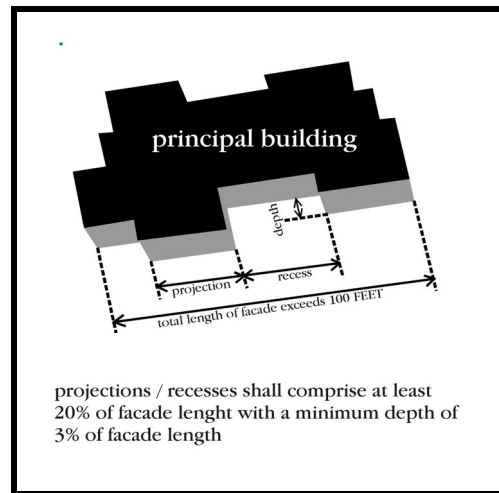
ARTICLE I. AESTHETIC CHARACTER

1. Facades and Exterior Walls

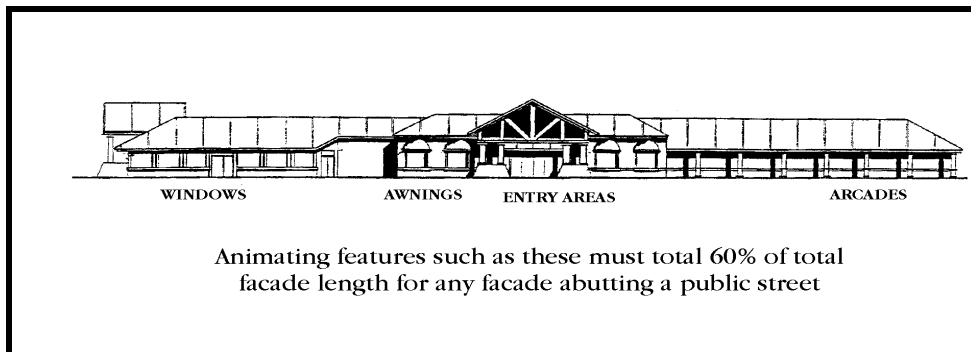
GUIDELINE: Facades should be articulated to reduce the massive scale and the uniform, impersonal appearances of large retail buildings and provide visual interest that will be consistent with the community's identity, character and scale. The intent is to encourage a more human scale that Fort Collins residents will be able to identify with their community. (o)

STANDARD: (+)

- a. Facades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the facade and extending at least 20 percent of the length of the facade. No uninterrupted length of any facade shall exceed 100 horizontal feet.



- b. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length.



2. Smaller Retail Stores

GUIDELINE: The presence of smaller retail stores gives a center a "friendlier" appearance by creating variety, breaking up large expanses, and expanding the range of the site's activities. Windows and window displays of such stores should be used to contribute to the visual interest of exterior facades. The standards presented in this section are directed toward those situations where additional, smaller stores, with separate, exterior customer entrances are located in principal buildings. (o)

STANDARD: (+)

Where principal buildings contain additional, separately owned stores which occupy less than twenty five thousand (25,000) square feet of gross floor area, with separate, exterior customer entrances:

- a. The street level facade of such stores shall be transparent between the height of three feet and eight feet above the walkway grade for no less than 60 percent of the horizontal length of the building facade of such additional stores.
- b. Windows shall be recessed and should include visually prominent sills, shutters, or other such forms of framing.

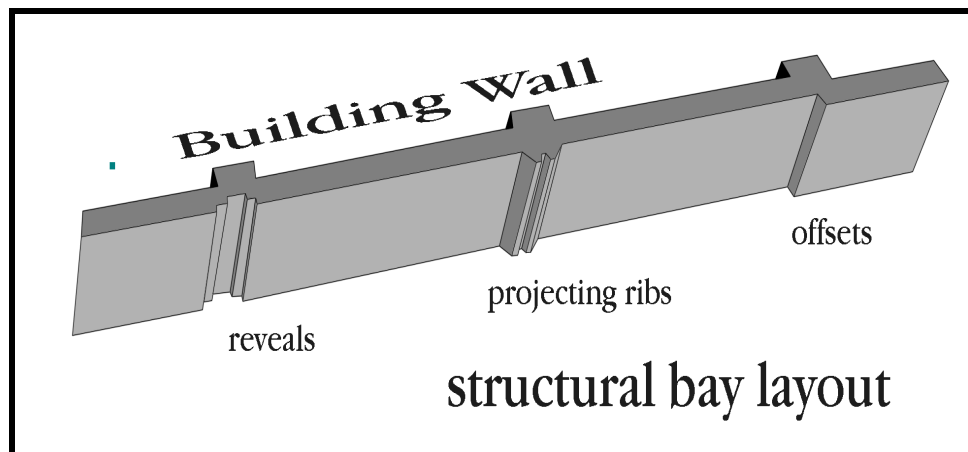
3. Detail Features

GUIDELINE: Buildings should have architectural features and patterns that provide visual interest, at the scale of the pedestrian, reduce massive aesthetic effects, and recognize local character. The elements in the following standard should be integral parts of the building fabric, and not superficially applied trim or graphics, or paint. (o)

STANDARD: (+)

Building facades must include a repeating pattern that shall include no less than three of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.

- Color change.
- Texture change.
- Material module change.
- Expression of architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib.



Expression of Architectural or Structural Bay.

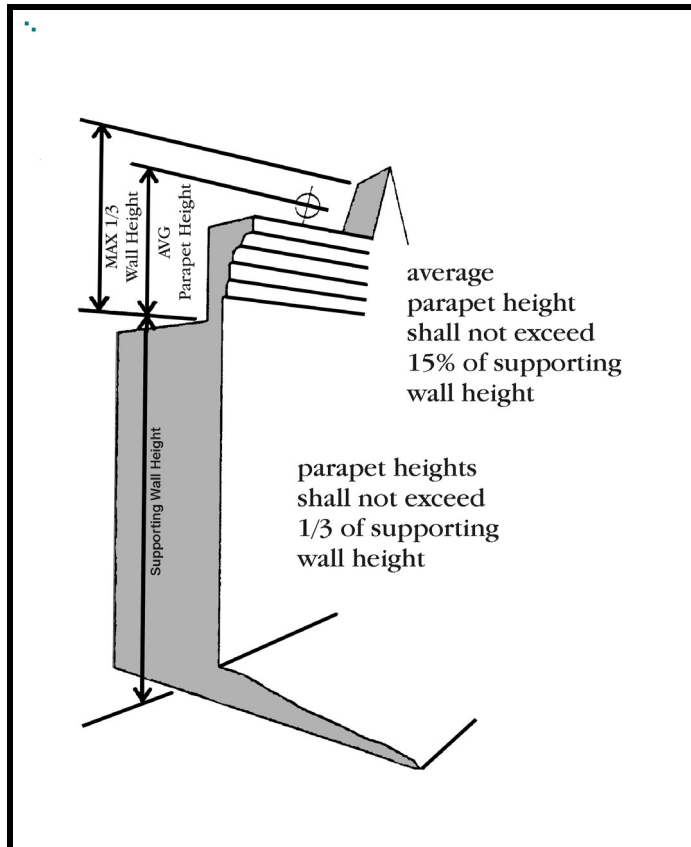
4. Roofs

GUIDELINE: Variations in roof lines should be used to add interest to, and reduce the massive scale of, large buildings. Roof features should complement the character of adjoining neighborhoods. (o)

STANDARD: (+)

Roofs shall have no less than two of the following features:

- a. Parapets concealing flat roofs and rooftop equipment such as HVAC units from public view. The average height of such parapets shall not exceed 15% of the height of the supporting wall and such parapets shall not at any point exceed one-third of the height of the supporting wall. Such parapets shall feature three dimensional cornice treatment.



Parapet Standards.

- b. Overhanging eaves, extending no less than 3 feet past the supporting walls.
- c. Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to 1 foot of vertical rise for every 3 feet of horizontal run and less than or equal to 1 foot of vertical rise for every 1 foot of horizontal run.
- d. Three or more roof slope planes.

5. Materials and Colors

GUIDELINE: Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore, they should be aesthetically pleasing and compatible with materials and colors used in adjoining neighborhoods. (o)

STANDARD: (+)

- a. Predominant exterior building materials shall be high quality materials . These include, without limitation:
 - brick
 - wood
 - sandstone
 - other native stone
 - tinted, textured, concrete masonry units
- b. Facade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.
- c. Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.
- d. Predominant exterior building materials should not include the following:
 - smooth-faced concrete block
 - tilt-up concrete panels
 - pre-fabricated steel panels

6. Entryways

GUIDELINES: Entryway design elements and variations should give orientation and aesthetically pleasing character to the building. The standards identify desirable entryway design features. (o)

STANDARD: (+)

Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no less than three of the following:

- a. canopies or porticos
- b. overhangs
- c. recesses/projections
- d. arcades
- e. raised corniced parapets over the door
- f. peaked roof forms
- g. arches
- h. outdoor patios
- i. display windows
- j. architectural details such as tile work and moldings which are integrated into the building structure and design
- k. integral planters or wing walls that incorporate landscaped areas and/or places for sitting

Where additional stores will be located in the principal building, each such store shall have at least one exterior customer entrance, which shall conform to the above requirements.

7. Back and Side Facades

GUIDELINE: All facades of a building which are visible from adjoining properties and/or public streets should contribute to the pleasing scale features of the building and encourage community integration by featuring characteristics similar to the front facade. (o)

STANDARD: (+)

All building facades which are visible from adjoining properties and/or public streets shall comply with the requirements of Article I.1. of these Design Standards and Guidelines.

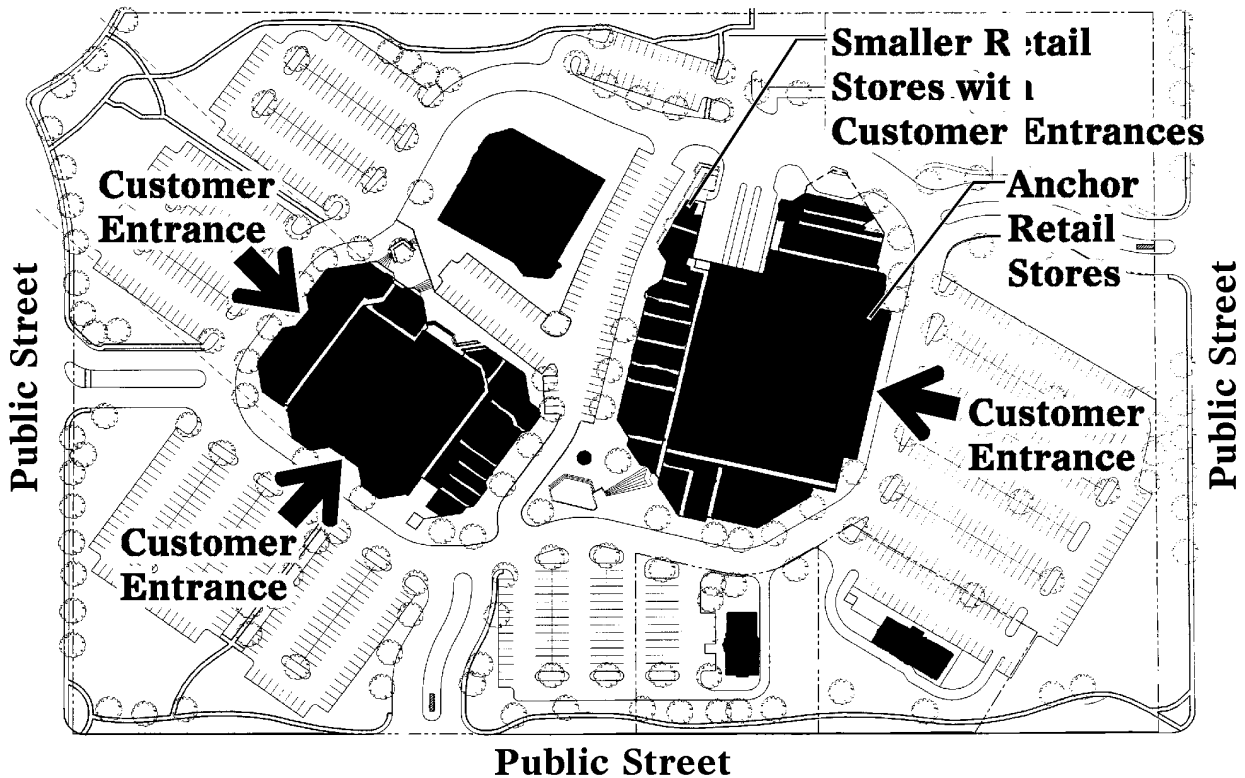
ARTICLE II. SITE DESIGN AND RELATIONSHIP TO SURROUNDING COMMUNITY

1. Entrances

GUIDELINE: Large retail buildings should feature multiple entrances. Multiple building entrances reduce walking distances from cars, facilitate pedestrian and bicycle access from public sidewalks, and provide convenience where certain entrances offer access to individual stores, or identified departments of a store. Multiple entrances also mitigate the effect of the unbroken walls and neglected areas that often characterize building facades that face bordering land uses. (o)

STANDARD: (+)

At least two (2) sides of a large retail establishment shall feature customer entrances. The two (2) required sides shall be those planned to have the highest level of public pedestrian activity, and one (1) of the sides shall be that which most directly faces a street with pedestrian access. The other of the two (2) sides may face a second street with pedestrian access, and/or a main parking lot area. All entrances shall be architecturally prominent and clearly visible from the abutting public street. Movie theaters are exempt from this requirement.



2. Parking Lot Orientation

GUIDELINE: Parking areas should provide safe, convenient, and efficient access. They should be distributed around large buildings in order to shorten the distance to other buildings and public sidewalks and to reduce the overall scale of the paved surface. If buildings are located closer to streets, the scale of the complex is reduced, pedestrian traffic is encouraged, and architectural details take on added importance. (o)

STANDARD: (+)

Parking lot location. No more than fifty (50) percent of the off-street parking area for the lot, tract or area of land devoted to the large retail establishment shall be located between the front facade of the large retail establishment and the abutting streets (the "Front Parking Area").

The Front Parking Area shall be determined by drawing a line from the front corners of the building to the nearest property corners. If any such line, when connected to the plane of the front facade of the building, creates an angle that is greater than one hundred eighty (180) degrees, then the line shall be adjusted to create an angle of one hundred eighty (180) degrees when connected to the plane of the front facade of the building. If any such line, when connected to the plane of the front facade of the building, creates an angle that is less than ninety (90) degrees, then the line shall be adjusted to create an angle of ninety (90) degrees when connected to the plane of the front facade of the building. Parking spaces in the Front Parking Area shall be counted to include all parking spaces within the boundaries of the Front Parking Area, including (i) all partial parking spaces if the part inside the Front Parking Area boundary lines constitutes more than one-half ($\frac{1}{2}$) of said parking space, and (ii) all parking spaces associated with any pad sites located within the Front Parking Area boundaries.

3. Back Sides

GUIDELINE: The rear or sides of buildings often present an unattractive view of blank walls, loading areas, storage areas, HVAC units, garbage receptacles, and other such features. Architectural and landscaping features should mitigate these impacts. (o)

STANDARD: (+)

The minimum setback for any building facade shall be thirty five (35) feet from the nearest property line. Where the facade faces adjacent residential uses, an earthen berm, no less than 6 feet in height, containing at a minimum evergreen trees planted at intervals of 20 feet on center, or in clusters or clumps shall be provided.

4. Outdoor Storage, Trash Collection, and Loading Areas

GUIDELINE: Loading areas and outdoor storage areas exert visual and noise impacts on surrounding neighborhoods. These areas, when visible from adjoining properties and/or public streets, should be screened, recessed or enclosed. While screens and recesses can effectively mitigate these impacts, the selection of inappropriate screening materials can exacerbate the problem. Appropriate locations for loading and outdoor storage areas include areas between buildings, where more than one building is located on a site and such buildings are not more than 40 feet apart, or on those sides of buildings that do not have customer entrances. (o)

STANDARD: (+)

- a. Areas for outdoor storage, truck parking, trash collection or compaction, loading, or other such uses shall not be visible from abutting streets.
- b. No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 20 feet of any public street, public sidewalk, or internal pedestrian way.
- c. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention is attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape.
- d. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. Materials, colors, and design of screening walls and/or fences and the cover shall conform to those used as predominant materials and colors on the building. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors on the building.

5. Pedestrian Flows

GUIDELINE: Pedestrian accessibility opens auto-oriented developments to the neighborhood, reducing traffic impacts and enabling the development to project a friendlier, more inviting image. This section sets forth standards for public sidewalks and internal pedestrian circulation systems that can provide user-friendly pedestrian access as well as pedestrian safety, shelter, and convenience within the center grounds. (o)

STANDARD: (+)

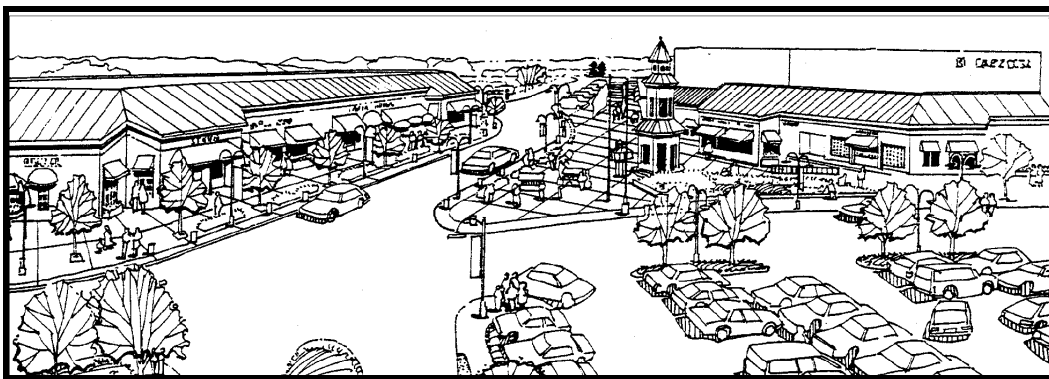
- a. Sidewalks at least 8 feet in width shall be provided along all sides of the lot that abut a public street.
- b. Continuous internal pedestrian walkways, no less than 8 feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials for no less than 50 percent of their length.
- c. Sidewalks, no less than 8 feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. Such sidewalks shall be located at least six (6) feet from the facade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade.
- d. Internal pedestrian walkways provided in conformance with Part (b.) above shall provide weather protection features such as awnings or arcades within 30 feet of all customer entrances.
- e. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

6. Central Features and Community Spaces

GUIDELINE: Buildings should offer attractive and inviting pedestrian scale features, spaces, and amenities. Entrances and parking lots should be configured to be functional and inviting with walkways conveniently tied to logical destinations. Bus stops and drop-off/pick-up points should be considered as integral parts of the configuration. Pedestrian ways should be anchored by special design features such as towers, arcades, porticos, pedestrian light fixtures, bollards, planter walls, and other architectural elements that define circulation ways and outdoor spaces. Examples of outdoor spaces are plazas, patios, courtyards, and window shopping areas. The features and spaces should enhance the building and the center as integral parts of the community fabric. (o)

STANDARD: (+)

Each retail establishment subject to these standards shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following: patio/seating area, pedestrian plaza with benches, transportation center, window shopping walkway, outdoor playground area, kiosk area, water feature, clock tower, or other such deliberately shaped area and/or a focal feature or amenity that, in the judgement of the Planning and Zoning Board, adequately enhances such community and public spaces. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape. (+)



Example of a center with numerous special features and community spaces.

7. Delivery/Loading Operations

GUIDELINE: Delivery and loading operations should not disturb adjoining neighborhoods, or other uses. (o)

STANDARD: (+)

No delivery, loading, trash removal or compaction, or other such operations shall be permitted between the hours of 10:00 p.m. and 7:00 a.m. unless the applicant submits evidence that sound barriers between all areas for such operations effectively reduce noise emissions to a level of 45 db, as measured at the lot line of any adjoining property.

