

AFTER RECORDING, RETURN TO:

Port of Portland
Attn: Business Development & Properties
7200 NE Airport Way
Portland, OR 97218

Multnomah County Official Records
R Weldon, Deputy Clerk

2015-086886

07/14/2015 10:05:02 AM

1R-AMMODCCRPgs=37 Stn=14 ATARR
\$185.00 \$11.00 \$10.00 \$20.00

\$226.00

**FIRST AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR GRESHAM VISTA BUSINESS PARK**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GRESHAM VISTA BUSINESS PARK ("First Amendment"), is made as of the 7th day of July, 2015, by THE PORT OF PORTLAND, a port district of the State of Oregon ("Declarant").

Recitals

A. The Declaration of Covenants, Conditions and Restrictions for Gresham Vista Business Park was recorded on May 8, 2014, in the Records of Clackamas County, Oregon as Document No. 2014-043530 (the "Declaration"). Capitalized terms not otherwise defined in this Amendment have the meanings given in the Declaration (as amended hereby).

B. Pursuant to Article 12, Sections 2 and 3 of the Declaration, Declarant, as sole Owner of all Lots in GVBP, wishes to amend the Declaration in order to amend, supersede and replace the original Development Standards (sometimes referred to as the Gresham Vista Business Park Development Standards) attached as Exhibit A to the Declaration with the replacement development standards attached to this First Amendment as **Exhibit A** ("Replacement Development Standards"), effective as of the recording of this First Amendment ("Effective Date").

Amendments

1. The Declaration is hereby amended as follows, effective as of the Effective Date:

(a) The original Development Standards are hereby deleted, superseded and replaced in their entirety by the Replacement Development Standards, which are hereby made part of and incorporated into the Declaration as replacement Exhibit A to the Declaration.

(b) From and after the Effective Date, all references in the Declaration to the Development Standards and/or Gresham Vista Business Park Development Standards shall mean the Replacement Development Standards.

2. In the event of ambiguity or inconsistency between the original Declaration and this First Amendment relating to the Development Standards, this First

Amendment shall govern. Except as amended by this First Amendment, the Declaration remains and shall continue in full force and effect in accordance with its terms.

THE PORT OF PORTLAND

By: *Keith Leavitt*

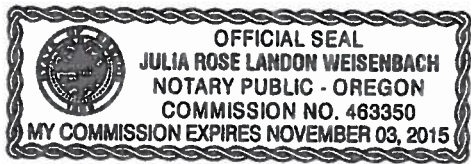
Printed Name: KEITH LEAVITT

Title: CHIEF COMMERCIAL OFFICER

Date: July 13, 2015

STATE OF OREGON)
)ss.
County of Multnomah)

This instrument was acknowledged before me this 13th day of July, 2015, by Keith Leavitt, as Chief Commercial Officer of the Port of Portland, a port district of the State of Oregon.



[Signature]
Notary Public for Oregon
My commission expires:
Commission No.:

EXHIBIT A – REPLACEMENT DEVELOPMENT STANDARDS

THIS EXHIBIT A, ENTITLED "GRESHAM VISTA BUSINESS PARK DEVELOPMENT STANDARDS" IS HEREBY INCORPORATED INTO AND MADE PART OF THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR GRESHAM VISTA BUSINESS PARK (AS NOW OR HEREAFTER AMENDED, THE "DECLARATION").

GRESHAM VISTA BUSINESS PARK

DEVELOPMENT STANDARDS



THE PORT OF PORTLAND BUSINESS DEVELOPMENT AND PROPERTIES

July 7, 2015

Declarant reserves the right to change, supplement or replace these Gresham Vista Business Park Development Standards as provided in the Declaration and to Record such changes, supplements, or new development standards, which shall be effective from that date of Recording.

TABLE OF CONTENTS

PAGE NUMBER

| | |
|---|-----------|
| Overview and process | 1 |
| 1.0 Definitions | 1 |
| 2.0 Introduction and Overview | 3 |
| 3.0 Development REVIEW PROCESS | 5 |
| 3.1 Pre-Design Orientation Meeting | 6 |
| 3.2 Preliminary Plan Review..... | 7 |
| 3.3 Final Plan Review | 8 |
| 3.4 City Building Permit Review | 9 |
| 3.5 Modification of Approved Plans or Existing Buildings or Improvements..... | 9 |
| 3.6 Variances..... | 9 |
| Design Requirements | 10 |
| 4.0 Site Design..... | 10 |
| 4.1 General Industrial Zone..... | 11 |
| 4.2 CMU and MC Zones | 11 |
| 4.3 Additional Building/Parking Setback Restrictions..... | 12 |
| 5.0 Stormwater System Design..... | 13 |
| 5.1 Stormwater Design Standards | 14 |
| 5.2 Sustainable Infrastructure Practices | 15 |
| 5.3 Sustainable Infrastructure Design Incentive..... | 18 |
| 5.4 Well Field Protection | 18 |
| 6.0 Building Design..... | 20 |
| 7.0 Enhanced Building/Site Design (LEED Certification) | 22 |
| 7.1 LEED Incentive..... | 22 |
| 8.0 ON-SITE CONNECTIVITY | 22 |
| 10.0 Parking AND Circulation Areas | 26 |
| 11.0 Service Loading, Outdoor Storage and Equipment Areas | 27 |
| 12.0 Refuse and Recycling Areas..... | 28 |
| 13.0 Roof and Ground Mounted Equipment..... | 29 |
| 14.0 Utilities | 29 |
| 15.0 Signs | 29 |
| 16.0 Lighting | 30 |
| 17.0 Fences and Walls | 31 |
| 18.0 Compatibility | 32 |
| 19.0 Performance Standards | 32 |

OVERVIEW AND PROCESS

1.0 DEFINITIONS

Capitalized terms used frequently throughout these Gresham Vista Business Park Development Standards (also referred to herein as the "Standards") are defined in this Section to assist in interpreting and applying the Standards. Development-related capitalized terms not defined in this Section or elsewhere shall be defined as provided in the other provisions of the Declaration, or, if no such other provision of the Declaration provides such definition, or the context otherwise requires, by the currently adopted City of Gresham Development Code to the extent applicable to such term in context. In the event a term is not defined as described above, that term shall be subject to the definition contained in the latest edition of the Merriam-Webster Dictionary, taking into consideration the context it is used in these Standards. As used in this document, "shall" and "must" are mandatory and "encourage" and "should" are permissive.

Applicant...

...means the individual, entity or organization seeking to develop at Gresham Vista Business Park subject to these Standards. An Applicant, other than the sole Owner of the Lot on which such development is proposed to occur, shall provide written approval of the application from the Owner and/or Occupant together with authority for the Applicant to deal with Declarant on all matters related to the application and related submittals, in form and content acceptable to the committee.

Business Day...

...means Monday through Friday and shall exclude Saturday, Sunday and Legal Holidays. Unless referred to as Business Days, all periods of time referred to in these Standards shall include Saturdays, Sundays and Legal Holidays. However, if the last day of any period falls on a Saturday, Sunday or Legal Holiday, then the period shall be extended to include the next day which is not a Saturday, Sunday or Legal Holiday. "Legal Holiday" shall mean any holiday observed by the Federal Government.

City...

...means the City of Gresham, a municipal corporation of the State of Oregon.

City Design Standards...

...means the most recent version of the City of Gresham Commercial Design Guidelines and Standards, as amended from time to time.

City Development Code...

...means the City of Gresham Development Code, as amended from time to time.

Development Standards (Standards)...

...means these Gresham Vista Business Park Development Standards, as amended from time to time, that apply to the land located at Gresham Vista Business Park.

Declarant...

...means the Port of Portland, a port district organized under the laws of the State of Oregon, and its successors and assigns.

Declaration...

...mean the Declaration of Covenants, Conditions, and Restrictions for Gresham Vista Business Park, as now or hereafter amended.

Final Plans...

...means detailed development plans submitted to Declarant for final approval. Included are a detailed site plan, architectural and engineering working drawings, construction specifications, storm water calculations, exterior material color board, landscape and irrigation plans, sign plans, construction schedule, and other matters as set forth below.

Development Standards (Standards)...

...means these Gresham Vista Business Park Development Standards, as amended from time to time, that apply to the land located at Gresham Vista Business Park.

Lot Coverage...

...means the percentage of total site area of a Lot occupied by structures and/or paving for vehicle use. Structure/building coverage includes the principal structure and all accessory structures. Pavement coverage includes impervious areas, such as sidewalks and areas necessary for ingress, egress, and areas for outdoor parking and circulation of motor vehicles.

Nuisance...

...means any use or activity which produces any of the following or similar effects discernable outside of site boundaries or affecting any surrounding property: (a) noise or sound that is objectionable due to its volume, duration, frequency or shrillness; (b) vibration, smoke, gas, fume, odors, dust, dirt or ash; (c) unusual fire or explosive hazards and excavation.

Pedestrian Pathway...

...means the designated routes which provide a safe pedestrian circulation system throughout the development site for the purpose of Lot connectivity. The designated route minimizes the conflict between pedestrians and vehicular traffic at all points, including parking areas and building access points.

Preliminary Plans...

...means design concept plans submitted to the Port for initial approval prior to detailed planning and design. Included are conceptual site and building plans, conceptual landscape plan, proposed uses and approximate locations of utilities, loading areas, mechanical equipment, any other special apertures, and other matters as set forth below.

Variance...

...means a written request to modify one or more Development Standards as they apply to a particular lot at Gresham Vista Business Park.

2.0 INTRODUCTION AND OVERVIEW

Gresham Vista Business Park is located in a highly desirable location in Gresham, Oregon, within 1 mile from I-84, 6 miles from I-205, and 11 miles from the Portland International Airport. The vision for GVBP is a signature business park which attracts traded-sector businesses and helps increase prosperity for East Multnomah County. Declarant will encourage eco-industrial strategies to produce triple-bottom line results for the economy, environment and community that:

- Offer strong brand and identity that is attractive to users and employees, and differentiates the site.
- Achieve investment returns, including financial feasibility and revenues, and meet target industry clusters.
- Enhance community value as a regional model for sustainable development that is a good neighbor to surrounding communities and improves employment opportunities.
- Promote environmental stewardship and sustainable practices in GVBP.

These Standards reflect this vision and goals, and have been prepared to help ensure that high quality site planning, architecture, engineering and landscaping are developed and maintained throughout GVBP. The intent of these Standards is to encourage creativity, sustainability and quality in design that will enhance all future development in GVBP.

These Standards are established in an effort to better ensure properties are developed in a consistent manner throughout GVBP. These Standards define Declarant's expectations for site development at GVBP and are intended to guide developers in understanding Declarant's objective of providing for well-designed, attractive, high-quality development within GVBP.

Declarant considers these Standards to be the minimum, assuming firms locating in GVBP will wish to do the finest job possible. These Standards are established in an effort to ensure the long-term quality of development and maintenance of property values in the GVBP.

In regard to zoning and land use, these Standards are intended to meet or exceed requirements of the City Development Code. Since codes change periodically, it cannot be guaranteed that all City requirements have been met by conformance to these Standards. In addition to these Standards and the Declaration, the City Development Code and other applicable requirements should be referenced as a first step in the overall design of any new development project. Owners and Applicants are solely responsible for determining zoning and all currently applicable City and other requirements associated with use and development of any Lot. All uses prohibited by the City Development Code shall likewise be prohibited on such Lot in GVBP. In the event there is a conflict between the Declaration, these Standards, the City Development Code or other applicable codes requirements, the most restrictive requirement shall take precedence and apply.

Additional restrictions on the use and development of a given Lot may be imposed pursuant to deed restrictions or other agreements between Declarant and Owner or Occupant.

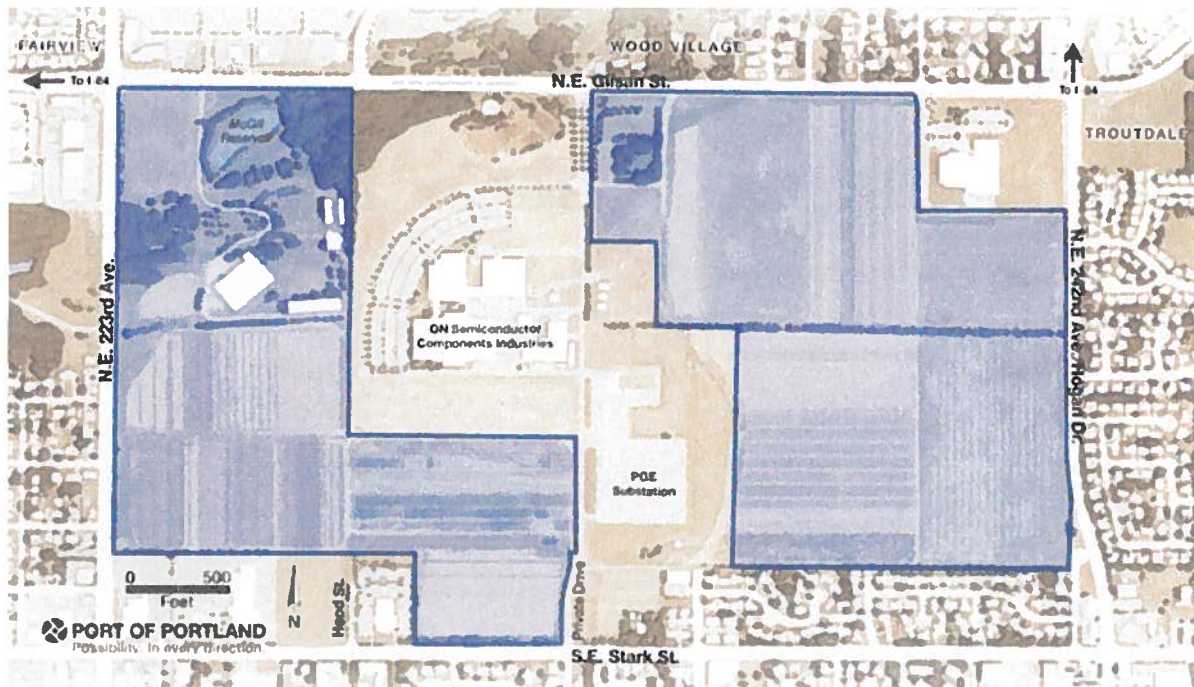


Figure 1 – Area Subject to Development Standards

These Standards shall apply to all portions of GVBP, shown in Figure 1 (above). In addition, the following link identifies current GVBP Lot numbering, size and City zoning designation, subject to revision: <<http://www.portofportland.com/Prop_Home.aspx>>.

The General Industrial (GI) zone allows for most types of industrial and related uses.

The City’s Corridor Mixed Use (CMU) zoning district allows, subject to exceptions as stated in the City Development Code, residential or commercial development or a combination thereof.

The Moderate Commercial (MC) zoning district allows, subject to exceptions as stated in the City Development Code, commercial development and the option for limited residential development.

City Commercial Design Guidelines and Standards apply to new construction in the CMU and MC zoning districts. Please refer to the City Development Code for more detailed information regarding allowed uses within the all of zoning districts applicable at GVBP.

The images depicted in these Standards are solely for purposes of illustration and example, and are not intended to depict the sole means by which a given Standard might be met. The purpose of the images in these Standards is to provide guidance and suggestions on how to meet the Standards. Declarant recognizes that there are other solutions besides those shown or described herein that could meet the standards set forth in this document.

3.0 DEVELOPMENT REVIEW PROCESS

All development of Lots in GVBP shall conform to these Standards and those of the City and other appropriate federal, state and local governing bodies.

Declarant shall review all plans to ensure that development in GVBP meets the requirements of these Standards, and that development implements the goals and objectives of providing for well-designed, attractive, quality development within GVBP. Declarant will evaluate the proposed plans based upon the intent of these standards, available facts regarding the particular project, and the best interests of all property owners. The review process will consider the unique aspects of each of the Applicant's requirements and is designed to assist individual Applicants in following the proper procedures in order to avoid delay or inconveniences in the execution of plans. This review covers site planning, architecture, landscape architecture, civil engineering, utilities, signing and all other exterior improvements related to new construction, remodeling, alterations or additions. Interior modifications which do not alter the function of the building are exempt from this requirement.

All plan reviews during the preliminary design stage will consider three distinct areas:

- A review for conformance with requirements set forth in these Standards, such as setbacks, building height, utility design and other technical and engineering standards.
- A review of subjective design elements, such as architectural style, site layout, landscaping and compatibility.
- A review of proposed sustainability practices to be implemented as part of the site development.

It is not Declarant's intent to dictate design features that otherwise comply with these Standards. Plans will be reviewed for, among other matters, compatibility with surrounding development, functional site design, and the use of attractive durable exterior building materials and landscaping that enhance the site.

All plans and correspondence concerning submission and review of plans for original construction, additions, remodeling and other work shall be directed to The Port of Portland, Business Development and Properties, subject to change of such address as provided in the Declaration. The mailing address is: P.O. Box 3529, Portland, OR 97208.

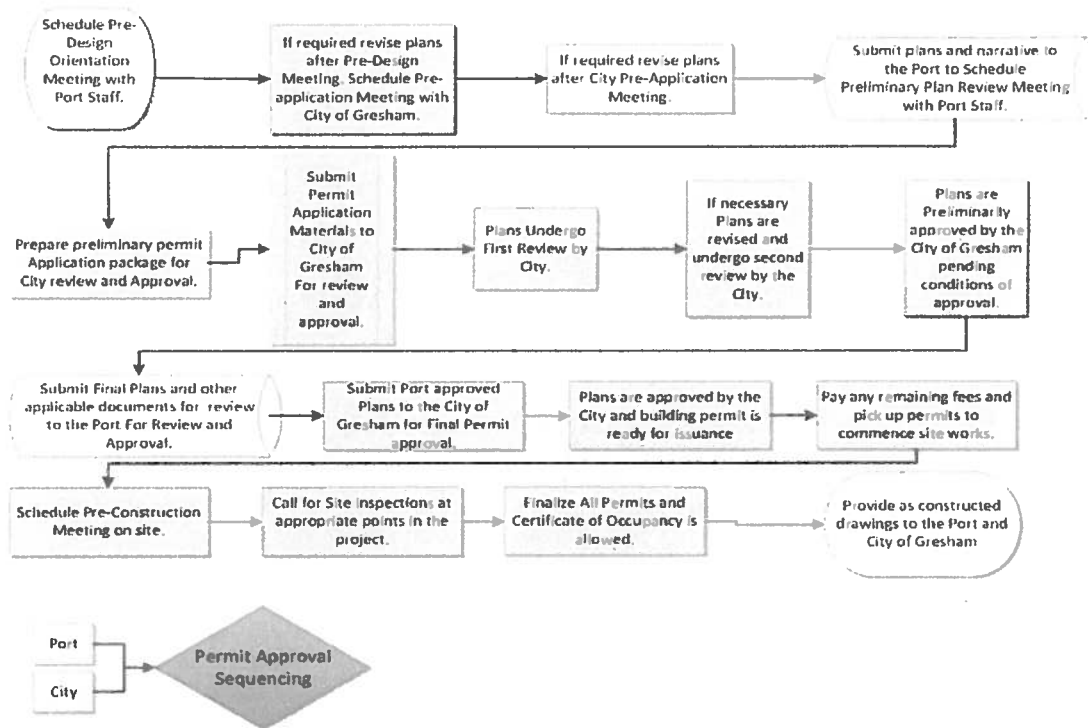


Figure 2– General Permit Sequencing

It is important to note the City of Gresham has a land use review and approval process, which is typically required for building permit approval. A graphic illustration of general permit sequencing that includes both Declarant (white) and City (grey) review is shown in Figure 2 above.

The review process for development within Gresham Vista Business Park is divided into the following steps:

- Pre-Design Orientation Meeting
- Preliminary Plan Review
- Final Plan Review
- Final City Building Permit Review (only after Final Plans are approved by Declarant)

3.1 Pre-Design Orientation Meeting

Prior to moving forward with City or other related permitting, Applicant must schedule a pre-design and orientation meeting with Declarant. At the pre-design and orientation meeting, Declarant will present these Standards and review procedures, and Applicant will have the opportunity to discuss its design

concept and ask questions. The purpose of this meeting is to ensure that the development process, from preliminary planning to building occupancy, goes as smoothly and as quickly as possible.

Pre-Design Plan Submission:

In order to schedule a pre-design meeting the applicant shall submit the following items:

A. General Information

- Applicant name and contact information.

B. Schematic Site Plan

- Include, at a minimum, proposed building footprints, travel ways, parking areas and areas to be landscaped.

C. Project Narrative

- A written description of the proposed development.

3.2 Preliminary Plan Review

Preliminary Plan Review will focus on the general design concept and uses for the site. Resolution of specific site issues or concerns and evaluation of potential incentives related to sustainability will be part of this review process.

There are two key submittal requirements for Preliminary Plan Review.

The first requirement is for the Applicant to provide conceptual site and building plans. These plans will focus on site planning related to approximate building footprint(s), the relationship among buildings on the site and adjacent sites, access and parking, landscape and pedestrian circulation concepts and other design elements.

The second requirement is for the Applicant to provide a detailed project narrative description, which will include the types of uses envisioned for the site, such as the anticipated number of employees, approximate building square footage and landscaping and paved area calculations, and a compatibility statement as further described in the Compatibility Section. This description may be incorporated into the drawings, if appropriate.

Electronic copies of all Preliminary Plans and project descriptions shall be submitted to Declarant for review. All plans must be submitted at the same time. The length of the review period can vary depending on the completeness of the submitted materials and the need for interaction between Declarant's staff and the design team. If submittal requirements are met, Declarant will review Preliminary Plans within fifteen (15) business days.

Preliminary Plan Submission:

Preliminary Plans shall consist of the following:

- A.** General drawing information including title, date, owner, applicant, architect, engineer, landscape architect, location, north arrow, datum and scale.
- B.** Project narrative as described above.

- C. Site plan(s) drawn to an appropriate scale and clearly showing:
- i. The location and dimensions of property lines, street rights-of-way, easements and setbacks (buildings locations, parking, etc.).
 - ii. Approximate driveway and curb cut locations and sizes, with arrows indicating proposed vehicular traffic patterns into and out of the site and to and from all loading and parking areas.
 - iii. Approximate parking areas (employee, visitor, etc.) including: loading and service layout, maneuvering areas, outdoor storage areas and refuse collection locations.
 - iv. Approximate location of sidewalks and Pedestrian Pathways.
 - v. Landscape plan including proposed plant materials as well as the location of screening, berms, etc.
 - vi. Composite utility plan for all utilities including gas, electricity, telephone, water and storm and sanitary sewers. The approximate location of transformers or other similar facilities shall also be noted.
 - vii. Preliminary grading and site drainage information.
 - viii. Generalized floor plans and conceptual drawings which indicate the scale and uses for all areas of the building(s).
 - ix. Proposed exterior wall and roof materials.

3.3 Final Plan Review

Final Plan Review is the process by which Declarant will review Applicant's final construction plans and drawings. All final construction plans and drawings (Final Plan) must be approved by Declarant prior to being submitted to the City for building permits. Electronic copies of the Final Plans shall be submitted to Declarant for review. All required Final Plan materials must be submitted at the same time; however, Declarant will consider phased submittals if such are prepared for permitting purposes for the City. The review time will be extended if the submittal is incomplete. Declarant will review and approve Final Plans which Declarant has determined meet these Standards within fifteen (15) Business Days after receiving the complete set of application materials required by these Standards. Declarant's approval will be indicated by issuance of a Final Plan Review letter of approval. If these Standards are not met, in the discretion of the Declarant, the project will either be approved with conditions (to meet specific Standards) or not approved, pending further work by the Applicant, as necessary to comply with the Standards in the areas of non-conformance.

Final Plan Submission:

Final Plans must include the following:

- A. General drawing information including title, date, owner, applicant, architect, engineer, landscape architect, location, north arrow, datum and scale.
- B. Detailed site plans including the location and dimensions of property lines, street rights-of-way, easements, setbacks, buildings, driveways, loading areas, sidewalks and Pedestrian Pathways.

- C. Complete civil engineering design drawings, including cover sheet, dimensioned site plans, utility plans, elevations and details, grading and erosion control, parking, internal circulation plans, site lighting plan, signage plan and sign specifications, landscape planting plan and stormwater management plan and report. Architectural design drawing set, including building design elevations and detail of railing, fencing, fascia, trim and other decorative elements.
- D. Color and materials sample board with building perspective from all sides of the building(s).

3.4 City Building Permit Review

The Applicant must submit Declarant-approved plans (the plans referenced in the Declarant issued Final Plan Design Review letter of approval) to the City for building permits. It is the responsibility of the Applicant to obtain all required building permits from the City and all other approvals, permits and authorizations required in connection with the proposed work prior to commencement of any construction activities on the site.

If changes are proposed to be made to any Declarant-approved plans during the City permitting process (or as the result of any other governmental review process or otherwise), the Applicant shall submit to Declarant for approval the parts of the plans that have been changed. If a project is not constructed as indicated on Declarant-approved plans, the Declarant has the right to require any deviations be changed by the Applicant at its sole cost and expense to conform to Declarant's approved plans.

The Applicant shall furnish as-built drawings of all development on the site and all underground utilities, including any required utility easement areas, to Declarant no more than thirty (30) days after final City Certificate of Occupancy permits are granted or construction is completed.

3.5 Modification of Approved Plans or Existing Buildings or Improvements

Any modifications to approved Final Plans prior to completion of construction must be approved by Declarant and comply with these Standards. Material change to Final Plans prior to the completion of construction require Preliminary Plan and Final Plan approval in the same manner as for Preliminary Plan and Final Plan approval as described above in this Section. Declarant's review shall be limited to the proposed material change(s) to previously approved plans, and the balance of the previously approved existing buildings and other site improvements constructed in accordance with the previously approved Final Plans shall not be subject to further review by Declarant, notwithstanding any amendments to these Standards adopted after the original approval of such existing buildings and other site improvements.

Any modification to existing buildings or other site improvements are also subject to review and approval by Declarant and must comply with these Standards.

3.6 Variances

Declarant recognizes that situations arise which may warrant a variance to one or more of these Standards. A written request for an exception shall be submitted to Declarant stating the reason for the request and the applicable Section(s) of these Standards. Declarant will evaluate each request and notify the applicant in writing of the decision, and any conditions, within ten (10) business days of

receiving all information required by Declarant in order to evaluate the request. The request may be approved only if Declarant determines that:

- The enforcement of the Standard in question would cause development constraints that would make the site significantly more difficult to develop than other sites subject to the Standard;
- The nature of the proposed use/business requires special consideration in the development of the site; and
- There would be no adverse impacts to adjacent existing development.

Written findings addressing each of these three criteria will be documented in the letter of approval. Reasonable conditions of approval related to the request may be required as part of the Variance approval.

DESIGN REQUIREMENTS

4.0 SITE DESIGN

Site design on individual Lots within GVBP will vary based on zoning, location and existing conditions in and around GVBP. The goal of these Standards is to guide future development in order to:

- Encourage superior project design which incorporates best practices in sustainable development, construction and operations.
- Encourage sustainability by incenting low impact development and sustainable building design.
- Reduce impact on public infrastructure.
- Contribute to the overall aesthetics and livability of the community.
- Attract the highest and best possible use.
- Ensure compatibility between uses.
- Preserve the marketability of Declarant-owned and/or leased property at GVBP.
- Encourage connectivity of GVBP to adjacent commercial areas.

Key site planning elements addressed in this Section include setbacks, landscaping, storm drainage, service and loading areas, vehicular access, circulation and parking, pedestrian circulation and utilities.

In regard to zoning and land use, these Standards are intended to meet or exceed requirements of the City Development Code. Please refer to the City Development Code for more detailed information regarding allowed uses within the all of zoning districts applicable at GVBP.

4.1 General Industrial Zone

Development of General Industrial zoned Lots at GVBP is subject to the following setback standards:

| SETBACK FROM | MINIMUM BUILDING SETBACK DISTANCE |
|---|---|
| Public Street Right-of-Way Property Line | 30 Feet |
| Internal Side/Rear Property Line | 10 Feet |
| Internal Multi-Lot Access Ways | 20 Feet |
| Common Property Line adjacent to Residential Zoning | 40 Feet minimum, with one additional foot of setback above the minimum required for each one foot of building height above the maximum building height in the adjacent zoning district. |
| Maximum Lot Coverage | 80% |
| Minimum Landscaping | 20% |
| Maximum Building Height | 65 Feet |

| SETBACK FROM | MINIMUM PARKING AREA SETBACK DISTANCE |
|--|--|
| Public Street Right-of-Way Property Line | 20 Feet |
| Rear/Interior Property Line | 10 Feet |

4.2 CMU and MC Zones

Development of commercially zoned Lots at GVBP shall be subject to the following setback requirements:

| ZONING | CORRIDOR MIXED USE (CMU) | MODERATE COMMERCIAL (MC) |
|--|--|--|
| Setback From | Minimum Building Setback Distance | Minimum Building Setback Distance |
| Public Street Right of Way Property Line or Edge of Internal and On-Site Access and Circulation Ways | 5 Feet minimum: 20 Feet maximum | 5 Feet |

| | | |
|----------------------|---|--------|
| Rear Property Line | 15 Feet minimum, or zero Feet rear if maximum 20 foot front setback is used | 5 Feet |
| Interior Side | 5 Feet | 5 Feet |
| Maximum Lot Coverage | 80% | 85% |
| Minimum Landscaping | 20% | 15% |

| ZONING | CORRIDOR MIXED USE (CMU) | MODERATE COMMERCIAL (MC) |
|--|--|--|
| Setback From | Minimum Parking Area Setback Distance | Minimum Parking Area Setback Distance |
| Face Of Building | 12 Feet | 12 Feet |
| Rear/Side Property Line | 10 Feet | 10 Feet |
| Public Street Right of Way Property Line | 10 Feet | 10 Feet |

4.3 Additional Building/Parking Setback Restrictions

The following design requirements shall also apply in preliminary site design of parking areas in addition to the requirements listed under Sections 4.1 and 4.2:

- A. No parking or access roads are permitted to be constructed within five feet of any interior property line unless constructed as a joint access, shared parking area or service drive with an adjacent property.
- B. Parking and loading areas shall not be located within any required setbacks.
- C. Loading areas shall not be located within the front yard, which is defined as the area directly adjacent to the public street frontage.
- D. Large parking lots shall be located behind buildings and oriented away from public street frontages so that they are not the dominant visual element at the front of the site. except as noted in Section 4.3(E) below.
- E. The standard in Section 4.3(D) above can be waived for General Industrial uses such as manufacturing, processing, assembly, distribution, repair, warehousing, fabrication and other similar types of uses if the applicant can demonstrate an operational need and/or minimization of on-site grading in preparation of the site for development. However, individual buildings devoted to 100% non-industrial uses as defined by the City of Gresham are not exempt from this standard.
- F. Short-term parking may be located at the front of buildings. If parking areas are visible from the public street, they shall be adequately screened from view through the use of rolling berms, low screen walls, changes in elevation, landscaping or combinations thereof.

- G.** Loading areas shall be located along the sides and/or rear of buildings.
- H.** Architectural appurtenances such as awnings, balconies, cornices, turrets and roof lines, may extend a maximum of three feet into required setback areas.
- I.** If multiple buildings are proposed on individual Lots, setbacks shall be varied to enhance visual interest within GVB. Property owners are encouraged to consider clustering buildings to preserve more open space.
- J.** No portion of any building foundation may encroach or project into any required easement areas.
- K.** If necessary, variances to the setback standards will be reviewed and approved by Declarant on a case-by-case basis through the process described in Section 3.6.

5.0 STORMWATER SYSTEM DESIGN

The purpose of this Section is to highlight certain requirements under the City of Gresham stormwater management design guidelines and provide an overview of certain minimum sustainable development practices that Declarant requires be incorporated into Applicant's site design. The Applicant is solely responsible for conducting their own due diligence necessary to comply with all applicable stormwater system design requirements. In cases where site conditions limit the use of the Sustainable Infrastructure (SI) methods described in this Section, other methods may be used, subject to Declarant and City approval.

Sustainable development core principles are: minimizing disturbance to existing natural resources, maintaining existing hydrology to maximum extent possible and respecting existing topography. If followed, sustainable development practices result in the reduction of mass excavation/grading and decreased reliance on underground pre-manufactured infrastructure, generally leading to an overall reduction of site development costs and increased return on investment.

In order to best accomplish sustainable development on individual Lots in GVB, each Applicant should apply the following methodology in site planning and design:

- Include stormwater management considerations early in conceptual site planning and design.
- Minimize the amount of earthwork associated with site development.
- Minimize or avoid altogether impacts to wetlands and natural watercourses.
- Conserve or improve existing runoff conditions.
- Utilize Sustainable Infrastructure in a distributed manner to manage stormwater by mimicking natural hydrology.
- Maximize surface infiltration of stormwater and reduce discharges to the collection system.
- Reduce impervious surface area.
- Preserve existing trees and well vegetated areas.
- Minimize soil compaction outside the building footprint.
- Utilize non-turf, alternate groundcover types in low-use areas (i.e., native plants).
- Incorporate high performance parking lot and green street designs.

- Treat rainfall as a resource.

GVBP is located in the Fairview Creek watershed, a sensitive area due to its inclusion in the Oregon Department of Environmental Quality's (DEQ) 303(d) list. In addition to pollutant concerns identified in the City-commissioned Fairview Creek Drainage Basin Modeling Report, this report also indicates that this watershed requires revised detention standards for future development to avoid downstream flooding.

5.1 Stormwater Design Standards

The following minimum design standards apply to each Lot in GVBP:

A. Water Quality

Detention-based SI shall be designed to fully treat the volume of runoff produced by a 1.2-inch/24-hour storm. Flow-through based SI shall be designed to fully treat runoff produced by a rainfall with 0.2 inch/hour intensity for a duration of three hours. In addition, due to Fairview Creek watershed's inclusion on the DEQ 303(d) list, the following pollutants of concern shall be treated by selected SI practices. Please refer to the City of Gresham Water Quality Manual.

- pH
- Dissolved Oxygen
- Bacteria (Fecal coliform/E. coli)
- Temperature
- Heavy Metals (Lead, Copper)

B. Water Quantity

Per the Fairview Creek Drainage Basin Modeling Report, the detention design shall limit the post-developed peak flow and volume to be less than or equal to the pre-developed (forested) condition for all storm events up to and including the 100-year storm event. Applicant may consult with City to determine whether City will consider alternative solutions that are protective of downstream flooding, such as maximized infiltration of design volumes, on a site-specific design basis under the design modification process.

In addition to other applicable requirements, an Applicant's general design of stormwater facilities within GVBP shall comply with each of the following:

- City of Gresham Code
- City of Gresham Public Works Standards
- City of Gresham Water Quality Manual
- Fairview Creek Drainage Basin Modeling Report
- LSI Stormwater Master Plan (1995)
- City of Gresham Green Development Practices for Stormwater Management
- (Proposed) Cascade Well Head Protection Area Manual

C. Stormwater Management

Stormwater management facilities within GVBP shall comply, at a minimum, with the following guidelines:

- i. Vegetation within GVBP stormwater management facilities shall be predominantly native live herbaceous plant material. When installed per specifications, native plugs establish much quicker than native seeding, which increases a basin's infiltration capacity.
- ii. Native live herbaceous plugs shall be installed in the base of vegetated stormwater management facilities at a spacing of eight inches to 12 inches on center.
- iii. Slopes of vegetated stormwater management facilities may either be plugged or seeded. If plugged, the plugs shall be installed at a spacing of no less than 12 inches on center. If seeded, native grass seeding must be applied at a rate of 80 pounds per acre. Refer to the Gresham Water Quality Manual for an approved conveyance seed mix. Use of one gallon plants at a spacing of 18 inches on center will be considered where appropriate.
- iv. Native live herbaceous plugs shall be selected to thrive in the designed condition of the stormwater facility.
- v. Where woody plant material is to be included within stormwater management facilities, including best management practices (BMPs), the trees and shrubs must be native or native cultivars that will thrive in the designed condition of the stormwater facilities.
- vi. For surface infiltration facilities, an approved soil mix is required. Consult the most recent City of Gresham guidance for the specification. The contractor shall submit laboratory test results for the topsoil showing it meets the required specifications. The above mentioned SI practices are to be implemented where applicable and feasible within GVBP, regardless of size, type and/or location. For proper functionality and aesthetic consistency, it is important for all BMPs to have a distinct and similar look.

5.2 Sustainable Infrastructure Practices

The following SI practices shall be used in the stormwater management design process to meet the water quality and quantity treatment requirements for GVBP. In general, SI shall be designed in accordance with the City of Gresham Water Quality Manual and the City of Gresham Public Works Standards. Applicant shall obtain all required approvals and confirmation on a development-specific basis from City staff for any deviation from the City of Gresham Code or manuals.

The following BMPs shall be considered and given priority in the stormwater design for new development in GVBP. Alternative practices identified in the City of Gresham Water Quality Manual may be considered if use of the SI practices listed below can be demonstrated to be impracticable:

A. Porous Pavement

Refer to the City of Gresham Water Quality Manual for guidance in design of porous pavement. In general, porous pavement is used to reduce impervious area within a development by allowing stormwater to infiltrate rather than run off. Types of acceptable porous pavement include porous asphalt, pervious concrete, permeable pavers,



permeable brick and pervious vegetated systems (e.g., Grasspave, etc.). Acceptable applications include use for roads, parking areas and walks within the limitations noted below. In addition to City design guidelines, the following information is applicable at GVBP:

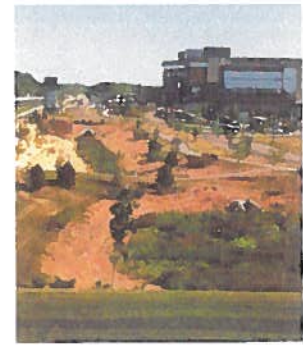
- i. Porous pavement is an acceptable SI practice in well field protection areas with the exception of use in hazardous material transportation routes, loading docks, other loading/unloading areas and outdoor chemical storage areas.
- ii. Through the City's design modification request process, Applicant may seek City's evaluation of site-specific designs utilizing an alternative design, where porous pavement is used to infiltrate run-on from adjacent impervious areas. However, no impervious area reduction credit is given for impervious areas draining to pervious pavement.
- iii. Refer to the City of Gresham's Green Development Practices for Stormwater Management for general porous pavement maintenance requirements to be used in preparation of Operations and Maintenance Manuals. Applicant may propose and submit alternative SI solutions to the City for consideration. The submittal must include appropriate background data to include, but not be limited to, case studies, manufacturer's recommendations or other reputable source material.

B. Green Roofs

Green roofs and roof gardens are used to reduce the amount of impervious area within a development through capture, detention and evapotranspiration of stormwater prior to release from a building. Benefits of green roof applications include thermal insulation, energy efficiency, and increased acoustic insulation, reduced heat island effect and increased durability. Green roofs are utilized in both commercial and industrial locations and are applicable to roof slopes not exceeding 20 percent slope. Refer to the City of Gresham Water Quality Manual for picture examples of green roof applications. As noted above, the use of green roofs reduces the effective impervious area of a site on a 1:1 basis. Use of this element may effectively reduce the stormwater system development charges (SDCs) for Lots within GVBP. The Applicant should confirm with the City that this incentive is still in place prior to starting design.

C. Flow-Through Water Quality Swales

Refer to the City of Gresham Water Quality Manual for guidance in design of flow-through water quality swales. These are flow-through based facilities that are generally wide and shallow to maximize flow residence time to promote pollutant removal. Flow-through water quality swales may include an engineered soil trench and under drain. These may be classified as vegetated swales with a non-grassy plant palette or as bioswales if grass is used.



D. Rain Gardens (Bioretention)

Refer to the City of Gresham Green Development Practices for Stormwater Management design guidelines regarding rain gardens. Rain gardens are detention based SI consisting of vegetated facilities built in shallow depressed areas. They are designed to capture and filter runoff from impervious areas such as roofs, roadways, drive aisles, parking lots and other paved areas. Rain gardens function by reducing the peak stormwater run-off and run-off volume through infiltration. Benefits include habitat creation and ecosystem enhancement.



E. Constructed Marshes

Refer to the City of Gresham Water Quality Manual for guidance in design of constructed marshes. Constructed marshes are detention based SI that mimic natural wetland systems. Pollutant control occurs through aerobic and anaerobic processes that degrade hydrocarbons, retain sediment and metals and restrict the growth of invasive plant species. Constructed marshes infiltrate stormwater, enhance habitats and ecosystems and grow native flora and fauna species. To reduce temperatures impacts to downstream receiving streams, constructed marshes shall be designed to minimize open water areas in summer.



F. Infiltration Trenches

Infiltration trenches are detention based SI that retain stormwater run-off to completely infiltrate the run-off volume. These SI remove suspended solids, bacteria, organics, soluble metals and nutrients through mechanisms of filtration, absorption and microbial decomposition. Infiltration trenches are best suited in linear applications where soil conditions allow for adequate infiltration. Ideal applications are linear configurations beneath curbs, gutters, sidewalks, through linear parking islands or around parking area perimeters. Infiltration trenches reduce the need for larger, continuous stormwater management when applied to a larger system of stormwater management.

G. Rainwater Harvesting

Cisterns or tanks can be used to capture and store large volumes of runoff. These systems for harvesting rainwater can be applied at both commercial and industrial levels. Rainwater from roofs is routed through the building's collection system to the cistern or tank where it can be stored for non-potable reuse on site (e.g., landscape irrigation, toilet flushing, cooling tower make-up or process water).

5.3 Sustainable Infrastructure Design Incentive

As an incentive to encourage sustainable development, Declarant may provide a Declarant-selected list of green infrastructure consulting professionals available to provide SI design assistance, with the goal of achieving cost-effective stormwater design, expedited design review and maximum efficiency of the SI approach.

Applicants are encouraged to explore possible incentives that may be offered by the City for implementing sustainable stormwater management practices. For example, the use of porous pavement or green roofing may reduce the effective impervious area of a site on a 1:1 basis, and effectively reduce the stormwater system development charges (SDCs) for Lots within GVBP. The City also may offer the opportunity to reduce monthly stormwater usage fees for customers that construct on-site mitigation facilities which exceed City design requirements. Please refer to the City of Gresham Water Quality Manual.

5.4 Well Field Protection

A. Cascade Well Field Protection Areas

GVBP is located in the proposed Cascade Well Field Protection Area. All facilities within its boundaries are required to come into compliance with the groundwater protection standards presented in the Cascade Well Field Wellhead Protection Manual (Wellhead Protection Manual).

The transport, storage, and use of mobile chemicals that are halogenated solvents, hazardous substances, hazardous waste, or petroleum products (including Fuel) may be subject to requirements under the future Wellhead Protection Manual. Refer to the Wellhead Protection Manual for definitions, threshold quantities that trigger regulation and a list of exempted activities.

The City, as part of its review, will review facility operations and associated hazardous materials handled on site, to determine the applicability of the well field protection regulations. If Wellhead Protection Manual requirements apply, Applicant shall, at a minimum, address the following areas in Applicant's site design. The Wellhead Protection Manual gives guidance on the requirements for these areas.

- Storage areas include work and process areas where hazardous materials or fuels are stored. These include both indoor and outdoor areas.
- Loading/unloading areas are any areas that are designed (size, width, etc.) to accommodate a truck/trailer being backed up to or into them, and are expected to be used specifically to

receive or load hazardous materials to/from trucks or trailers. Loading/unloading areas may also receive or load hazardous materials to/from rail cars.

- Intra-site transfer areas are any areas located within a site that are used for transferring hazardous materials or fuels to/from mobile storage devices (such as portable tanks, tanker trucks, or vacuum trucks), to/from processing equipment reservoirs or to other storage devices. Intra-site transfer areas do not include areas used for fueling vehicles with mobile fueling/service rigs.
- Transportation routes are any paths used to transport hazardous materials onto, off of or within a site. Transportation routes also include public transportation routes such as streets and alleys.
- Fuel dispensing facilities are defined as the area where fuel is transferred from bulk storage tanks to vehicles, equipment and/or mobile containers (including fuel islands, above-ground fuel tanks, fuel pumps and the surrounding pad). This applies to bulk terminals, gas stations and single-pump fueling operations. Fuel dispensing facilities do not include mobile fueling/service rigs used for fueling vehicles or emergency generator installations equipped with integrated fuel tanks.

In addition, the following are design considerations for stormwater systems within the Well Field Protection Area:

- Porous pavement is an acceptable SI practice in well field protection areas with the exception of use in hazardous material transportation routes, loading docks, other loading/unloading areas and outdoor chemical storage areas.
- Designs must include covers or berms for potentially hazardous materials stored outside, as well as provide secondary containment for chemicals/fluids to prevent contamination of stormwater.
- Sealing of joints between curb and street is recommended.
- Stormwater infiltration facilities are allowed and are not required to be lined for most applications. However, spill containment facilities incorporated into SI BMPs (e.g., forebays) do require an impervious liner.
- Stormwater system inlets in functional areas that trigger manual requirements must be designed so they are easily blocked in the case of a spill.

Subsurface Infiltration Facilities

The proposed Cascade Well Field Protection Area designation may change the level of regulation under which underground injection control facilities (UICs) can operate on this site. All UICs must be approved by the Oregon Department of Environmental Quality (DEQ) and conform to OAR 340-44-0018. The following design-related information has been generated during preliminary discussion with DEQ and the City:

- The City will allow UICs with appropriate pre-treatment to protect groundwater in the Well Field Protection Area based on site-specific design criteria that meet DEQ requirements.
- Depending on the stormwater source area (i.e., roof-only vs. non-roof) and source area use, DEQ will determine if a permit is necessary. DEQ requirements may also include restrictions on the proximity of new UICs to drinking water wells.

6.0 BUILDING DESIGN

All buildings shall be designed by an Oregon registered architect, and shall conform to the requirements of the Oregon State Energy Code, Americans with Disabilities Act (ADA) and other applicable building codes. The architectural style and design of new buildings shall be compatible with other buildings in GVBP. Generally, new structures should be sited in a manner that will complement adjacent structures. Applicants and their architects are encouraged to explore creative designs while maintaining an architectural consistency with basic contemporary building patterns throughout GVBP. All elements, including the scale, massing, materials, colors, roof styles, doors, windows and other details should promote a cohesive design within GVBP. The following building design elements shall be addressed:

- A.** Main building entries shall be well defined and located toward the street or the main internal vehicle drive.
- B.** Where industrial or commercial uses are adjacent to less intensive uses and/or different uses, appropriate buffering techniques, such as increased setbacks, screening and landscaping, shall be provided per the requirements of the City of Gresham to mitigate any negative effects of the proposed use.
- C.** The visual scale of the building massing shall be articulated through a combination of the following methods:
 - i. Incorporating different materials, textures and colors;
 - ii. Providing vertical or horizontal offsets in the wall surface at regular intervals. Break down the scale and massing of larger buildings by modulating the building both horizontally and vertically into smaller scales;
 - iii. Articulating details around doors and windows;
 - iv. Providing offset in roof height and/or varied roof line; and
 - v. Incorporating other methods that will meet the intent of the standard.
- D.** Structures shall be oriented to screen and/or minimize views of storage, trash and recycling, parking and loading areas in relation to adjacent Lots.
- E.** High quality building materials, such as concrete, brick, stone or wood, shall be used in order to guarantee low maintenance, stability and a long life span.
- F.** Materials shall be consistent and/or blend with existing materials, color selection in adjacent areas of GVBP. The use of two or more exterior colors is highly encouraged.

- G.** Windows shall be incorporated into the building design with special attention along the portions of the building facing the internal access drive and public streets.



Examples of building designs that are simple but still exhibit a unified yet interesting facade. Extensive use of windows and variation in color of materials helps to break up plain facades.

- H.** Architecturally enhanced metal buildings may be approved on a case-by-case basis, and only in locations that are not visible from public roads. Long, uninterrupted panels used for metal buildings will not be allowed. If metal structures are permitted, the use of articulating details shall be incorporated into the design. Pre-fabricated metal buildings will not be allowed. Property owners are encouraged to consider the use of concrete or other type of base for metal buildings.
- I.** Variation in building form is recommended to reduce the mass of building walls and accent entry ways. The use of parapets, canopies and fascias and/or other techniques is encouraged to break up large, uniform surfaces.
- J.** Wood, stone, concrete, metal and/or other materials are encouraged to accent details on and around the building.
- K.** The use of plywood, particle board, fiberglass or plastic as siding or roofing is prohibited.
- L.** Use of light and earth tone building colors and varied wall treatments is encouraged.
- M.** Roof design shall be in scale with the other building features. Steep pitched roofs shall be avoided in the design of any new buildings.
- N.** Noise generating functions should be located as far as possible from adjacent properties, especially if adjacent to residential uses. Sound walls should be provided to mitigate noise, where appropriate.
- O.** Outdoor employee areas are encouraged, but shall be located away from loading, storage and trash areas.
- P.** Buildings are encouraged to meet Leadership in Energy and Environmental Design (LEED) standards in order to maximize energy efficiency. LEED is described in more detail in Section 7.
- Q.** Building orientation should be optimized for heat gain, daylighting, shading, natural ventilation and/or any other energy efficiency strategies.

7.0 ENHANCED BUILDING/SITE DESIGN (LEED CERTIFICATION)

Leadership in Energy and Environmental Design (LEED) is a certification program focused on optimizing building and site design to:

- Lower operating costs and increase asset value
- Reduce waste sent to landfills
- Conserve energy and water
- Provide a healthier and safer environment for occupants
- Reduce harmful greenhouse gas emissions

LEED certification provides building owners and operators a concise framework for identifying and implementing practical and measurable green building design, construction, and maintenance solutions. Elements of these Standards help satisfy credit requirements under LEED. Specifically, the Standards for stormwater and landscape design set forth in Sections 5 and 9 provide support for potential LEED credits in the areas of water quality and quantity control, water efficient landscaping, and water use reduction, and the Standards for Building Design may support energy efficient design elements required by LEED. More information regarding the certification process is currently available on the US Green Building Council website: <<<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>>>.

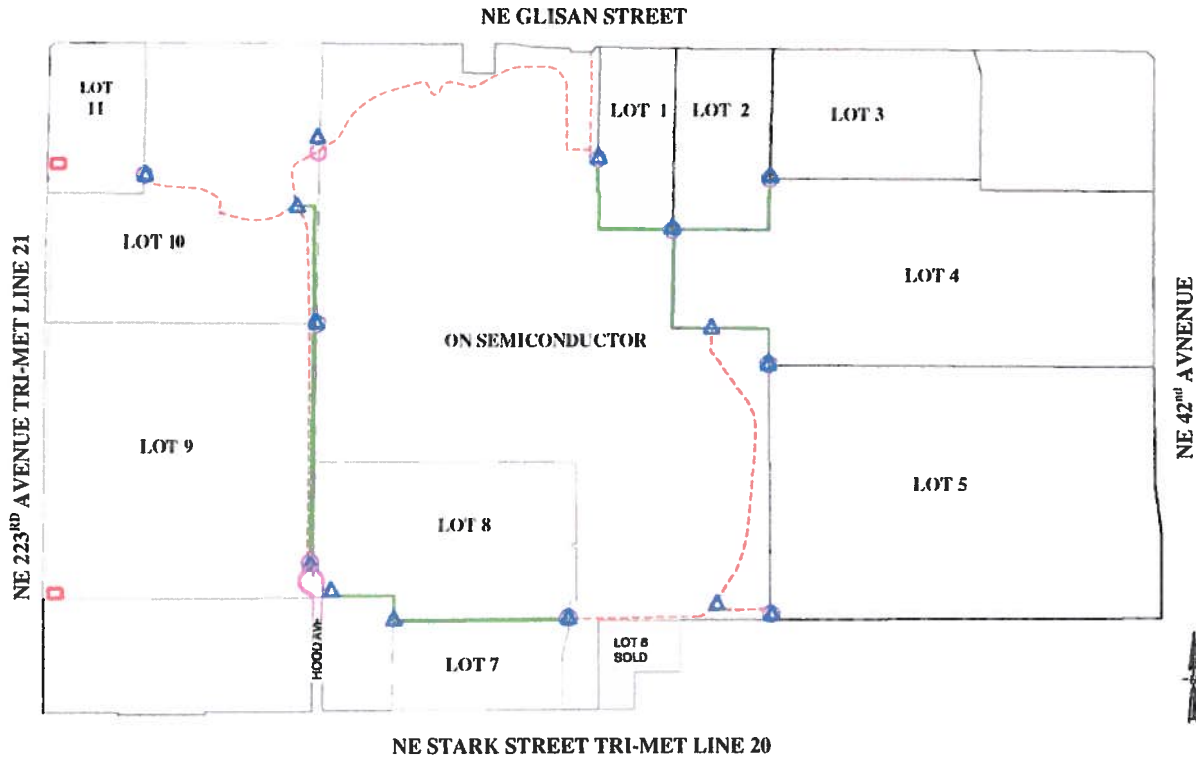
7.1 LEED Incentive

Declarant encourages development of LEED-certified structures at GVBP and may provide a per Lot design incentive for LEED-certified structures. A program description is available upon request.

8.0 ON-SITE CONNECTIVITY

Pedestrian Pathways provide important transportation alternatives as well as outdoor recreational opportunities within GVBP. Pedestrian connectivity will play a vital role in providing a convenient and direct non-auto dependent connection between all Lots at GVBP and the adjacent public streets. As a reflection of these goals, Pedestrian Pathways will be required on each Lot to provide interconnectivity to and through all of the lots in GVBP. This concept builds on City requirements related to on-site pedestrian connectivity requiring a designated route of travel, typically by sidewalk, connecting the entries of buildings with parking areas, transit stops and the public street. Designated pedestrian connections will provide an important link between businesses and commercial areas for the private benefit of future park Owners, Occupants and their guests.

Figure 4 – Pedestrian Pathway alignment depicting Lots subject to connectivity requirements



LEGEND

- SETBACKS
- DIAGRAMMATIC PATH ALIGNMENT
- - - EXISTING PATH
- INTERNAL CONNECTION POINT
- ▲ INSTALL SIGNAGE (PROPERTY BOUNDARY)
- TRI MET STOP

GENERAL INDUSTRIAL ZONE

MINIMUM BUILDING SETBACKS

(PORT DEV. STD.):
 30-FOOT FRONT YARD
 10-FOOT SIDE/REAR YARD
 40-FOOT ALONG RESIDENTIAL

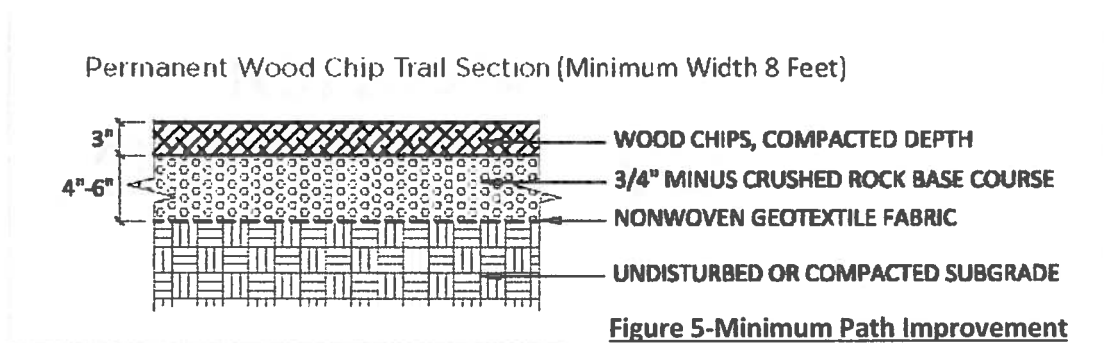
In addition to City Development Code requirements related to on-site pedestrian facilities, the Applicant's development plans shall ensure the following criteria are incorporated into the overall site design of any Lot:

- A.** The Applicant shall designate an internal connection point through the rear portion of each Lot from the fronting public street to the next neighboring Lot. The magenta circle shown in the legend in Figure 4 above depicts recommended internal connection points between neighboring Lots. Figure 4 is for illustration purposes only and the actual internal Lot connectivity points may change as approved by the Declarant through the Design Review Process of individual Lots as GVBP is developed.
- B.** In addition, the Applicant shall designate a Pedestrian Pathway through the Lot as shown in green (proposed diagrammatic alignment) in Figure 4.
- C.** The recommended Pedestrian Pathway alignment shown in green (proposed diagrammatic alignment) in Figure 4 utilizes required Lot setbacks, existing easements and/or other unbuildable areas. However, the Applicant has flexibility to integrate the Pedestrian Pathway into the overall site design using alternative alignments as long as Lot connectivity is provided meeting the requirements of these Standards.
- D.** The Pedestrian Pathway on each Lot will be owned and maintained by the Owner of the Lot.
- E.** The Pedestrian Pathway will be open only to Owners, Occupants, and their respective employees and invitees.
- F.** The Pedestrian Pathway shall be clearly defined using signage and other marking to state at a minimum:
 - a. That the Pedestrian Pathway is for pedestrian use only;
 - b. That the Pedestrian Pathway is available for use only by Owners and Occupants of GVBP and their respective employees and invitees;
 - c. Hours of operation (in all cases limited to daylight hours); and
 - d. Directional and other way finding information.

Example signage is available from the Port upon request.

- G.** Development on all Lots shall incorporate onsite pedestrian circulation system that provides safe, direct, and convenient connections to building entry ways, parking areas and adjacent Lots.
- H.** To minimize grading, the Pedestrian Pathway alignment should follow the contour of the terrain as much as possible.
- I.** The Pedestrian Pathway shall be, improved at a minimum, with bark chips and shall be eight feet in width. A design section for the bark chips is shown below in Figure 5. The applicant may also choose other materials and designs to construct the Pedestrian Pathway, as approved by the Declarant through the Design Review Process of individual Lots. Any impervious materials used for Pedestrian Pathway surfacing shall be attractive, durable, slip-resistant, and compatible in color and pattern with the overall project or site design.

- J. Pedestrian facilities shall be designed to provide safe passage between adjoining Lots and shall connect existing Pedestrian Pathways on adjacent Lots.
- K. Pedestrian designated routes shall minimize crossings of vehicular travel lanes.
- L. Pedestrian amenities such as benches, lighting and artwork are encouraged but not required.
- M. Pedestrian Pathways can be included toward meeting the overall landscaping requirement and can be located in required front, side and rear yard setbacks.
- N. The applicant is encouraged to collocate the pedestrian designated facilities with other facilities on-site, such as water quality treatment facilities.



9.0 LANDSCAPE DESIGN

Landscaping plays a vital role in creating a park-like setting. All land in GVBP not covered by buildings, structures or paved surfaces shall be landscaped. Landscaping should be used to define areas by enhancing setbacks, areas which require screening/buffering, entrances to buildings, parking lots and loading areas; defining the edges or perimeters of Lots; buffering between different land uses; and providing a screen for outdoor storage, loading and equipment areas. All landscape plans submitted for approval shall be stamped by an Oregon registered landscape architect. Applicant's development plans shall ensure the following criteria are achieved:

- A. Landscaping shall be protected from vehicular and pedestrian encroachment.
- B. Landscaping should be in scale with proposed structures and be of appropriate size at maturity to accomplish its intended purpose.
- C. Landscaping around the base of the building softens the edge between the parking lot and building and should be accented at entrances to provide focus.
- D. In instances where an industrial use is adjacent to residential uses, appropriate buffering and screening techniques are required per the requirements of the City of Gresham. Appropriate buffering techniques include a combination of elements such as: masonry walls, berms and

landscaping. Where walls are used to conceal outdoor storage and equipment areas, they should be designed to blend in with the overall site development scheme.

- E. If utilized for landscaping purposes, berms should vary in height and be fully landscaped with lawn and/or groundcover and shrubs. The maximum slope on a berm shall be 4:1.
- F. The developer is encouraged to consider ecologically beneficial landscape design that encourages biodiversity and layered habitat creation for multiple benefits. All areas which have not been developed and/or landscaped shall, at a minimum be planted with native grass.
- G. New landscaping design should integrate with landscaping themes of adjoining sites. Landscaping plans should incorporate native, drought-resistant plant species that require little maintenance and water.
- H. An underground, automatic irrigation system shall be provided for all plant material, except for rough seeded areas. Drip irrigation or other water conservation watering systems are encouraged.
- I. Owners are encouraged to consider using greywater for irrigation.
- J. Owner is responsible for providing, protecting and maintaining all landscaping in a healthy condition.



Landscaping provides needed greenery and shade cover. Landscaping is used to soften parking areas and provide a pleasant streetscape.

10.0 PARKING AND CIRCULATION AREAS

The design of on-site vehicular circulation is a critical factor in the safety and success of all development. A key component of site design is to develop a circulation system that efficiently moves vehicles while reducing potential conflicts between vehicles, pedestrians and other forms of transportation. Vehicular parking areas shall be designed in a manner to ensure the parking area and pedestrian access areas are safe and convenient for all forms of motorized and non-motorized traffic. Parking areas shall be designed to ensure that on-site vehicle parking is adequate and visually attractive. Applicant's development plans shall ensure the following criteria are met:

- A. Parking areas shall be located to the side or rear of the building. Note certain industrial uses may be able to vary from this standard; please refer to Section 4.3 to verify if this standard is applicable.
- B. Short-term parking areas may be located in front of buildings, subject to Section 4.3(E) of these Standards.
- C. Shared driveways, circulation and parking opportunities with adjacent Lots are encouraged.
- D. All parking shall be designed so that vehicles enter and leave the site in a forward direction.
- E. Parking lot shade trees shall be planted with a minimum caliper of two inches. To optimize shade coverage in parking lots, island planters shall be provided for parking areas with ten (10) or more parking spaces. A minimum of one island per 12 cars is required. Minimum landscape island dimensions and planting requirements shall be provided per City of Gresham requirements.
- F. Safe and convenient pedestrian walkways should be provided between buildings and building entrances and parking areas.
- G. The design of all developments within GVBP shall provide a separate and safe vehicular and pedestrian circulation system.
- H. Pedestrian walkways shall be a minimum of five feet in width, ADA accessible, safe, visually attractive and well defined. Pedestrian areas shall connect from the public sidewalk system to the primary entrance of the building(s).
- I. Where walkways cross driveways, parking aisles or other vehicular ways, the crosswalks shall be distinguished from driving surfaces by the use of crosswalk striping, change in paving material or other durable techniques.
- J. Landscaping and/or walkways shall be used to separate buildings from parking areas.
- K. Curb cuts for driveways shall meet City requirements with the exception of concrete thickness. Driveways and areas intended for truck traffic shall be a minimum of eight inches thick to prevent damage from heavy trucks and other equipment.

11.0 SERVICE LOADING, OUTDOOR STORAGE AND EQUIPMENT AREAS

Applicant's development plans shall ensure the following criteria are met:

- A. All loading areas shall be located to the rear of the building unless impractical from an operational perspective.
- B. When it is not possible to locate the loading areas to the rear of the building, than they shall be located along the sides of the building and adequately screened from view of adjacent properties and public rights-of-way. Loading areas should be oriented away from adjacent non-industrial uses.

- C. Loading areas shall be paved with asphalt, concrete or a porous pavement of adequate strength for the expected traffic.
- D. No supplies, materials or other types of equipment shall be stored on a site unless enclosed within a building or screened from view behind a wall.
- E. A combination of elements should be used including solid masonry walls, berms and landscaping to screen outdoor storage, service and loading areas from adjacent sites and public streets.
- F. Landscaped screening of outdoor storage and loading areas shall be an appropriate size at maturity to accomplish its intended purpose.
- G. Outdoor storage areas shall only be located in rear and side yards, and shall not encroach into required setback areas.
- H. All outdoor storage areas shall be paved. Consider porous or permeable pavement where appropriate.
- I. Outdoor storage shall not interfere with required parking or vehicular access.
- J. Outdoor storage areas that have the potential to contribute pollutants to the stormwater conveyance system will require the materials to be placed in an enclosure that prevents runoff or spillage.
- K. Storage areas shall sufficiently contain leaks and spills. Outdoor storage shall be restricted to non-hazardous materials only. No outdoor storage of hazardous materials or other substances is allowed.
- L. All storage tanks shall comply with Federal, State and City requirements.

12.0 REFUSE AND RECYCLING AREAS

Applicant's development plans shall ensure the following criteria are met:

- A. Refuse/recycling collection areas shall be located in rear or side yards.
- B. All collection areas shall be fully enclosed and containers shall be covered to prevent exposure to stormwater.
- C. The enclosure(s) shall be a minimum of six feet in height and designed to complement the building and landscape.
- D. Trash and recycling enclosures shall be located away from adjacent Lots to minimize noise and odor impacts typically associated with garbage collection.
- E. Access to these facilities must be clear of any conflicts with on-site circulation, loading and parking facilities.
- F. Property owners are encouraged to consider shared facilities with other adjacent Lots.

13.0 ROOF AND GROUND MOUNTED EQUIPMENT

Applicant's development plans shall ensure the following criteria are met:

- A. Equipment shall be fully screened from public streets.
- B. The location of exterior mechanical equipment associated with manufacturing or industrial processing activities shall be in a location to minimize visual and auditory impacts on adjacent properties and/or public streets.
- C. Acceptable methods of screening include parapet walls or a free standing screen of a material and color consistent with the building. Screens shall be at least the same height as the equipment to be concealed.

14.0 UTILITIES

Applicant's development plans shall ensure the following criteria are met:

- A. To the greatest extent practical, all utilities shall be placed underground or screened from public view.
- B. Transformers shall be located on the rear or side of the building and away from outdoor seating areas.
- C. All meters, transformers, telecommunications devices and other utility cabinets shall be screened with landscaping and/or appropriate screening with plant material that is consistent with the utility company regulations and compatible with the surrounding landscape.

15.0 SIGNS

All signage within GVBP shall be subject to Declarant's review and approval. Signs are an important element contributing to the identity of GVBP and are intended to add to the aesthetic appeal of the area. All signage shall comply, at a minimum, with the following criteria:

- A. The use of signage shall be coordinated with landscape and building elements and shall complement the overall design of the project.



- B.** Consistent colors and materials for all signs will contribute to the high image of GVBP.
- C.** Applicant will obtain Declarant's review and approval of all signage (including but not limited to signage location) prior to obtaining sign permits from the City. Such signage subject to Declarant approval shall also include, without limitation, any temporary signage.
- D.** Flashing and rotating billboards, roof top signs, and temporary signs, including but not limited to banners, reader boards and A-frames, are not permitted.
- E.** Signs are to be for identification and direction only—not for advertising.

16.0 LIGHTING

Applicant's development plans shall ensure the following criteria are met:

- A.** Lighting standards and fixtures shall architecturally blend with the buildings, landscaping and other design elements.
- B.** The visual impact and amount of spillover light shall be minimized for surrounding uses. High-mounted, widely-spaced pole fixtures that illuminate large areas from a single source are prohibited.
- C.** Lighting fixture placement shall provide adequate and appropriate illumination for outdoor areas, such as parking, shipping and receiving, pedestrian walkways, and work areas.
- D.** If business park activities and operations occur during the night, low-level lighting versus high mast lighting should be provided at driveway entrances.
- E.** Light spread should be confined to site boundaries.
- F.** Wooden light poles shall not be permitted. Poles shall be either steel or aluminum. Poles shall have a painted or anodized finish to match site-lighting fixture housing.
- G.** General areas and parking areas shall have pole-mounted, cut-off lamp fixtures to create a washing effect.



Examples of lighting schemes highlighting pedestrian areas, blending in with landscaping and other site design elements.

17.0 FENCES AND WALLS

Applicant's development plans shall ensure the following criteria are met:

- A. Fences and walls should be coordinated with landscape and building elements and shall complement the overall design of the project.
- B. Whenever chain-link or cyclone fences are used for security purposes, landscaping of appropriate size at maturity to accomplish its intended purpose shall be provided in front of the fencing to screen this type of fencing. Fence slats shall not be used for screening.
- C. All fences shall be made of weather-resistant durable materials.



Examples of fencing projects coordinated with landscaping.

- D. The maximum height for a commercial/industrial fence is six feet, provided it is located behind the required front, side and rear yard setback areas. Refer to Sections 4.1 (General Industrial) and 4.2 (CMU & MC Zoning) for specific requirements related to setbacks.
- E. In vision clearance areas, fencing shall not exceed three feet in height, to allow for safe vehicular site distance.

- F. Outdoor storage of materials shall be screened by sight-obscuring fencing from the viewpoint of adjacent properties. Screening shall be of appropriate size to accomplish its intended purpose.
- G. Vines and climbing plants are encouraged to be integrated into the screening for chain link fencing.

18.0 COMPATIBILITY

Compatibility with adjacent residential and commercial properties is important with any business park. It is important to gain an understanding of the potential impacts associated with any new development that would like to locate at GVBP. Compatibility will be considered as part of design review under these Standards. All new development shall be accompanied with a written statement addressing the following potential compatibility issues:

- The proposed use of and types of processes that will be carried out on the site.
- The type and quantity of goods to be stored, processed or produced on-site.
- A statement of the likely effects generated by the proposal on the surrounding neighborhood, to include:
 - Noise levels
 - Particle emissions
 - Other emissions to land or water
 - Traffic, including hours of delivery and dispatch
 - Odor emission
 - Light and glare
 - Vibrations
 - Smoke emissions
 - Hazardous materials

If impacts are identified, an additional explanation regarding proposed mitigation shall be included with the written statement. For example, if the proposed development is expected to create noise that may be inconsistent with these Standards, the rights of any other Owner or Occupant or the operation of GVBP, the applicant shall increase the setback, add sound barriers and/or increase screening and plantings to reduce the noise level to a level consistent with these Standards as determined by Declarant. As long as the identified impacts can be either avoided and/or mitigated to the greatest extent possible and are consistent with these Standards, the proposed development will be considered compatible.

19.0 PERFORMANCE STANDARDS

In addition to compliance with all other covenants and standards in these Standards or the Declaration, each Owner and Occupant shall comply with the following performance standards which are imposed on the entire GVBP and are intended to avoid creation of a Nuisance or unsanitary conditions within GVBP:

- All use of the property, buildings and other facilities erected on the site, and all activities within GVBP, shall comply with the laws, statutes, regulations, ordinances and rulings of the State of Oregon and other governing bodies having jurisdiction ("Laws"). The buildings and other facilities comprising the development shall comply with the development plans as approved by the Port. Any subsequent changes in use must be requested in writing and are subject to approval by Declarant. Any facilities located on Declarant's property shall comply with all DEQ air pollution control regulations referenced in the Oregon Administrative Rules and amendments thereto.
- No trade, business or activity shall be conducted in GVBP which may be or may become a Nuisance.
- No open burning or generation of noxious odors or fumes shall be permitted.
- No noise, heat or glare detectable beyond the Owner's property line shall be permitted.
- Operations that produce intense glare shall be conducted within an enclosed building or with effective screening in such a manner as to make such activity imperceptible from adjacent properties.
- Industrial operations shall not cause recurring vibrations that can be heard or felt without instruments beyond the boundaries of the Lot on which they are conducted.
- The Owner and Occupant of any Lot shall ensure that all solid waste generated or otherwise located on the Lot is stored in a manner to prevent attraction, harboring or breeding of insects, birds or vermin, and shall not create any conditions harmful to the environment and public health, or that create a safety hazard, odor or Nuisance.
- Use, handling, storage and disposal of hazardous substances necessary to conduct business shall be performed by Owners, Occupants and their respective employees, agents and contractors in compliance with all applicable Laws.
- Stormwater generated in GVBP shall be managed appropriately prior to discharge. Any development within GVBP, including modifications to the surface conditions or construction of improvements, shall be performed in a manner that provides for adequate and lawful storm water collection, transport and discharge. Stormwater management shall not allow the accumulation of stormwater or run-off to adjacent properties. All Owners and users must comply with the Laws of the appropriate local and state jurisdictions regarding water quality, stormwater and on-site treatment methods.
- Owners shall manage, and as appropriate, secure their property and its use so as to prevent any violation of Laws.

20.0 MAINTENANCE STANDARDS

Owners and Occupants shall maintain their Lots in accordance with all requirements contained in the Declaration.