

ORDINANCE NO. 174

AN ORDINANCE RELATING TO PLANNING AND ZONING

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE:

SECTION 1. Ordinance 82 a is hereby amended as follows:

Section 4.00, 4.10, 5.40 through 5.432, 8.10 through 8.1709, and 13.00 through 13.19 are hereby amended to read:

4.00 OUTLINE OF DISTRICTS

The ~~Town~~ of Troutdale is hereby divided into the following Districts, in each of which the uses, height, and area regulations are uniform.

4.10 DISTRICT NAMES

	<u>Short Title</u>	<u>District Description</u>
Residential	R-10	Single-Family Residential District Minimum lot size of ten thousand (10,000) square feet per dwelling.
	R-7	Single-Family Residential District Minimum lot size of seven thousand (7,000) square feet per dwelling.
	R-4	Two-Family Residential District Minimum lot size of eight thousand (8,000) square feet; four thousand (4,000) per dwelling unit.
	A-2	Apartment-Residential District
Commercial	C-3	Retail-Commercial District
	C-2	General-Commercial District
Industrial	M-2	General Manufacturing District
Special	O-P	Off-Street Parking and Loading District
	*P-D	Planned-Development District

* 5.40 APARTMENT-RESIDENTIAL DISTRICT A-2

5.41 USE. No building, structure or land shall be used and no building or structure shall be hereinafter erected, altered or enlarged in this district except for the following uses:

5.4101 Single Family Dwellings

5.4102 Two-Family Dwellings

5.4103 Apartment Dwellings

5.4104 Accessory buildings such as garages, carports, studios, pergolas, private workshops, playhouses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached

5.4105 Special uses, such as parks, playgrounds or community centers, churches, schools, golf courses and uses of similar nature, as provided in the Community Section (9.00) when approved by the Planning Commission

5.4106 Temporary structures may be allowed in this district if these structures relate to the building or sale of land or homes, provided, however, that a temporary permit shall be issued for these structures by the Board of Adjustment. This permit shall expire at the end of one (1) year, but may be renewed by the Board of Adjustment at the end of that period

5.4107 Where the side of a lot abuts on a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than one-hundred (100) feet into the more restricted (residential) districts:

- (a) Medical offices, dental office and clinics
- (b) Parking, as required in Section 8.10
- (c) Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this Ordinance which apply

5.4108 SIGNS. The following signs shall be permitted in this district:

- (a) A sign advertising the sale or rental of a premises; not artificially illuminated, of a temporary nature, with a maximum area on one side of eight (8) square feet, when erected at least ten (10) feet behind the front property line
- (b) A sign advertising the sale of a tract of land or a legally approved subdivision or development; not artificially illuminated, of a temporary nature, with a maximum area on one side of eighty (80) square feet, when erected at least ten (10) feet behind the front property line. Any such sign shall be approved by the Building Inspector as to location in regard to health, safety, view obstruction, or other such conditions, before erection
- (c) A sign stating the name of the owner or occupant of the property; with a maximum area on one side of two (2) square feet
- (d) In transitional areas a sign, illuminated or otherwise, but not of a flashing intermittent type, with a maximum area on one side of eighteen (18) square feet. Any external sign displayed shall pertain only to the use conducted within the building. Artificially illuminated signs shall not be permitted if they face an abutting residential district
- (e) For apartment dwellings and trailer parks a sign, indirectly illuminated, not of a flashing intermittent type, with a maximum area on one side of twelve (12) square feet. Such sign shall pertain only to the use of the property, and shall be located not less than ten (10) feet from any property line. Artificially illuminated signs shall not be permitted if they face an abutting residential district

5.4109 USES customarily incident to any of the above uses, including home occupations

5.4110 The following uses may be permitted after a public hearing before the Planning Commission:

- (a) Trailer parks
- (b) Hotels
- (c) Motels
- (d) Boarding Houses
- (e) Professional Offices
- (f) Medical and Dental Offices and Clinics

The Planning Commission may attach additional conditions as to setbacks, screening, off-street parking and loading, construction standards and maintenance, which may be deemed necessary to protect public health, safety and general welfare; to protect adjacent properties and the public interest

5.42 RESTRICTIONS

5.421 Lot Size and Coverage

<u>Number of Dwelling Units</u>	<u>Minimum Lot Size in Square Feet</u>	<u>Per Cent Lot Coverage</u>
1	7,000	35
2	8,000	40
3	11,000	40
4	14,000	45
5	16,000	45
6	19,000	45
7 - 10	21,500 plus 2,250 for each unit over 7	45
11 - 20	30,500 plus 2,000 for each unit over 11	45
21 - 37	50,750 plus 1,750 for each unit over 21	50
38 - 63	79,500 plus 1,500 for each unit over 38	55
64 - Up	118,500 plus 1,000 for each unit over 64	55

The minimum lot width at the building line shall be sixty (60) feet. The minimum average lot depth shall be eighty (80) feet

Where the number of dwelling units erected on a lot is calculated in accordance with this Section, no greater number of units shall in any event be permitted at any time except as may be approved under the Planned-Development District

5.422 Yard Requirements

- (a) Front yard. There shall be a front yard having a minimum depth of twenty (20) feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structures on abutting lots on either side if both lots are occupied; if one (1) lot is occupied and the other vacant, the setback shall be the setback of the occupied lot, plus one-half the remaining distance. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be twenty (20) feet

- (b) Side Yard. For buildings one (1) or two (2) stories in height, side yards shall be a minimum of twenty (20) feet; for buildings exceeding two (2) stories in height, the side yards shall be a minimum of one (1) foot horizontally for every three (3) feet of building height, but not less than twenty (20) feet; on corner lots the side yard for all structures shall be a minimum of ten (10) feet on the side abutting the street
- (c) Rear Yard. There shall be a rear yard with a minimum depth of fifteen (15) feet to the main building
- (d) Setbacks for insufficient right-of-way. The minimum front or side yards or other setbacks as stated herein shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and the additional yard or setback requirements in such cases
- (e) Distance Between Buildings. A minimum distance of fifteen (15) feet shall be maintained between buildings designed for dwelling purposes on the same lot. A minimum distance of ten (10) feet shall be maintained between a building designed for dwelling purposes and other buildings on the same lot

5.423 Recreation Area. A minimum of two-hundred (200) square feet of recreation area shall be provided for each living unit for units No. 15 through ~~one~~ including No. 30. A minimum of two-hundred fifty (250) square feet of recreation area shall be provided for each living unit for units No. 31 or more. The recreation area may be in one or more locations in the apartment complex of 31, or more units. In this category no recreation area shall be less than seven thousand seven hundred fifty (7,750) square feet, and be of a shape that will make it usable for its intended purpose. Recreation buildings may be considered as a part of this requirement. Recreation areas shall not be located in required yards

5.424 Storage Area. Storage space (for boats, campers, etc.) shall be provided on the site at the rate of one (1) ten foot by twenty foot space in size for every four (4) living units. Adequate maneuvering room shall be provided; storage spaces shall be fenced with a six (6) foot sight-obscuring fence and conform to standard setbacks

5.425 Landscaping. Landscaping and screening shall be provided on each apartment site and shall satisfy the following requirements:

- (1) All areas on an apartment site, not occupied by paved roadways, walkways, patios, or buildings shall be landscaped

- (2) Existing native and ornamental trees with a height of twenty (20) feet or greater shall be retained unless removal is authorized by the Planning Commission
- (3) Screen planting, masonry walls, or fencing shall be provided to screen objectionable views within five (5) months of occupancy of a related building. Views to be screened include laundry drying yards, garbage and trash collection stations and other similar uses
- (4) Plantings and other improvements of adequate size, quantity and character shall be planted, installed and maintained to provide an attractive setting, adequate privacy and pleasant outlooks for living units
- (5) It shall be the responsibility of the management to see that landscaped areas and yards are well kept

5.426 Accessory Buildings. Accessory buildings may be allowed if they fulfill the following requirements:

- (a) If attached to the main building or separated by a breeze-way they shall fulfill the front and side yard requirements of the main building
- (b) If detached and located behind the rear-most line of the main building, or a minimum of forty-five (45) feet from the front lot line, whichever is greater, any one (1) story accessory building may be located adjacent to or on a rear and/or side lot line not fronting on a street, when in compliance with the Building Code

5.427 Other Requirements:

- (a) Off-Street Parking. Off-street parking shall be provided as required in Section 8.10
- (b) Height Restrictions. Maximum height of any structure shall be two and one-half (2½) stories or thirty-five (35) feet, whichever is less. All structures exceeding thirty-five (35) feet or two and one-half (2½) stories may be permitted if in harmony with the neighborhood, after a public hearing before the Planning Commission
- (c) All lots in this district shall abut a street or shall have such other access held suitable by the Planning Commission
- (d) No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this district

5.428 All of the above restrictions shall apply to hotels, boarding houses, motels, and trailer parks, except that the minimum lot sizes for such uses shall be as hereinafter provided, and in addition they shall comply with the following requirements:

(a) Trailer Parks.

- (1) Trailer parks shall be located on well-drained sites, and shall be so located that their drainage shall not endanger any water supply. All such trailer parks shall be located in areas free from marshes, swamps, or other potential breeding places for insects or rodents
- (2) The area of the trailer park shall be large enough to accommodate:
 - (a) The designated number of trailer spaces
 - (b) Necessary streets and drives
 - (c) Off-street parking
 - (d) Service areas, recreation areas, and setbacks
- (3) Each trailer space shall contain a minimum of one-thousand two-hundred (1,200) square feet, except that at the option of the owner the minimum size may be one-thousand (1,000) square feet if, as provided in subsection (12) of this Section, an area of one-hundred (100) square feet for each trailer space is provided as recreation area. Each trailer space shall be a minimum of twenty-five (25) feet in width, and shall abut on a drive with unobstructed access to a street. Such spaces shall be clearly defined. Trailers shall be located in such spaces with a minimum of fifteen (15) feet between trailers, or between a trailer and any building
- (4) No trailer shall be located less than five (5) feet from a side or rear property line
- (5) No trailer shall be located less than twenty-five (25) feet from any street or highway, or so that any part of such trailer will obstruct any drive or walkway
- (6) No trailer shall remain in a trailer park unless a trailer space is available

- (7) Access drives shall be provided to each trailer space, shall be continuous, shall connect with a street, and shall have a minimum width of twenty (20) feet, with a minimum total width of thirty-six (36) feet for exterior connections
- (8) Improved walkways, not less than two (2) feet in width, shall be provided from each trailer space to service buildings
- (9) Access drives and walkways within the park shall be hard surfaced according to standards established by the City Engineer
- (10) Each trailer space shall be improved with one patio of concrete or other suitable impervious material, having a minimum area of one-hundred fifty (150) square feet and one crushed rock or better trailer pad having a minimum size of ten (10) feet by forty (40) feet
- (11) Off-street parking shall be provided as required in Section 8.10, with a minimum of one and one-half (1½) parking spaces for each trailer space. Minimum width access drives shall not be considered in fulfilling this requirement
- (12) Recreation areas which may be provided under the conditions of subsection (3) of this Section, shall be suitably equipped and restricted to such uses. Such areas shall be protected from streets, drives and parking areas. A minimum of one-hundred (100) square feet of recreation area for each trailer space shall be provided in one or more locations within the trailer park. The minimum size of each such recreation area shall be two-thousand five-hundred (2,500) square feet
- (13) No permanent additions of any kind shall be built onto, nor become a part of, any trailer. Skirting of trailers is permissible, but such skirting shall not attach the trailer to the ground
- (14) Permanent structures located within any trailer space shall be used for storage purposes only, shall have a maximum area of forty-eight (48) square feet, shall be located not less than six (6) feet from any trailer, and shall be subject to all of the applicable provisions of the Building Code. These structures shall be uniform and included in the plan submitted to and approved by the Planning Commission

- (15) Wheels of trailers shall not be removed, except temporarily when necessary for repairs
- (16) A sight-obscuring fence of not less than six (6) feet, nor more than seven (7) feet in height with no openings other than the required entrances and exits to streets and public places, shall be provided along any lot line which abuts or faces a more restricted residential district
- (17) Applications for use of land as a trailer park shall be accompanied by complete plans and specifications of the proposed park and all permanent buildings, indicating the proposed methods of compliance with these requirements. Such plans shall be to a scale of not less than one (1) inch - forty (40) feet. Such application shall also include a copy of the approval of plans by the Health Department

(b) Hotels, boarding houses and motels:

- (1) If cooking facilities are provided in individual units of a structure or structures, the requirements of the A-2, Apartment-Residential District for dwelling units shall apply for each unit containing the cooking facilities

5.43 EXCEPTIONS

- 5.431 Where a lot has been a deed of record of less than sixty (60) feet in width, or an area of less than eight-thousand (8,000) square feet, and was held under separate ownership, or was on public record at the time this Ordinance become effective, such lot may be occupied only by a use in an R-7 district. In no case, however, shall a single family dwelling unit have a lot area of less than three-thousand (3,000) square feet
- 5.432 If topographical or other conditions exist which make these requirements unreasonable, the Board of Adjustment may waive the front, side or rear yard requirements

* 8.10 Off-Street Parking and Loading District (O-P)

8.11 Purpose

The purposes of these off-street parking and loading regulations are to reduce effectively traffic congestion associated with residential, commercial, industrial and other land uses, to protect the character of neighborhoods and to protect community investment in streets and arterials.

8.12 General Provisions

At the time of the erection of a new building, or an addition to an existing building, or any change in the use of an existing building, structure or land which results in an intensified use by customers, occupants, employees or other persons, off-street parking and loading shall be provided according to the requirements of this Section.

8.1201 O-P Classification

Land classified Off-Street Parking and Loading (O-P) shall not be used for any purpose other than off-street parking and loading without change of district as provided in Section 10.30.

8.1202 Continuing Obligation

The provision for and maintenance of off-street parking and loading facilities shall be a continuing obligation of the property owner. No building or any other required permit for a structure or use under this or any other applicable Rule, Ordinance or Regulation shall be issued with respect to Off-Street Parking and Loading District land or land served by such land until satisfactory evidence is presented that property is, and will remain, available for the designated use as a parking or loading facility.

8.1203 Plans Required

A plot plan showing the dimensions, legal description, access and layout, grade, drainage and abutting land in respect to the off-street parking area and such other information as shall be required shall be submitted in duplicate to the Planning Commission with each application for a building or land use permit or for a change of classification to O-P.

8.1204 Use of Space

- a) Required parking spaces shall be available for the parking of vehicles of customers, occupants and employees.
- b) No parking of trucks, equipment or the conduct of any business activity shall be permitted on the required parking spaces.
- c) Required loading spaces shall be available for the loading and unloading of vehicles concerned with the transportation of goods or services.
- d) Excepting residential and local commercial districts only, loading areas shall not be used for any other purpose than such loading or unloading.
- e) In any district, it shall be unlawful to store or accumulate goods in a loading area in a manner which would render such an area temporarily or permanently incapable of immediate use for loading operations.

8.1205 Location

- a) Spaces required by this Section shall be provided on the site of the primary use; provided that, when practical difficulties prevent their establishment upon the same site, with the approval of the Board of Adjustment, they may be located within three-hundred (300) feet therefrom, measured in a straight line (including streets and alleys) from the nearest property line to the nearest parking space; but in any case the location shall meet all provisions of this Ordinance which apply.
- b) Loading spaces and maneuvering area shall be located only on or abutting the property served.

8.1206 Improvements Required

- a) Required parking and loading areas shall be improved and in condition for use before the final inspection of the building is made, or a performance bond in favor of the City of Troutdale equivalent to the cost of completing such improvements shall be filed with the Planning Commission.
- b) Any such bond shall be conditioned that if the improvement has not been completed within one and one-half (1½) years after issuance of the permit, the bond shall be forfeited.
- c) Any bond filed hereunder shall be subject to the approval of the Planning Director and the City Attorney.

8.1207 Change of Use

- a) Any change of use of any land or structure served by land subject to this Section shall be unlawful unless reported by the owner, in writing, to the Planning Commission before such change, and where such change indicates an increase in parking or loading requirements the Planning Commission shall order such an increase.
- b) In case of enlargement or change of use, the number of parking or loading spaces required shall be based on the total area involved in the enlargement or change in use.

8.1208 Joint Facilities

- a) In the case of different uses occupying the same or adjoining land or structure, the total off-street parking and loading requirements shall be the sum of the requirements for each individual use.
- b) Owners of two (2) or more adjoining uses, structures, or parcels of land may utilize jointly the same parking or loading area when the hours of operation do not overlap, provided satisfactory legal evidence is presented in the form of deeds, leases or contracts securing full access to such parking or loading areas for all the parties jointly using them.

8.1209 Existing Spaces

Off-street parking or loading spaces existing prior to the effective date of this Ordinance may be included in the amount necessary to meet these requirements in case of subsequent enlargements of the structure or change of use to which such spaces are accessory.

8.1210 Interpretation

Requirements for structures or uses not specifically listed shall be determined by written decision of the Planning Commission and shall become part of the requirements of this Ordinance upon approval by the Planning Commission and the City Council.

8.1211 Standards of Measurement

- a) "Square feet" means square feet of floor or land area primary to the functioning of the particular use of the property and excluding space devoted to off-street parking and loading.
- b) When units or measurements determining the number of required off-street parking or off-street loading spaces result in a requirement of a fractional space, any fraction up to and including one-half ($\frac{1}{2}$) shall be disregarded, and fractions over one-half ($\frac{1}{2}$) shall require one (1) off-street parking or off-street loading space.

8.13 Design Standards - Parking and Loading

8.1301 Scope

- a) These design standards shall apply to all parking, loading and maneuvering areas except those for single and two-family residential dwellings on individual lots.
- b) All parking and loading areas shall provide for the turning, maneuvering and parking of all vehicles on the lot.

8.1302 Access

- a) Where a parking or loading area does not abut directly on a public street, there shall be provided an unobstructed drive not less than twelve (12) feet in width for one (1) way traffic, and not less than twenty (20) feet in width for two (2) way traffic, leading to a public street, and traffic directions shall be plainly marked.
- b) Off-street parking and loading spaces in streets or alleys shall not be counted in the fulfilling of any part of these parking and loading requirements.

8.1303 Size

a) Parking Space

- (1) Each required off-street parking space shall be at least nine and one-half (9½) feet in width and at least twenty (20) feet in length, measured at right angles to the axis of the vehicle and shall be exclusive of access drives, aisles, ramps or columns. Such space shall have a vertical clearance of at least six (6) feet, six (6) inches.
- (2) Parking spaces for more than twenty (20) employees of industrial uses operating on a regular shift basis may be eight and one-half (8½) feet in width and twenty (20) feet in length.
- (3) For parallel parking the length of the parking space shall be increased to twenty-three (23) feet.

b) Aisles

- (1) Aisles shall be not less than:

25'0" in width for 90° parking
 20'0" in width for 60° parking
 20'0" in width for 45° parking
 12'0" in width for parallel parking

- (2) Widths for other angles shall be proportional to the above
- (3) Angle measurements shall be between the center line of the parking space and the center line of the aisle.

c) Parking Area

- (1) Parking areas provided under these regulations shall not be less than one-thousand (1,000) square feet in area.
- (2) Large parking areas shall be divided into sections containing not more than sixty (60) parking spaces by landscaped dividing strips or landscaped walks, in accordance with Section 8.1502.

d) Loading Spaces

- (1) Apartment: Each required space shall be at least twelve (12) feet in width and twenty-five (25) feet in length.
- (2) Commercial: Each required space shall be at least twelve (12) feet in width and thirty-five (35) feet in length.
- (3) Industrial: Each required space shall be at least twelve (12) feet in width and sixty (60) feet in length.
- (4) Clearance: The height of each required loading space shall provide a minimum vertical clearance of thirteen (13) feet.

8.1304 Improvements

a) Surfacing

- (1) All areas used for parking, loading and maneuvering of vehicles shall be surfaced with two (2) inches of blacktop on a four (4) inch crushed rock base or six (6) inches of Portland cement or other material so as to provide a durable and dustless surface capable of carrying a wheel load of four-thousand (4,000) pounds.

- (2) Large parking fields for intermittent uses such as amusement parks, race tracks, stadiums, and the like may be surfaced with gravel or grass and spaces may be unmarked if parking is supervised.

(b) Bumper Rails

- (1) All areas used for parking, loading and maneuvering of vehicles shall be physically separated from public streets or adjoining property by landscaped required yards or in those cases where no landscaped yard is required, by other effective and suitable barrier against unchanneled motor vehicle access or egress.
- (2) Such areas along outer boundaries of a parking lot shall be provided with a bumper rail or curbing at least four (4) inches in height, and at least three (3) feet from the lot line.

(c) Marking

All areas used for parking and maneuvering of vehicles shall be marked in accordance with the approved plan and such marking shall be continuously maintained.

(d) Drainage

All areas used for parking and maneuvering of vehicles shall be so graded and drained to provide for the disposal of all surface water on the site.

(e) Covered Walkways

Covered walkway structures for the shelter of pedestrians only, and consisting solely of roof surfaces and necessary supporting columns, posts and beams may be located in an O-P district and such structures shall meet the setback height and other requirements of the district which apply.

8.1305 Lighting

- (a) Artificial lighting which may be provided shall be deflected so as to not shine into adjoining dwellings or other types of living units, and so as not to create a hazard to the traveling public on any street.

8.1306 Signs

- (1) Accessory signs shall be permitted on parking areas in accordance with the provisions specified in each district, and in addition signs designating entrances, exits or conditions of use may be maintained on a parking area.

- (2) Such signs shall not exceed four (4) square feet and there shall not be more than one (1) such sign for each entrance or exit.

8.14 Design Standards - Setbacks.

- (a) Required yards, exclusive of driveways, which abut upon a street lot line shall not be used for parking or loading areas.
- (b) Parking or loading areas not in an "F", "R", or "A" district but which adjoin such district along the same street, shall not be located closer to the street property line than the required setback of the adjoining district for a distance of fifty (50) feet from any such district.
- (c) Parking or loading areas not in an "F", "R" or "A" district, but which are across a street from such a district, shall have a setback of not less than five (5) feet from the street property line, and such five (5) foot, setback shall be permanently landscaped and maintained.
- (d) Required yards which abut a street lot line shall not be paved, except for walkways which do not exceed twelve (12) feet in total width and not more than two (2) driveways which do not exceed the width of their curb cuts for each one-hundred fifty (150) feet of street frontage.
- (e) Parking or loading areas in an "A" district shall not be located within any required yard or setback area.

8.15 Landscape Design Standards

8.1501 Boundary Landscaping

(a) Scope

A sight-obscuring screen shall be provided on every side of a parking or loading area which abuts upon any lot in an "R" or "A" district, or which faces across any street any lot which is in an "R" or "A" district.

(b) Height

- (1) Sight-obscuring screening shall be not less than five (5) feet nor more than six (6) feet in height, except that screening within twenty (20) feet of a street shall be not less than two and one-half (2½) feet nor more than three and one-half (3½) feet in height.

(c) Additional Landscaping

Areas between the sight-obscuring screen and the property lines shall be landscaped with lawn, low growing evergreen shrubs, evergreen ground cover or vegetable or rock mulch.

(d) Visual Protection

- (1) Required screening shall be at least eighty (80) percent opaque when viewed horizontally from between two (2) and ten (10) feet above average ground level.
- (2) Screen plantings shall be of such size as to provide the required degree of screening within twelve (12) months after installation.

(e) Construction

Fencing or walls built under these provisions shall be constructed in accordance with standards applied by the Planning Commission or in accordance with plans supplied by the owner and approved by the Planning Commission.

(f) Maintenance

- (1) If selected plants need such care, provisions shall be made at the time of installation for watering required planting areas.
- (2) Required landscaping and sight-obscuring screening shall be continuously maintained.

8.1502 Interior Landscaping

(a) Scope

- (1) At least two (2) percent of any uncovered parking area designed to accommodate twenty-one (21) vehicles or more shall be developed with landscaping in addition to landscaping required for yards or boundaries.
- (2) Such landscaping shall be located in defined planting areas evenly distributed throughout the parking area.
- (3) Required planting shall have a width of not less than three (3) feet.

(b) Maintenance

- (1) If selected plants need such care, provisions shall be made at the time of installation for watering required planting areas.
- (2) Required landscaping shall be continuously maintained.

8.16 Minimum Required Off-Street Parking Spaces8.1601 Residential Uses

- | | |
|---|--|
| (a) Single Family Dwelling | Two (2) spaces for each dwelling unit |
| (b) Two-Family Dwelling | Two (2) spaces for each dwelling unit |
| (c) Apartment Dwelling | Two (2) spaces for each dwelling unit, containing one (1) or two (2) bedrooms. Three (3) spaces for each dwelling unit containing three (3) or more bedrooms |
| (d) Rooming or Boarding House or Fraternity | Two (2) spaces plus one (1) space for each three (3) guest accommodations |
| (e) Motel or Tourist Court | One (1) space for each guest room or suite |
| (f) Trailer Court (Residential) | One and one-half (1.5) spaces for each mobile home |
| (g) Trailer Court (Transient) | One (1) space for each trailer |
| (h) Convalescent, Nursing and Other Health Home and Institution, Home for Aged, Children's Home and Welfare or Correctional Institution | One (1) space for each four (4) beds for patients plus one (1) additional space for each two (2) employees |

8.1602 Public and Semi-Public Buildings and Uses

- | | |
|---|---|
| (a) Auditorium or Meeting Room (Except Schools) | One (1) space for each 60 square feet of floor area in the auditorium, or where seating is fixed to the floor, one (1) space for each four (4) seats or eight (8) feet of bench length |
| (b) Churches | One (1) space for each 80 square feet of floor area in the main auditorium or, where seating is fixed to the floor, one (1) space for each four (4) seats or eight (8) feet of bench length |

(c) Church Accessory Uses

In addition to spaces required for the church one (1) space for each ten (10) persons residing in such building

(d) Club or Association

These shall be treated as combinations of uses such as hotel, restaurant and tavern etc., and the required spaces for each separate use shall be provided

(e) Hospital

One (1) space for each two (2) beds, including bassinets

(f) Library

One (1) space for each four-hundred (400) square feet of reading room plus one (1) space for each two (2) employees

(g) Senior High School and Equivalent Private and Parochial School

One (1) space for each fifty-six (56) square feet in the auditorium or, where seating is fixed to the floor, one (1) space for each eight (8) seats or sixteen (16) feet of bench length or one (1) space for each ten (10) seats in classrooms, whichever is greater

(h) College, University, Institution of Higher Learning and Equivalent Private or Parochial School

One (1) space for each five (5) seats in classrooms

(i) Elementary, Junior High and Equivalent Private or Parochial School

One (1) space for eighty-four (84) square feet of floor area in the main auditorium or one (1) space for each twelve (12) seats or twenty-four (24) feet of bench length, whichever is greater

(j) Kindergarten, Day School,
Equivalent Private or
Parochial School

One (1) driveway designed for continuous flow of passenger vehicles for the purpose of loading and unloading children plus one (1) parking space for each two (2) employees

(k) Passenger Terminal
(Bus, Air or Rail)

One (1) space for each two-thousand (2,000) square feet for the first ten-thousand (10,000) square feet with one (1) additional space for each additional ten-thousand (10,000) square feet

8.1603 Retail Uses

(a) Store, Supermarket, Department Store
and Personal Service Shop

One (1) space for each four-hundred (400) square feet of gross floor area plus one (1) space for each two (2) employees

(b) Service and Repair Shop and Retail
Store handling bulky merchandise
such as Automobiles and Furniture

One (1) space for each six-hundred (600) square feet gross floor area plus one (1) space for each two (2) employees

(c) Bank or Office including Medical and
Dental Except as provided in the
A-1-B District

One (1) space for each three-hundred (300) square feet plus one (1) space for each two (2) employees

(d) Restaurant, Tavern or Bar

One (1) space for each one-hundred (100) square feet of gross floor area plus one (1) space for each two (2) employees

(e) Hotel

One (1) space for each two (2) guest rooms

(f) Mortuary

One (1) space for each four (4) chapel seats plus one (1) space for each two (2) employees

8.1604 Commercial Recreation**(a) Amusement Park**

One (1) space for each one-thousand (1,000) square feet of patron serving area

(b) Billiards and Pool

One (1) space for each table plus one (1) space for each two (2) employees

(c) Bowling Alley

Five (5) spaces for each alley plus one (1) space for each two (2) employees. Combination uses shall be totaled

(d) Dance Hall

One (1) space for each fifty (50) square feet of patron area plus one (1) space for each two (2) employees

(e) Go-Karts

One (1) space for each kart plus one (1) space for each two (2) employees

(f) Golf Driving Range

One (1) space for each ten (10) linear feet of driving line

(g) Gymnasium (Except Schools)

One (1) space for each fifty (50) square feet of floor area plus one (1) space for each six (6) seats

(h) Indoor Arena or Theater

One (1) space for each four (4) seats or eight (8) feet of bench length

(i) Miniature Golf

One (1) space for each two (2) holes plus one (1) space for each two (2) employees

- (j) Moorage (Boat) One (1) space for each two (2) boat berths plus one (1) space for each two (2) employees
- (k) Moorage (Houseboat) Two (2) spaces for each houseboat plus one (1) space for each two (2) employees
- (l) Race Track One (1) space for each eight (8) seats or sixteen (16) feet of bench length
- (m) Skating Rink One (1) space for each fifty (50) square feet of floor or rink area plus one (1) space for each two (2) employees
- (n) Shooting Gallery One (1) space for each five-hundred (500) square feet of floor area plus one (1) space for each two (2) employees
- (o) Stadium One (1) space for each eight (8) seats or sixteen (16) feet of bench length
- (p) Swimming Pool One (1) space for each one-hundred (100) square feet of pool plus one (1) space for each two (2) employees
- (q) Tennis Court One (1) space for each court

8.1605 Industry

(a) Manufacturing

One (1) space for each two (2) employees on the largest shift

(b) Storage

One (1) space for each five-thousand (5,000) square feet for the first twenty-thousand (20,000) square feet plus one (1) additional space for each additional fifty-thousand (50,000) square feet

8.1606 Unspecified Uses

Any use not specifically listed in the foregoing shall have the requirements of the listed use or uses deemed equivalent by the Planning Director.

8.17 Minimum Required Off-Street Loading Spaces

<u>USE</u>	<u>SQUARE FEET OF FLOOR OR LAND AREA</u>	<u>MINIMUM LOADING SPACES REQUIRED</u>
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8.1701 Commercial

	UNDER 5,000 Square Feet	0
	5,000 - 24,999	1
	25,000 - 59,999	2
	60,000 - 99,999	3
	100,000 - 159,999	4
	160,000 - 249,999	5
	250,000 - 369,999	6
	370,000 - 579,999	7
	580,000 - 899,999	8
	900,000 - 2,999,999	9
	OVER 3,000,000	10

8.1702 Hotel

	0 - 29,999	1
	30,000 - 69,999	2
	70,000 - 129,999	3
	130,000 - 219,999	4
	220,000 - 379,999	5
	380,000 - 699,999	6
	700,000 - 1,499,999	7
	OVER 1,500,000	8

8.1703 Manufacturing,
Wholesale Storage
or Hospital

	UNDER 5,000	0
	5,000 - 39,999	1
	40,000 - 99,999	2
	100,000 - 159,999	3
	160,000 - 239,999	4
	240,000 - 319,999	5
	320,000 - 399,999	6
	400,000 - 489,999	7
	490,000 - 579,999	8
	580,000 - 669,999	9
	670,000 - 759,999	10
	760,000 - 849,999	11
	850,000 - 939,999	12
	940,000 - 1,029,999	13
	OVER 1,030,000	14

<u>8.1704 Apartment Residential</u>	One (1) loading space for each fifty (50) dwelling units
<u>8.1705 Commercial Amusement</u>	Same as commercial, excluding motion picture theaters
<u>8.1706 Motion Picture Theaters</u>	One (1) space
<u>8.1707 Office or Bank</u>	Same as commercial
<u>8.1708 Public or Semi-Public Use</u>	Treated as mixed uses
<u>8.1709 Unspecified Uses</u>	

Any use not specifically listed in the foregoing shall have the requirements of the listed use or uses deemed equivalent by the Planning Director.

13.00 FEES

Fees are chargeable to applicants for permits (temporary or permanent) for filing of petitions to amend the Zoning Map or Ordinance, and for requests of variances, change in status of non-conforming uses, or exceptions.

13.10 Fee Schedule - Payable at time of application

13.11 Permits - Public hearing not required.

Permits for the following uses may be issued upon filing of application and payment of fee indicated if all requirements of the District, etc. have been met.

- (a) Residential building
(fee based on square feet of floor area)
- (b) Commercial, including industrial
(fee based on square feet of floor area)
- (c) Move Permits \$ 10.00
- (d) Sign Permits 2.50
- (e) Demolitions 2.50
- (f) Land Use (Permanent) 2.50

13.12 Permits - Public Hearing Required

- (a) Land Use (Temporary, 6-Months) 2.50
1-Year 5.00
- (b) Commercial - Trailer Parks, Hotels, Motels
and Boarding Houses
(fee based on square feet of floor area)

13.13 Amendments to the Zoning Map

- (a) By petition of property owners 25.00
- (b) By request of public agency no charge
- * (c) Planned-Development
 - Preliminary Development Plan 100.00
 - General Development Plan
 - One (1) Acre or Less 20.00
 - Each Additional Acre 20.00
 - But Not To Exceed \$300.00 20.00

13.14 Amendments to the Ordinance

- (a) By petition of property owners 25.00
- (b) By request of public agency no charge

- 13.15 Variance Requests
 - (a) Staff Level5.00
 - (b) Public Hearing. 10.00
- 13.16 Non-Conforming Use, Request for change 25.00
- 13.17 Exceptions to the Ordinance. 25.00
- 13.18 Community Service
 - (a) By petition of property owners. 25.00
 - (b) By request of public agency no charge
- 13.19 Other uses requiring a public hearing. 25.00

and a new section, numbered 8.20 through 8.26 is hereby added to said ordinance and reads:

8.20 PLANNED DEVELOPMENT DISTRICT - PD

8.21 PURPOSE

The purpose of the Planned Development District is to provide opportunities to create more desirable environments through the application of flexible and diversified land development standards under a comprehensive plan and program professionally prepared. The Planned Development District is intended to be used to encourage the application of new techniques and new technology to community development which will result in superior living or development arrangements with lasting values. It is further intended to achieve economies in land development, maintenance, street systems and utility networks while providing building groupings for privacy, useable and attractive open spaces, safe circulation and the general well-being of the inhabitants.

8.22 PROCEDURE

8.2201 Preliminary Development Plan and Program

- a. The applicant shall submit a Preliminary Development Plan and Program to the Planning Commission for an approval in principle. Such presentation shall consist of a preliminary plan in schematic fashion and a written program containing the following elements:

1. Plan Elements

- (a) Proposed land uses and densities
- (b) Building types and intensities
- (c) Circulation pattern
- (d) Parks, playgrounds, open spaces
- (e) Existing natural features

2. Program Elements

- (a) Applicant's market analysis of proposed use
- (b) Proposed ownership pattern
- (c) Operation and maintenance proposal, i.e.

Homes Association, Condominium, Co-op or other

- (d) Waste disposal facilities
- (e) Lighting
- (f) Water Supply
- (g) Public transportation

- (h) Community facilities, i.e. schools, libraries, fire protection and shopping
 - (i) General timetable of development
 - (j) Qualifications of the proposed design team for the preparation of the General Plan and Program. The design team shall be designated on the basis of the extent and complexity of the Planned Development and shall consist of one or more persons with qualifications such as an Urban Planner, an Architect, an Engineer, a Landscape Architect, a Designer, an Attorney or other similar professionals or technicians.
- b. Planning Commission review of the Preliminary Plan and Program need not be at a public hearing unless the applicant requests such hearing in the application. Notice for such requested hearing shall be given as provided in Section 10.30
 - c. The Planning Commission shall informally review the Preliminary Development Plan and Program at a regular meeting and may act to grant preliminary approval, approval with recommended modifications or denial. Such action shall be based upon the Comprehensive Plan, the standards of this ordinance and other regulations and the suitability of the proposed development in relation to the character of the area.
 - d. Approval in principle of the Preliminary Development Plan and Program shall be limited to the preliminary acceptability of the land uses proposed and their inter-relationships and shall not be construed to endorse precise location of uses nor engineering feasibility. The Planning Commission may require the development of other information than that specified in Section 8.2202 to be submitted with the General Development Plan and Program.
 - e. The Planning Commission shall review and may recommend expansion, additions or modifications in the qualifications of the proposed design team for the preparation of the General Plan and Program.
 - f. The Planning Commission shall determine the extent of any additional market analysis to be included in the General Development Plan and Program.

8.2202 General Development Plan and Program

- a. After receiving approval in principle of the Preliminary Plan and Program, the applicant shall have a General Development Plan and Program prepared by the professional design team having the qualifications recommended or approved by the Planning Commission.
- b. The applicant shall petition for an amendment of the Zoning Map as set forth in Section 10.30.

- c. Upon receipt of the petition accompanied by the General Development Plan and Program, the Planning Commission shall hold a public hearing in accordance with the provisions of Section 10.30.
- d. The General Development Plan and Program shall contain the following elements:
1. Plan Elements
 - (a) General Development Plan in conformance with the approved Preliminary Plan.
 - (b) Existing and proposed contour map or maps of the site to a scale comensurate with the size of the development.
 - (c) Location, widths and names of all existing or platted streets or other public ways, railroad and utility rights-of-way, parks, or other public open spaces and land uses within 500 feet of the boundaries of the development.
 - (d) Existing sewers, water mains, and other underground facilities within and adjacent to the development and their certified capacities.
 - (e) Proposed sewers or other disposal facilities, water mains and other underground utilities.
 - (f) A preliminary subdivision plan if the property is proposed to be divided.
 - (g) A land use plan indicating the uses planned for the development.
 - (h) Areas proposed to be dedicated or reserved for interior circulation, public parks, playgrounds, school sites, public buildings or other uses dedicated or reserved to the public, if any.
 - (i) Open space that is to be maintained and controlled by the owners of the property and the proposed uses thereof.
 - (j) A traffic flow map showing the circulation pattern within and adjacent to the proposed development.
 - (k) Location and dimensions of pedestrian walkways, malls, trails or easements.
 - (l) Location, arrangement, number and dimensions of automobile garages and parking spaces, width of aisles, bays and angle of parking.
 - (m) Location, arrangement and dimensions of truck loading and unloading spaces and docks, if any.
 - (n) Preliminary architectural plans and elevations of typical buildings and structures, indicating the general height, bulk, appearance and number of dwelling units.

- (o) A preliminary tree planting and landscaping plan including areas of ground cover and approximate finished grades, slopes, banks and ditches. All existing trees over 12" in diameter and groves of trees shall be shown. Trees to be removed by development shall be so marked.
- (p) The approximate location, height and materials of all walls, fences and screen plantings. Elevation drawings of typical walls and fences shall be included.
- (q) The stages, if any, of the development construction. Such stages shall be clearly marked on the General Development Plan.

2. Program Elements

- (a) Narrative statement of the goals and objectives of the planned development.
- (b) A completed market analysis, if required by the Planning Commission.
- (c) Evidence of resources available to develop the project.
- (d) Tables showing the total number of acres, the distribution of areas by use, the percentage designated for each dwelling type, off-street parking, streets, parks, playgrounds, schools and open spaces as shown on the proposed development plan.
- (e) Tables showing the overall density of the proposed residential development and showing density by dwelling types and any proposals for the limitation of density.
- (f) Drafts of appropriate restrictive covenants and drafts of documents providing for the maintenance of any common open space, of required dedications or reservations of public open spaces and of any dedications of development rights.

8.2203 Action and Findings

- a. The Planning Commission, after public hearing as provided in Section 10.30, may by resolution, recommend approval of the Planned Development district and the General Development Plan and Program, with or without modifications or may deny the application. A decision to recommend approval of a Planned Development district shall be based upon the following findings:
 - 1. That the proposed development is in substantial conformance with the Comprehensive Plan for the City.
 - 2. That exceptions from the standards of the underlying district are warranted by the design and amenities incorporated in the development plan and program.
 - 3. That the proposal is in harmony with the surrounding area or its potential future use.

4. That the system of ownership and the means of developing, preserving and maintaining open spaces is suitable.
 5. That the approval will have a beneficial effect on the area which could not be achieved under other zoning districts.
 6. That the proposed development, or a unit thereof, can be substantially completed within four (4) years of the approval. X
- b. A resolution for approval shall be considered by the City Council according to the provisions of Section 10.30. A Planning Commission action to deny the application may be appealed to the City Council as provided in Section 12.00.

8.2204 Final Plan and Program

- a. Following approval of the Planned Development District by the City Council, the applicant shall prepare a Final Plan and Program which shall be submitted to the Planning Director to check for compliance with the approved General Development Plan and Program.
- b. If the Final Plan and Program is found to be in compliance, it shall be so certified by the Planning Director and recorded by the applicant in the offices of the Department of Records and Elections as the Final Development Plan along with all documents relating to dedications, improvements, agreements, restrictions, and associations which shall constitute the Final Program.
- c. The standards of the Subdivision Regulations shall be met if the property is to be divided or streets are to be dedicated.
- d. All public site dedications, development rights to open spaces or other dedications for the entire site or approved staged portion shall be recorded prior to the issuance of any building permit.
- e. Final copies of all approved articles governing operation and maintenance shall be placed on file with the Planning Commission prior to the issuance of any building permit.

8.23 DEVELOPMENT STANDARDS

8.2301 Application of Standards

- a. In cases of conflict between standards of the underlying district and the Planned Development District, the standards of the Planned Development District shall apply.

8.2302 Minimum Site Size

- a. Planned Development Districts shall be established only on parcels of land which are suitable for the proposed development and of sufficient size to be planned and developed in a manner consistent with the purposes of this Section.

- b. A Planned Development District shall not be established on less than four (4) acres of contiguous land unless the Planning Commission finds that property of less than four (4) acres is suitable as a Planned Development District by virtue of its unique character, topography, or landscaping features, or by virtue of its qualifying as an isolated problem area as determined by the Planning Commission.

8.2303 Compatability with Neighborhood

- a. The plans and program shall present an organized arrangement of buildings, service facilities, open spaces and improvements such as recreation facilities, landscaping and fencing to insure compatability with the Comprehensive Plan and the character of the neighborhood.
- b. Periphery yards of a Planned Development District site shall be at least as deep as those required by the yard regulations of the adjoining district unless the Planning Commission finds that equal protection will be accorded through specific features of the approved plan.

8.2304 Lot Coverage

Lot coverage shall be the same as the underlying district unless the Planning Commission finds that an exception is warranted in terms of the character and amenities proposed in the total development.

8.2305 Open Space

- a. Open space in a Planned Development District means the land area to be used for scenic, landscaping or open recreational purposes within the development.
 - 1. It shall not include street rights-of-way, driveways or open parking areas.
- b. Open space shall be adequate for the recreational and leisure use of the population occupying the Planned Development District and designed to enhance the present and future value of the development.
- c. To the maximum extent possible, the plan and program shall assure that natural features of the land are preserved and landscaping is provided.
- d. In order to assure that open space will be permanent, dedication of development rights to the City of Troutdale for other than open space use may be required.
- e. Instruments guaranteeing the maintenance of open space shall be reviewed and approved by the Planning Commission. Documents dedicating development rights and provisions for maintenance of open space shall be approved as to form by the City Attorney.

- f. The Planning Commission may require that instruments of conveyance provide that in the event the open space is permitted to deteriorate or is not maintained in a condition consistent with the approved plan and program, then and in such event the City may at its option cause such maintenance to be done and assess the costs to the affected property owners.

8.2306 Density

- a. In order to preserve the integrity of the Comprehensive Plan and relate it to the Planned Development, the number of dwelling units permitted shall be determined as follows:
 1. Divide the net development area by the minimum lot area per dwelling unit required by the underlying district or districts in which the Planned Development is located.
 - (a) Net development area shall be determined by subtracting the area set aside for churches, schools or other non-residential uses from the gross development area and deducting twenty per cent (20%) of the remainder.
 2. A greater number of dwelling units may be permitted by the Planning Commission in the event the applicant proposes a development which effectively limits the overall density of the project to the standard of the underlying district through restrictions on age, family composition or other effective means.
 - (a) If the applicant proposes to utilize this provision, full written details shall be presented in the program section of the Preliminary Development Plan.

8.2307 Subdivision Lot Sizes

Minimum area, width, depth and frontage requirements for subdivision lots in a Planned Development District may be less than the minimums specified in the underlying district if in accordance with the approved General Development Plan and Program and the density standards of this Section. The balance of the total tract area shall be devoted to open space as defined herein.

8.2308 Staging.

- a. The applicant may elect to develop the site in successive stages in a manner indicated in the General Development Plan and Program. Each such stage shall be substantially complete within itself.
- b. The Planning Commission may require that development be done in stages if public facilities are not adequate to service the entire development initially.

8.24 PERMITTED USES

8.2401 For Residential Districts

The following uses are permitted in a Planned Development District:

- a. Housing concepts may include but are not limited to single family residences, duplexes, row houses, townhouses, cluster units or multiple family dwellings.
- b. Related commercial uses which are designed exclusively to serve the development of which they are a part, when approved by the Planning Commission.
- c. Related community service uses which are designed to serve the development of which they are a part, when approved by the Planning Commission.
 1. Such community service uses may also be designed to serve the adjacent area if considered desirable by the Planning Commission upon examination of the plan.
- d. Accessory buildings and uses.

8.2402 For Commercial and Industrial Districts

- a. Uses permitted in the underlying district.
- b. Community service uses approved by the Planning Commission.
- c. Other uses as approved by the Planning Commission as consistent with the Plan and Program.
- d. Accessory buildings and uses.

8.25 CHANGES AND MODIFICATIONS

8.2501 Major Changes

Major changes in the General Development Plan and Program after it has been adopted shall be considered the same as a new petition and shall be made in accordance with the procedures specified in this Section.

8.2502 Minor Changes

- a. Minor changes in the General Development Plan and Program may be approved by the Chairman of the Planning Commission, or provided that such changes:
 1. Do not increase the densities
 2. Do not change boundaries
 3. Do not change any use
 4. Do not change the location or amount of land devoted to specific land uses.

b. Such changes may include:

1. Minor shifting of the location of buildings, proposed streets, public or private ways, utility easements, parks or other public open spaces, or other features of the plan.

8.26 EXPIRATION

If substantial construction or development has not taken place within four (4) years from the date of approval of the General Development Plan and Program, the Planning Commission shall review the district at a public hearing to determine whether or not its continuation in whole or in part is in the public interest, and if found not to be, shall recommend to the City Council that the Planned-Development District on the property be removed.

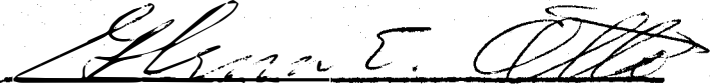
SECTION 2. WHEREAS, it is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the City of Troutdale, its residents and inhabitants, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect when passed by the Common Council of the City of Troutdale, and signed by the Mayor.

Passed by the Common Council of the City of Troutdale this 13th day of June, 1972.

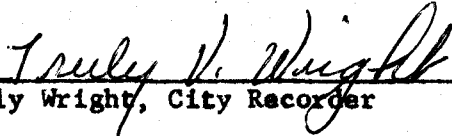
YEAS: 4

NAYS: 0

Signed by the Mayor this 13th day of June, 1972.


Glenn E. Otto, Mayor

ATTEST:


Truly Wright, City Recorder