

ORDINANCE NO. 252

AN ORDINANCE ADOPTING A COMPREHENSIVE PLAN FOR THE CITY OF TROUTDALE, OREGON,
AND REPEALING ORDINANCE NO. 161.

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

Section 1. Title: This Ordinance shall be known as the City of Troutdale Comprehensive Plan.

Section 2. Repeal of Ordinance No. 161: Ordinance No. 161 and all ordinances heretofore amending Ordinance 161 are hereby repealed.

Section 3. Adoption of Comprehensive Plan: The City of Troutdale Comprehensive Plan which is marked Exhibit "A", attached hereto and incorporated herein by this reference, is hereby adopted.

Passed by the Common Council of the City of Troutdale this 9th
day of August, 1977.

YEAS: 5

NAYS: 0

Signed by the Mayor this 10th day of August, 1977.


MAYOR

ATTEST:

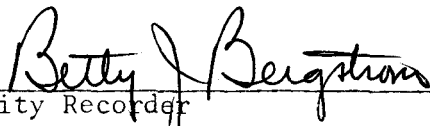

City Recorder

EXHIBIT 1A

Attach to
252

DESCRIPTION OF ZONES IN USE AND PROPOSED

- R-10 - allows one single family residence on a 10,000 sq. ft. lot;
- R-7 - allows one single family residence on a 7,000 sq. ft. lot;
- R-4 - allows a duplex on a 8,000 sq. ft. lot;
- A-2 - allows multiple family uses;
- A-1-B - allows a mixture of multiple family and office/business uses;
- C-3 - allows retail commercial, offices, motels, and other "light" commercial uses
- C-2 - allows print shop, tire shops, public garage, and similar "heavy" commercial uses;
- M-2 - allows manufacturing, automobile wrecking, equipment storage and other heavy industrial uses;
- M-3 - allows "light" manufacturing warehousing, retail lumber yards, etc.;
- M-4 - allows research, testing laboratories, assembly plants, light manufacturing and similar very light industrial/commercial uses;
- CS - allows community services, such as churches, schools, libraries, etc.;
- F-2 - allows agricultural and attendant residential uses;
- S-R - suburban residential zone which allows single family houses on large lots;
- C-4 - allows book stores, antique stores, baker shop, florist or gift shops and other very light commercial uses;

DAVID W. YOUNG

BRIAN J. FREEMAN

YOUNG & FREEMAN
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333 N.E. THIRD STREET
GRESHAM, OREGON 97030

PHONE 503 - 665-4176

MEMORANDUM

TO: BOB JEAN
FROM: BRIAN J. FREEMAN
DATE: July 25, 1977
SUBJECT: GRANDFATHER RIGHTS UNDER NON-CONFORMING PRE-EXISTING USE PERMITS

I have been asked to give you my opinion regarding any rights which might arise as a result of a person obtaining a non-conforming conditional use permit. Without quoting any authority a person holding such a permit acquires no grandfather rights notwithstanding the fact that a new comprehensive plan and zoning ordinance are adopted and passed which change the zoning on a subject property. If a person constructed a building in accordance with the zoning ordinance and in accordance with any variances lawfully obtained, such a person would have the right to continue to use the property as he had originally intended and in conformity with the variance notwithstanding a change in the zone. He then has a non-conforming pre-existing use which is recognized as a property right. The basis distinction between the two situations is that under the conditional use permit the property owner has no right to rely upon a continual permit which by its definition was intended by both the property owner and the City to be a temporary use. If further documentation or elaboration is necessary, please ask.

Brian J. Freeman
City Attorney, City of Troutdale

Attachment to Ord. 252

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N J FREEMAN

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PHONE 503 -- 665-4176

August 9, 1977

TO: MEMBERS OF THE COMMON COUNCIL OF THE CITY OF TROUTDALE
FROM: BRIAN J. FREEMAN
SUBJECT: COMPREHENSIVE PLAN

The following changes to "The Plan Format" appearing on page V of the City of Troutdale Comprehensive Plan document ~~is~~ recommended:

-03.00 Anticipated Zoning: This section is intended only as a guide to those using and implementing this Plan. The zoning categories listed are the classifications under the zoning ordinances in effect in the City of Troutdale on the date of passage of this Plan. It is recognized that new zone classifications may be appropriate if they are consistent with the permitted uses.

Attachment of Ord. 252

EXHIBIT 2A

LIST OF SIGNIFICANT CHANGES IN
THE TROUTDALE COMPREHENSIVE PLAN

- P.IV. Delete last sentence " Where there is a conflict between the Zoning ordinance and the comprehensive Plan, the policies and standards of this Plan will prevail."
- P.V. Add a list of Zoning categories as subsection under PLAN FORMAT as basic definition. (see attached list)
- P.1 #6 add " and the downtown area" after " Highway 1-80N ".
- P.5 The County Farm property shall be called a " study area " until Multnomah County, working with the City, finishes it's Comprehensive Plan on this property. This study is expected to take one year. In the meantime, any uses proposed on the County Farm property will be in conformance with the policies outlined in this Plan.
- P.6 Strike paragraph 4. Add instead the folling:
"Duplex or multifamily uses may be permitted on land which has already recieved preliminary plat approved for such uses prior to the adoption of this plan.
Light commercial uses may be permitted on land which has already recieved zoning approval for such uses prior to the adoption of this plan.
- P.7 Delete " existing 'C' zones "section.
- P.7 Change " C.U. zoning " to " C.U. permit ". "conditional use permit to allow some limited service commercial and minor office on a conditional use basis on a R an A zone."
- P.9 1.04.022 H) 1). Delete the words " or collector ".
" 2). " " " " / .