

ORDINANCE NO. 358-0

AN ORDINANCE CHANGING THE TROUTDALE COMPREHENSIVE PLAN TEXT AND AMENDING ORDINANCE NO. 252.

WHEREAS, Pursuant to ORS 271.120 a hearing was held on September 8, 1981 at which the Common Council made the following findings:

1. The City's Comprehensive Plan does not yet comply with Statewide Planning Goals 2,5,6,9,10,12,14 for reasons set forth in Section IV in the Land Conservation and Development Commission's report dated February 9, 1981.
2. Policy Area II of the City's Comprehensive Plan does not make ultimate policy choices with respect to land uses as required by Statewide Planning Goal 2.
3. Policies which are intended to protect open space and floodway/greenway areas within Policy Area II are inconsistent with like policies for Policy Areas I and VI.
4. Some Policy Area I policies are vague and discretionary and do not set forth approval criteria.
5. The changes as shown in the attached pages from the text of the Comprehensive Plan, referred to as Exhibit "A", will resolve the aforementioned plan deficiencies and are consistent with the State Land Use Goals.
6. Exhibit A has been reviewed and recommended by the Troutdale Planning Commission and commented on by the CAC.
7. There has been opportunity for citizen review.
8. Exhibit A is consistent with remaining portions of the text.
9. The changes are in the public interest.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE, THAT:

The Comprehensive Plan text for Policy Area II be changed as shown on the attached Exhibit A.

PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 27th DAY OF  
October, 1981.

YEAS 5

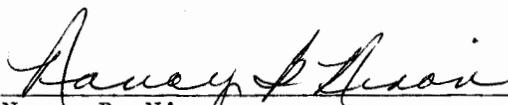
NAYS 0



R.M. Sturges, MAYOR

Date Signed: 10-29-81

ATTEST:



Nancy B. Nixon  
FINANCE DIRECTOR/CITY RECORDER

Exhibit A

POLICY AREA 2

2.02.00 DESCRIPTION AND USES PERMITTED:

General and retail commercial uses, office, ~~Multiple~~ MULTI-family, AND RESIDENTIAL USE INCIDENTAL TO COMMERCIAL uses. Existing single-family uses will continue as pre-existing non-conforming uses (i.e., No NEW single-family residences shall be established in this district).

2.03.00

- C-2,C-3,C-4 - Commercial zones which ALLOW INCIDENTAL RESIDENTIAL USE.
- A-1B - Office/apartment-zone TO ALLOW SOME LIMITED SERVICE COMMERCIAL AND MINOR OFFICE USE WHEN DEVELOPED IN CONJUNCTION WITH RESIDENTIAL DEVELOPMENT AT A MINIMUM DENSITY OF TWELVE (12) RESIDENTIAL UNITS PER ACRE, WHERE NO MORE THAN 50 PERCENT OF THE TOTAL FLOOR AREA WILL BE USED FOR USES OTHER THAN RESIDENTIAL.
- A-2 - Apartment zone
- R-4 - Duplex-zone
- CS ZONE: THE BASIC PUBLIC AND KEY FACILITIES ZONE MAY BE USED TO PROVIDE SPACE FOR HEALTH, EDUCATIONAL, SAFETY, AND SOCIAL SERVICE FACILITIES (E.G., HOSPITALS, NURSING HOMES, SCHOOLS, POLICE AND FIRE STATIONS, COMMUNITY CENTERS, AND GOVERNMENT ADMINISTRATIVE OFFICES) THESE NEED NOT BE FUNDED SOLELY BY LOCAL (PUBLIC OR PRIVATE) FUNDS.

2.04.00 GENERAL CRITERIA FOR APPROVABILITY:

The following shall be used as guidelines in the design review of specific site proposals for the policy area:

- .010 ~~General and retail commercial uses proposed but not zoned commercial shall either abut existing commercial uses or adjoin existing commercial zoning.~~
- .012 ~~Office uses proposed shall abut existing commercial, office or apartment uses or adjoining existing commercially zoned property.~~
- .013 ~~Multiple family uses shall abut existing commercial, office, or other multiple family uses on one or more sides and be used as buffers for single family areas. -- These single family areas may adjoin continuously or may be separated from the proposed multiple family by an intervening public street.~~

.010

A PROPOSAL FOR COMMERCIAL OR MULTI-FAMILY DEVELOPMENT OR ZONE CHANGE SHALL BE GRANTED IF ALL OF THE FOLLOWING CONDITIONS EXIST:

- A) THE PARCEL CAN BE ADEQUATELY SERVED BY THE MUNICIPAL WATER SUPPLY AND SANITARY SEWER SYSTEMS.
- B) THE RUNOFF GENERATED FROM FUTURE DEVELOPMENT OF THE PARCEL CAN BE ACCOMMODATED WITHOUT CAUSING DAMAGE TO DOWN GRADIENT PROPERTIES.
- C) THE PARCEL CAN BE ACCESSED BY EXTENDING EXISTING CITY STREETS IN A CONFIGURATION TO CITY STANDARDS.
- D) THE PROPOSAL CAN MEET ALL APPLICABLE DESIGN STANDARDS IDENTIFIED IN SECTION 2.05.00.

.016

Delete in its entirety

2.05.00

GENERAL DESIGN STANDARDS:

~~The following shall be used as guidelines in the design review of specific site proposals for policy area:~~

ALL COMMERCIAL, OFFICE AND APARTMENT USES IN POLICY AREA 2 SHALL BE DEVELOPED IN ACCORDANCE WITH THE DOWNTOWN MASTER PLAN. THE MASTER PLAN AT A MINIMUM SHALL SPECIFY STANDARDS FOR THE FOLLOWING DESIGN ELEMENTS:

- A) ACCESS CONTROLS
- B) SIGNS
- C) PARKING (BOTH OFF AND ON STREET)
- D) LANDSCAPING
- E) SETBACKS
- F) PEDESTRIAN AND VEHICULAR CIRCULATION
- G) BUILDING DESIGN

UNTIL THE DOWNTOWN MASTER PLAN IS COMPLETED, (PRIOR TO THE CITY'S 1983 REVIEW OF THE PLAN) ALL OTHER GUIDELINES OF THIS SECTION, THE CITY'S ZONING AND SUBDIVISION ORDINANCES, AND THE UNIFORM BUILDING CODE SHALL COLLECTIVELY PROVIDE THE PRINCIPLE GUIDELINES FOR THE DEVELOPMENT OF ALL PROPERTIES SITUATED WITHIN POLICY AREA II.

.01

Commercial, office and apartment uses in Policy Area 2 should meet the setback standards of the most restrictive "R" or "A" RESIDENTIAL zone adjoining.

.02

Commercial, office, and apartment parking uses in Policy Area 2 should meet building setback standards of the most restrictive "R" or "A" RESIDENTIAL zone adjoining.

- .03 Landscaping: All setback yard areas should be landscaped; a minimum of 15% of the gross site for commercial, office, and apartment uses should be landscaped with major trees, shrubs and ground covers for all uses approved in this policy area.

During the development process, no more than 40% of the existing trees, 6" caliper or larger, should be removed from any site without specific approval by the City. Removal of existing trees shall require replacement trees - of a specie, number and location approved by the City - to be installed at time of development.

Greenway and floodway areas diagrammed on the plan map are intended to represent the abrupt and noticeable change in slope that mark the edge of Beaver Creek Canyon, the Sandy River, etc AND ARATA CREEK. Specific determination of these lines or boundaries shall be made at the time of a development proposal for the respective properties based on topographic maps, field survey, and actual site investigations. ~~No-development-within-these-areas-shall-be-permitted-except-as-deemed appropriate-by-the-city,-to-expand-or-re-subdivide-existing-developments,~~ DEVELOPMENT, EXPANSIONS, OR RESUBDIVISION OF EXISTING DEVELOPMENTS SHALL BE PERMITTED IN GREENWAY AND FLOODWAY AREAS SUBJECT TO THE FOLLOWING GUIDELINES.

- 1) RESIDENTIAL AND COMMERCIAL USES SHALL BE PERMITTED ON THOSE LANDS WHICH HAVE APPROVED DEVELOPMENT PLANS ON ALREADY RECEIVED PRELIMINARY PLAT APPROVAL FOR SUCH USES PRIOR TO THE ADOPTION OF THIS PLAN, PROVIDING THAT CITY SERVICES (SEWER AND WATER) ARE AVAILABLE AND THAT NO DEVELOPMENT WILL OCCUR ON 30 PERCENT SLOPE OR GREATER OR BE SITUATED WITHIN A FLOODWAY (BEAVER CREEK, SANDY RIVER, ARATA CREEK). THE DEVELOPMENT OF THESE LOTS SHALL MEET THE DESIGN STANDARDS OF SECTION 2.05.00.
- 2) NO NEW SUBDIVISIONS, PARTITIONS OF LAND, RESUBDIVISION OF EXISTING DEVELOPMENT, OR DEVELOPMENT PLAN SHALL BE APPROVED BY THE CITY IN AREAS DESIGNATED GREENWAY OR FLOODWAY WHEN ONE OF THE FOLLOWING CONDITIONS EXIST:
  - A) THE SLOPE OF THE LAND (TOPOGRAPHY) IS 30 PERCENT OR GREATER.
  - B) THE PROPERTY CANNOT BE SERVED BY MUNICIPAL SEWER AND WATER.
  - C) THE PROPERTY CANNOT BE SERVED BY A PUBLICLY DEDICATED STREET OR ROADWAY WITH A RIGHT-OF-WAY WIDTH AND STREET IMPROVEMENT STANDARD ACCEPTABLE TO THE CITY.
  - D) THE GRADING AND SITE PREPARATION CANNOT BE ACCOMPLISHED WITHOUT ENCROACHING ON GROUND SLOPE OF 30 PERCENT OR MORE WITHOUT CREATING A CUT OR FILL IN EXCESS OF THREE (3) FEET EXCEPT FOR BASEMENT CONSTRUCTION UNLESS SPECIFICALLY APPROVED BY THE CITY.
  - E) THE PROPERTY IS SITUATED IN THE FLOODWAY OF THE SANDY RIVER, BEAVER AND ARATA CREEK.

3) NO NEW SUBDIVISION, PARTITIONING OF LAND, RESUBDIVISION OF EXISTING DEVELOPMENT, OR DEVELOPMENT PLAN SHALL BE APPROVED ON CONSTRAINED LAND (I.E., LAND SITUATED ON 15 TO 30 PERCENT SLOPE OR WITHIN THE FLOODWAY FRINGE OF ARATA OR BEAVER CREEK OR SANDY RIVER) UNLESS THE MOST RESPONSIBLE DESIGN, MANAGEMENT AND CONSTRUCTION TECHNIQUES ARE EMPLOYED TO MINIMIZE HAZARDOUS CONDITIONS. THE DENSITY ALLOWED NORMALLY WILL BE REDUCED ON PROPERTY SITUATED ON STEEP SLOPES (SLOPES BETWEEN 15 TO 30 PERCENT) AS PER THE STANDARDS OF THE CITY ZONING ORDINANCE. THE TYPE OF CONSTRUCTION ALLOWED IN THE FLOODWAY FRINGE AREAS OF ARATA AND BEAVER CREEK AND THE SANDY RIVER SHALL BE GOVERNED BY THE STANDARDS OF THE HUD FLOOD INSURANCE PROGRAM, THE UNIFORM BUILDING CODE, AND THE CITY ZONING ORDINANCE.

.06 Areas designated as "historical" or "design review" areas on the Plan Map shall be subject to design review prior to issuing building permits in order to preserve the history and character of the area. The City may attach such design approval conditions concerning building character, color, materials, signing, lighting, and landscaping as deemed necessary to accomplish this objective.

.07 WHERE A RESIDENTIAL USE OCCURS INCIDENTAL TO A COMMERCIAL USE THE FOLLOWING PROVISIONS SHALL APPLY:

A) THE COMMERCIAL USE SHALL BE THE PRIMARY USE, I.E., IT SHOULD BE SITUATED AT THE GROUND FLOOR (OR FIRST FLOOR) LEVEL, WITH MAJOR ACCESS FROM THE FRONT YARD.

B) INTERNAL DWELLING SPACE SHALL BE CLEARLY SEPARATED FROM THE PRIMARY USE WITH SEPARATE ACCESS.

C) THE OUTDOOR LIVING SPACE ATTENDANT TO LIVING QUARTERS SHALL NOT PRESENT A DISCORDANT CHARACTER OF THE NEIGHBORING COMMERCIAL DISTRICT.

D) THERE SHALL BE PROVIDED ADEQUATE OFF-STREET PARKING FOR THE RESIDENTIAL USE.