

ORDINANCE NO. 585-O

ORDINANCE OF THE CITY OF TROUTDALE AMENDING THE TROUTDALE DEVELOPMENT CODE AND THE ZONING DISTRICT MAP [ADOPTED BY ORDINANCE NO. 549-O AND 550-O] FOR PORTIONS OF LAND IN THE MULTNOMAH COUNTY FARM STUDY AREA

WHEREAS, The City of Troutdale may adopt planning and zoning regulations to promote the general welfare and provide for economic development; and

WHEREAS, The City may, from time to time, amend the Comprehensive Land Use Plan Map to more adequately meet the needs of the community as expressed in the Comprehensive Plan text; and

WHEREAS, Citizens Advisory Committee of the City of Troutdale met on February 4, 1992 and March 3, 1992 to consider these proposed amendments and have forwarded a recommendation to the Troutdale Planning Commission; and

WHEREAS, The Planning Commission has conducted a public hearing to consider these amendments on February 19, 1992 and continued this public hearing to March 18, 1992; and

WHEREAS, The Planning Commission finds these amendments to be in the public interest; and

WHEREAS, The Department of Land Conservation and Development has directed the City to provide additional information to support the actions taken in the spring of 1990; and

WHEREAS, The proposed zoning and MPMU land use plan designation requires the submission of a conceptual development plan to address proper relationships between land uses; and

WHEREAS, The MPMU will require concept development plans to take relevant factors into consideration upon development of any parcel with a MPMU plan designation; and

WHEREAS, The proposed uses will allow for a mixture of residential land uses as well as centers of employment and retail service; and

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WHEREAS, By requiring the submission of a Concept Development Plan the efficiency issues of public services and utility delivery can be addressed for proposed developments in the MPMU area; and

WHEREAS, This plan is not dependent upon the Mt. Hood Parkway, although it acknowledges an alignment supported by the City of Troutdale; and

WHEREAS, The underlying zoning, in relationship between the land uses proposed, is not dependent upon the Mt. Hood Parkway being constructed in this location; and

WHEREAS, The proposed plan changes would allow the existing Edgefield Childrens Center and the developing McMenamin's Edgefield Village complex to exist as legal conforming land uses and it further encourages the preservation and enhancement of adjacent compatible development; and

WHEREAS, These proposed plan changes encourage excellence in private development and public services within the constraints of economic reality. Short-term benefits are not as great as a more intensive use which might otherwise have permitted on the property. However, the long-term benefits and impacts on the community are much more desirable; and

WHEREAS, Through implementation of the MPMU plan designation, additional layers of control will be added to the development of the property; and

WHEREAS, The proposed plan amendments would not bypass the necessity to address issues specified in the City's Comprehensive Plan and the Troutdale Development Code; and

WHEREAS, The uses proposed by the underlying zoning district classification and the restrictions placed upon development plans within the MPMU area should not allow any use which will be degrading to the air, water or land resource quality; and

WHEREAS, There would be two major areas of open space including Columbia Park which has been identified in the City's Park Plan for the last thirteen years; and

WHEREAS, Because of concerns of this proposed amendment, the City Council directed a massive campaign to enlist involvement in the Citizens Advisory Committee and The City has sent notice, published newspaper ads and conducted meetings before the CAC and the Planning Commission on this issue. Citizen concerns have been taken into account with development of all aspects of this proposal; and

WHEREAS, These proposed plan amendments allow flexibility in application for development of the property. Zoning lines may be shifted, however, the underlying zoning

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may not be changed without a Comprehensive Plan amendment. This flexibility should help in the marketing of the property while accommodating the needs of the developer.

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

Ordinance No. 550-O is amended to include the following language in the Troutdale Development Code:

TROUTDALE DEVELOPMENT CODE

NEW LANGUAGE: CHAPTER 5 OTHER ISSUES AND PROCEDURES

5. Concept Development Plan and specific Site Plan requirements for MPMU designations.

A. Concept Development Plan

A proponent for any development in an MPMU designated area shall submit an application with applicable fees to the Planning Commission for approval in principle. The Concept Development Plan shall include all areas designated as MPMU owned by the applicant. The application shall include twenty (20) copies of all plans, maps and diagrams drawn in sufficient detail to indicate the nature of the plan elements and a written narrative description. Approval of the Concept Development Plan shall be processed as a Type IV Land Use Decision.

A specific site plan may be submitted for approval as a joint Concept Development Plan/specific site plan through a Type IV process when:

1. It does not involve a shifting of any zoning district boundaries.
2. The application meets the more stringent requirements of the specific site plan approval.

B. Procedures

1. The Citizens Advisory Committee (CAC) shall meet to review the Concept Development Plan. The CAC will provide comments pertaining to the proposed development, its' compatibility with adjacent land uses and its' compliance with the City's

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Comprehensive Plan. These comments shall be forwarded to the Planning Commission for consideration at a public hearing.

2. The Planning Commission shall review the Concept Development Plan at a regular meeting and may recommend approval, approval with modifications or denial of the application. Such recommendation shall be based upon the Comprehensive Plan, this code, other regulations and the suitability of the proposed development in relation to the character of the area.
3. The City Council shall consider the Concept Development Plan at a public hearing and take action based upon the recommendation of the Planning Commission.
4. Approval of the Concept Development Plan shall be limited to the tentative acceptability of the land uses proposed and their interrelationships and shall not be construed to endorse precise location of uses nor engineering feasibility.
5. Concept Development Plan Expiration Date. Within two years following the effective date of approval of a tentative plan, the Specific Site Plan and Program shall be submitted pursuant to Section 2.050 and shall incorporate any modification or condition required by approval of the Concept Development Plan. The Director may, upon written request by the applicant, grant an extension of the expiration date of up to six months upon a written finding that the facts upon which the approval was based have not changed to an extent sufficient to warrant refileing of the Concept Development Plan and after finding that no other development approval would be affected.

C. Submission Materials

The Concept Development Plan need not be a finished drawing, but it should present all relevant graphic data, (generally) drawn on a sheet 18" x 24 inches in size and at a scale of one inch equals one hundred feet. The information shall include, but is not limited to, the following:

1. Proposed land uses and residential densities;
2. Building types and locations;

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3. Means of access, circulation and parking;
4. Parks, playgrounds, paths and open spaces;
5. Site analysis diagram;
6. Land division plan if the land is to be divided;
7. Proposed ownership pattern;
8. An applicant's statement addressing the following issues;
 - a. Statement of the goals and objectives of the proposed development;
 - b. Operation and maintenance proposal, i.e; homeowners association, co-op or other similar organization;
 - c. Tables showing overall density of any proposed residential development with density of dwelling types and intensity of any commercial, industrial or other employment-related uses;
 - d. Applicant's statement of how the proposed development complies with the applicable Comprehensive Plan policies;
 - e. Applicant's demonstration of substantial contractual interest in the land;
 - f. That adequate financing can be demonstrated to be available to the applicant to assure substantial completion of the proposal.
 - g. That the proposal incorporate a commitment to provide a legal instrument or instruments acceptable to the City setting forth a plan for the permanent care and maintenance of common space, including streets, greenways, recreational areas and all community owned facilities.

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- h. General timetable of development, including proposed phasing lines and areas to be submitted for specific site plan approved.

D. General Requirements.

- a. Compatibility with Neighborhood:

The Concept Development Plan shall present an organized arrangement of buildings, facilities, open spaces and improvements such as recreation facilities, landscaping and fencing to insure compatibility with the Comprehensive Plan and the area in which it is to be located.

- b. Open Space

1. Open space in an MPMU area means the land area to be used for scenic, landscaping or open recreational purposes within the development. It shall not include street right-of-ways, driveways or open parking areas.
2. Open space shall be provided for the recreational and leisure use of the residents of the development. These areas shall be designed to enhance the present and future value of the development.
3. To the maximum extent possible, natural features of the land shall be preserved and landscaping provided.
4. 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.

- c. Residential Density

1. In a residential zoning district of an MPMU area, the number of allowable units is based on net residential area. The net residential area shall be

calculated by taking the total area of the development less streets, commercial, industrial, community service and other non-residential uses. Recreational trails, streets, open space, etc., shall be included in the net residential area. The number of dwelling units permitted shall be calculated by dividing the net residential area by the minimum lot size required in the underlying residential district or districts.

2. Greenways, streams and steep topography areas will be counted as contributing to the density only to the extent that it can be shown, through a Planning Commission review, that a typical development could be accommodated on the site with realistic street configurations, grades and standard lot sizes. The number of dwellings yielded from such a tentative subdivision review process shall be used as a base in determining the overall density for the site.
3. An increase of up to 20% in the number of dwelling units may be permitted upon a finding by the Planning Commission that such increased density will contribute to:
 - a. Satisfaction of the need for additional urban area housing of the type proposed;
 - b. The provision of housing which is convenient to commercial, employment and community services and opportunities;
 - c. The creation of a land use pattern which is complementary to the community and its identity, and to the community design process;
 - d. The conservation of energy;
 - e. The efficient use of transportation facilities;

- f. The effective use of land and of available utilities and facilities; and
- g. The addition of design features and amenities including neo-traditional plan elements.

E. Specific Site Plan Approved

Upon approval of an overall Concept Development Plan, specific site plans may be submitted for approval. Phases or portions of the overall MPMU area may be approved for development as long as they conform to the approved Concept Development Plan for the property. An application shall be filed with appropriate fees and twenty (20) copies of all plans, maps and diagrams indicating in sufficient detail the specific development proposed. Approval of specific site plans for development shall be processed as a Type III Land Use Decision.

E. Specific Site Plan Submission Requirements

Specific site plans shall be specific to building locations, land uses, land divisions and street locations. It should be drawn on a sheet 18" X 24 inches in size and at a scale no smaller than one (1" = 100') inch equals one hundred feet. An application for specific site plan approval shall address the following when applicable:

1. The Specific Site Plan shall be in conformance with the approved Concept Development Plan for the property.
2. Existing and proposed contour map or maps of the site to a scale commensurate with the size of the development.
3. 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 five hundred (500) feet of the boundaries of the development.

4. Existing sewers, water mains, and other underground facilities within and adjacent to the development and their certified capacities.
5. Proposed sewers or other disposal facilities, water mains and other underground utilities.
6. A tentative subdivision plan if the property is proposed to be divided.
7. A land use plan indicating the uses planned for the development.
8. Areas proposed to be dedicated or reserved for interior circulation, public parks, playgrounds, schools sites, public buildings or other uses dedicated or reserved to the public, if any.
9. Open space that is to be maintained and controlled by the owners of the property and the proposed uses thereof.
10. A traffic flow map showing the circulation pattern within and adjacent to the proposed development.
11. Location and dimensions of pedestrian walk-ways, malls, trails or easements.
12. Location, arrangement, number and dimensions of automobile garages and parking spaces, width of aisles, bays and angle of parking, if any.
13. Location, arrangement and dimensions of truck loading and unloading spaces and docks, if any.
14. Tentative architectural plans and elevations of typical buildings and structures, indicating the general height, bulk, appearance and number of dwelling units, if applicable. (Not applicable to single-family uses).
15. A tentative tree planting and landscaping plan including areas of ground cover and approximate finished grades,

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slopes, banks and ditches. All existing trees over six (6) inches in diameter and groves of trees shall be shown. Trees to be removed by development shall be so marked.

16. The approximate locations, height and materials of all walls, fences and screen plantings. Elevation drawings of typical walls and fences shall be included.
17. The stages, if any, of the development construction. Such stages shall be clearly marked on the Specific Site Plan.
18. Narrative statement of the goals and objectives of the proposed development.
19. A completed market analysis, if required by the Planning Commission.
20. Evidence of resources available to develop the project.
21. Tables showing the total number of acres, the distribution of area 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.
22. Tables showing the overall density of the proposed residential development and showing density by dwelling types and any proposals for the limitation of density.
23. 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.

F. Approval of Specific Site Plan and Program

The Planning Commission may approve a specific site plan with or without modifications after conducting a public hearing.

G. Expiration

If substantial construction or development, as determined by the Director, has not taken place within four (4) years from the date of approval of a specific site plan, the Planning Commission shall review the Specific Site Plan 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 rescind the approval of the specific Site Plan.

H. Construction Plans

Following approval of a Specific Site Plan by the Planning Commission, the applicant shall prepare a Final Plan which shall be submitted to the Planning Division to check for compliance with the approved Specific Site Plan.

1. If the Final Plan is found to be in compliance, it shall be so certified by the Planning Division. The final plat with all documents relating to dedications, improvements, agreements, restrictions, and associations which shall constitute the Final Plan shall be recorded at Multnomah County Deed Records.
2. Land division regulations shall be met if the property is to be divided or streets are to be dedicated.
3. 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.
4. Final copies of all approved articles governing operation and maintenance shall be placed on file with the Planning Division prior to the issuance of any building permit.

I. Changes And Modifications

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1. Major Changes

Major changes in a Specific Site Plan after adoption shall be considered the same as a new petition and shall be made in accordance with the procedures specified in this Section.

2. Minor Changes

a. Minor changes in the Specific Site Plan may be approved by the Director, provided that such changes:

- i. Do not increase the residential densities.
- ii. Do not change boundaries.
- iii. Do not change any use.
- iv. Do not change the location or amount of land devoted to specific land uses.

3. Such changes may include minor shifting of the location of buildings, proposed streets, public or private ways, utility easements, parks, public open spaces, or other features of the plan.

J. Application of Development Standards

In cases of conflict between standards of the underlying district and the approved Site Plan, the standards of the approved specific site plan shall apply.

Ordinance No. 549-O is hereby repealed and Ordinance No. 491-O is amended by changing the Zoning District Map (Exhibit A) for the following:

Tax Lots 8, 64, 101, 35 & 81 Section 26 T1N R3E W.M. from R-5 single-family and O, open space to R-7 single-family residential and O, open space.

Tax Lots 44, 45, 58, Section 26 T1N R3E W.M. and Lots 1, 2 & 3 of the Preas Addition from R-5 single-family to R-7 single-family.

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Tax Lot 52 Section 26 T1N R3E W.M. from GC, general commercial to R-5, single-family residential.

Tax Lot 113 Section 26 T1N R3E W.M. from R-7 single-family to R-10 single-family.

Tax Lot 19 Section 26 T1N R3E WM from GI, general industrial, to IP, industrial park.

Parcel 2 of Partition Plat 1990-24 from GC, general commercial, A-2, multi-family and R-5, single-family to GC, general commercial, R-5 single family and R-10 single-family.

PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS
22ND DAY OF SEPTEMBER, 1992.

YEA: 4
NAYS: 0
ABSTAINED: 0



Sam K. Cox, Mayor

Dated: September 23, 1992

ATTEST:


Valerie J. Raglione, CMC
City Recorder

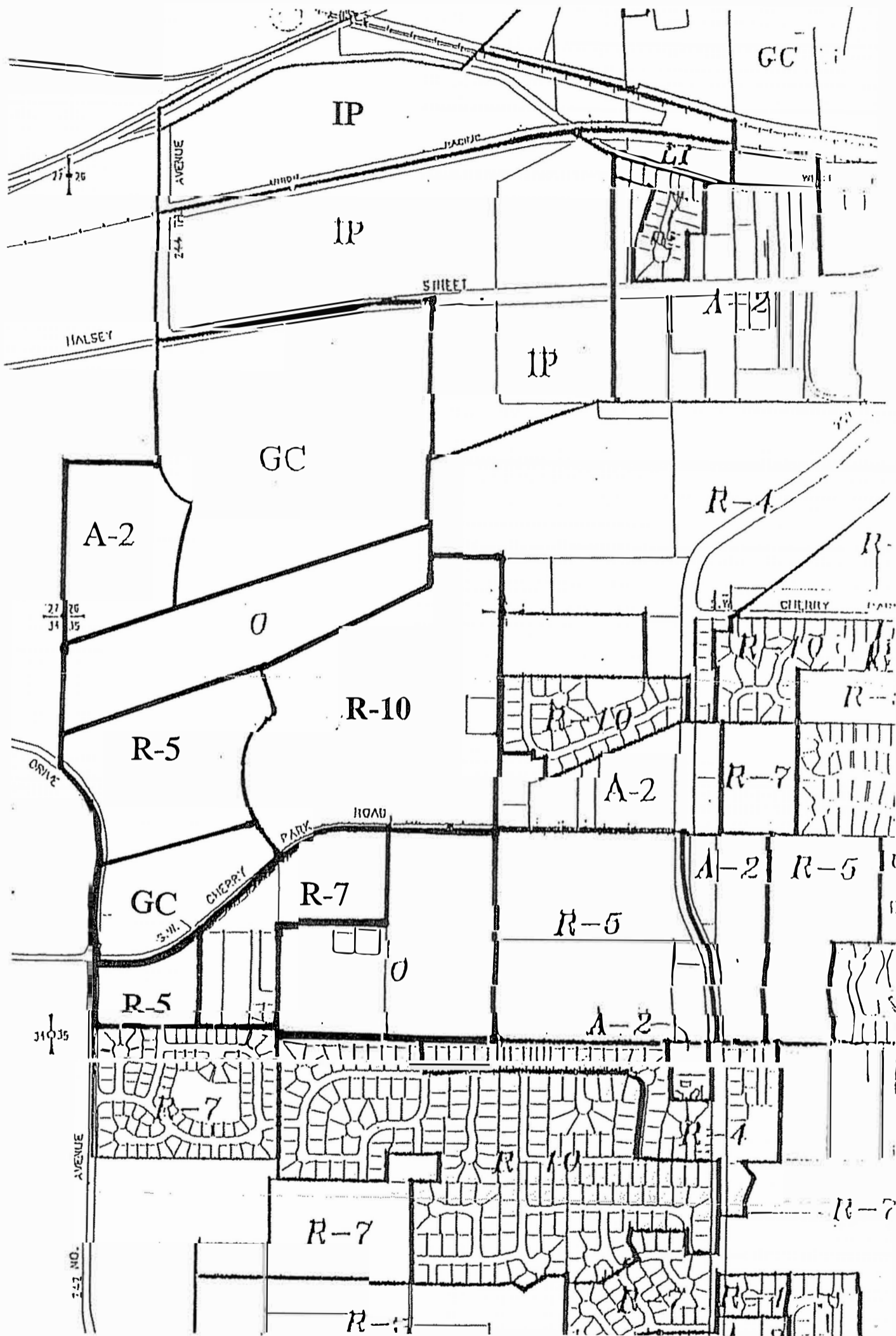
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CITY OF TROUTDALE
 DEPARTMENT OF COMMUNITY DEVELOPMENT

NEW ZONING MAP DESIGNATIONS
 FOR THE MULTNOMAH COUNTY FARM
 STUDY AREA

EXHIBIT "A"



RECORD COPY
 1900 1901 1902 1903 1904

DESIGNATION

DESCRIPTION

O	OPEN SPACE
R-10	SINGLE FAMILY
R-7	SINGLE FAMILY
R-5	SINGLE FAMILY
R-4	ATTACHED RESIDENTIAL
A-2	MULTI-FAMILY
GC	GENERAL COMMERCIAL
IP	INDUSTRIAL PARK
GI	GENERAL INDUSTRIAL