

ORDINANCE NO. 716

**AN ORDINANCE ADOPTING TROUTDALE DEVELOPMENT CODE
TEXT AMENDMENT NO. 31 RELATING TO MULTIPLE-FAMILY
RESIDENTIAL DESIGN STANDARDS**

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The Troutdale Citizens Advisory Committee reviewed these proposed amendments at their September, November and December 2001 meetings. The Planning Commission held a public hearing on January 16, 2002 to take public testimony and forwarded a recommendation to the City Council to adopt these proposed amendments to the Troutdale Development Code (TDC).
2. The proposed TDC amendments primarily relate to design standards for multi-family type housing. However, in conjunction with these design standards it is also necessary to revise the text for various zoning districts that allow multi-family type uses for the sake of consistency. Other related amendments are included as well. The proposed amendments pertain to the following chapters or subject matter:
 - Definitions
 - R-5 district
 - R-4 district
 - A-2 district
 - Open Space district
 - Town Center Overlay district
 - Manufactured home subdivisions
 - Planned development process for manufactured home subdivisions
 - Design standards for residential development
 - Outdoor lighting
3. Amendments to the general definitions section of the code are necessary to eliminate terms that are not currently found in the code or that are being removed through these amendments; to include definitions for new terms being added or for existing terms that have not been defined in the past but should be; and, to improve those definitions in need of clarification.
4. Amendments to the R-5 and R-4 zoning district are necessary housekeeping changes to clean up terminology under the permitted and conditional uses for consistency with other chapters in the code. The term "manufactured dwellings" is being deleted from the list of permitted uses because a manufactured dwelling is by definition a single-family detached dwelling and under state law must be permitted on individual lots the same as an onsite built dwelling.

5. Amendments to the A-2 zoning district are needed to add or delete terms for consistency and to establish new side and rear yard setback standards that address public concern about large-scale developments adjacent to single-family neighborhoods.
6. Adding minor utility facilities as a permitted use and major utilities and community services as a conditional use in the Open Space district makes it consistent with the other zoning districts within the city and recognizes the current reality of uses that are found in the Open Space district.
7. Amendments to the Town Center Overlay district are needed in order to make it consistent with the rest of the code. Residential design review provisions can be eliminated because there will be a new design standards chapter elsewhere in the code that is applicable to the TC overlay district.
8. The Manufactured Home Subdivision and Planned Development chapter is being deleted because it is no longer relevant now that the code allows manufactured homes to be sited on lots zoned for single-family dwellings as required under state law. This chapter should be repealed because it is no longer necessary for a developer to declare that a subdivision will be used for manufactured homes and to follow standards different from other single-family developments.
9. The elimination of the Manufactured Home Subdivision and Planned Development chapter necessitates minor text changes to the Planned Development chapter to make it clear that manufactured home subdivisions can also be created through the planned development process that is available to other types of development. Changes in how residential densities for planned developments are calculated and applied are also necessary to clarify meaning and to improve overall administration of the Planned Development chapter.
10. Design standards for all residential dwellings in the city, other than single-family, zero-lot line and duplex dwellings on separate lots, are needed in order to ensure attractive, high quality multi-family housing that is compatible with existing neighborhoods and community values. Design standards need to address a variety of development features including architectural elements, building entrances, pedestrian access and circulation, off-street parking, garages and carports, outdoor private space, and recreational facilities.
11. Various sections of the development code that pertain to outdoor lighting need to be amended to reference the requirements of TMC Chapter 8.26 which regulates all outdoor light fixtures erected or installed within the city and which is the controlling document for outdoor lighting regulations.
12. Public need is best satisfied through quality design and site layout among all housing types. Amendments to require design standards citywide for apartments, rowhouses and other multi-family housing satisfies public need to ensure quality

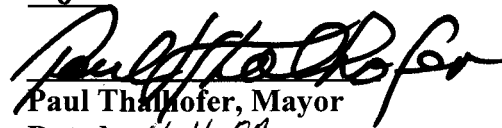
development within the city and to enhance the city's livability. Amendments that are housekeeping in nature also satisfy public need by bringing clarity and consistency to the development code, thereby making it easier for the public to understand and easier for city staff to implement.

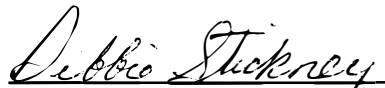
13. The amendments will have a positive affect on the health, safety and welfare of the community because having design standards for multi-family housing protects against poorly designed, unattractive development which detracts from the overall appearance and livability of the community. Associated housekeeping amendments to the code stemming from these design standards and to bring about consistency with outdoor lighting regulations in the Troutdale Municipal Code are needed changes that will not adversely affect the public welfare.
14. The amendments do not conflict with any goals or policies from the Troutdale Comprehensive Plan. Although some definitions and use terms are being changed, no use that is currently allowed in a zoning district that is the subject of these amendments is being eliminated. None of the proposed text changes would cause the TDC to be in noncompliance with the Metro Urban Growth Management Functional Plan.
15. Notice of the public hearing has been provided in accordance with applicable law.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

The Troutdale Development Code is hereby amended to read as shown in Attachment A.

YEAS:	<u>6</u>
NAYS:	<u>0</u>
ABSTAINED:	<u>0</u>


Paul Thalhoffer, Mayor
Dated: 4-11-02


Debbie Stickney, City Recorder
Adopted: April 9, 2002

**AMENDMENTS TO THE TROUTDALE
DEVELOPMENT CODE
(TEXT AMENDMENT NO. 31)**

RELATING TO:

**MULTIPLE-FAMILY RESIDENTIAL
DESIGN STANDARDS**



Text that was deleted is ~~struck-out~~.

Text that was added is in ***bold and italicized***.



Troutdale Community Development Department
Adopted by the City Council
April 9, 2002

CHAPTER 1 - INTRODUCTORY PROVISIONS

- 1.010 Title. This ordinance shall be known as the Troutdale Development Code (TDC) of 1990.
- 1.015 Purpose. The purpose of this code is to coordinate City regulations governing the development and use of land and to implement the Troutdale Comprehensive Land Use Plan.
- 1.020 General Definitions. As used in this code, the following words and phrases shall have the following meanings:
- .01 Abutting. Adjoining with any common boundary line(s).
 - .02 Access. The place, means, or way by which pedestrians and vehicles shall have safe, adequate, and usable ingress and egress to a property of use.
 - .03 Accessway. Paved pathways which provide direct and continuous pedestrian and/or bicycle passage through blocks. Accessways are designed to provide continuous pedestrian/bicycle routes by connecting a public street to another street or residential area, neighborhood activity center, industrial or commercial center, transit facility, park, school, open space, or trail system.
 - .04 Accessory Residential Unit. A second dwelling unit either within or added to a detached single-family dwelling that includes separate kitchen, bathroom, and sleeping area(s).**
 - .05 Accessory Structure. A non-residential structure which is subordinate to the principal structure that is located on the same lot serving purposes clearly incidental to the principal structure. Accessory structures include detached garages, detached carports, storage sheds, gazebos, detached decks over 12 inches in height, play structures, or other structures detached from the primary structure determined to be similar by the Director.**
 - ~~.0406 Accessory Use or Structure. A non-residential use of a structure which is subordinate to the principal use or structure on the lot, serving purposes clearly incidental to the principal use or structure.~~
 - ~~.0507 Adjacent. Adjacent means near, close; for example, an industrial district across the street or highway from a commercial district shall be considered as adjacent.~~

~~.0608~~ **Adult Foster Home (AFH).** Any family home or facility in which residential care is provided for five or fewer adults who are not related to the provider by blood or marriage, with exclusions as noted in ORS 443.715.

~~.0709~~ **Aggregate Resource.** Any and all rock, sand, soil, or gravel product extracted for commercial, industrial, or construction use from natural deposits.

~~.0810~~ **Alley.** Any public right-of-way less than 16 feet in width which has been dedicated or deeded to the public for public use.

~~.09~~ ~~**Apartment Residential Dwelling Unit.** Residential dwellings contained within a building with three or more dwelling units. For purposes of this definition, a building includes all dwelling units that are enclosed within that building or attached to it by a common floor or wall (even the wall of an attached garage or porch).~~

.11 Apartment Building. See Dwelling, Multiple-Family.

.12 Apartment Unit. An individual dwelling unit within a multiple-family dwelling, or constructed above, below, behind, or beside another use, including mixed-use dwellings.

~~.1013~~ ~~**Attached Residential Dwelling.** A residential dwelling which shares at least one common wall (including, without limitation, the wall of an attached garage or porch) and in which the dwelling has living space on the ground floor entrance. Attached residential dwellings include duplex, tri-plex, four-plex, and townhouses. **See Dwelling, Attached.**~~

.14 Automobile Wrecking Yard. See Junk Yard.

~~.1115~~ **Bikeway.** Any street or path which in some manner is specifically designated for the use of bicycles, or for shared use by bicycles, and other transportation modes compatible with bicycle use. The term "bikeway" includes bike lane and bike path.

~~.1216~~ **Bike Lane.** A portion of a street or shoulder designated for use by bicycles through the application of a paint stripe.

~~.1317~~ **Bike Path.** A separate trail or path closed to motor vehicle use which is for the exclusive use of bicycles or the shared use of bicycles and pedestrians.

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~~.1418~~ Boarding, Lodging, or Rooming House. Any building, or portion thereof, containing not more than five guestrooms where rent is paid.

~~.1519~~ Building, Height of. The vertical distance from the average grade to the highest point of the roof of the building.

~~.1620~~ Carpool/Vanpool. A group of two or more commuters who share the ride to and from work, school, or other destinations.

~~.21~~ Child Care Facility. See Day Care Facility.

~~.1722~~ City Administrator. The appointed chief administrative officer of the City who is responsible for the administration of all City ordinances, and who may make final determinations on all administrative decisions made by the Director or designated official.

~~.23~~ Clear Vision Area. The area near intersections of roadways and ingress/egress points where a clear field of vision is necessary for public safety.

~~.1824~~ Clinic. A building, or portion of a building, containing one or more offices for providing medical, dental, or psychiatric services not involving overnight housing of patients.

~~.1925~~ Clustering. A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

~~.2026~~ Community Service Use. ~~A use including,~~ **A noncommercial use established primarily for the benefit and service of the population of the community or region in which it is located. Community service uses include,** but are not limited to, schools, churches, community centers, fire stations, libraries, **hospitals, fraternal lodges,** ~~parks and playgrounds,~~ cemeteries, ~~or~~ **and government-buildings owned or government-operated structures or land used for public purposes.**

~~.2127~~ Congregate Housing. Housing for ~~aged or elderly citizens,~~ **retirement-age citizens and their spouses or the surviving spouse, the developmentally disabled,** or handicapped persons, which provides a minimum of services to accommodate the needs of residents. **Such a facility usually includes separate apartments, with or without kitchens, a communal dining**

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facility, housekeeping, organized social and recreational activities, transportation services, and other support services appropriate for the residents. Congregate housing may include assisted living facilities and services.

.2228 **Day Care, Certified, or Group Day Care Home.** A day care facility certified by the State of Oregon Department of Human Resources located in a building constructed as a single-family dwelling that is certified to care for no more than 12 children.

.2329 **Day Care, Family Provider.** A day care facility providing care in the provider's home in the family living quarters for six or fewer children full-time, with up to four additional full- or part-time children when school is not in session during the regular school year. During the summer when school is not in session, there may be up to four additional part-time children of any age in care, and shall be in care no more than four hours per day. There shall be no more than ten children at any given time, including the provider's children.

.2430 **Day Care, Center or Day Care Facility.** Any facility providing full-time care to more than 12 children in a structure other than a single-family residential dwelling.

.2531 **Development.** Any manmade change to improved or unimproved real estate including, but not limited to, construction, installation or change of a building or structure, land division, storage on the land, tree cutting, drilling, and site alteration such as that due to land surface mining, dredging, grading, paving, excavating, or clearing.

.2632 **Development Permit.** A permit issued for decks, accessory structures, and similar structures ~~or accessory uses~~ which requires zoning approval, but does not require a building permit.

.2733 **Director.** The appointed city official who is responsible for the administration of community development and related ordinances.

~~.28 Duplex. (See Attached Residential Dwelling.) A two family residential use in which the dwelling units share a common wall.~~

.34 Dwelling, Attached (rowhouse and townhouse). A building containing four or more dwelling units, each of which has its own front and rear access to the outside with its own front and rear yard. No unit may be

located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls. Each unit may be on a separate lot.

- .35 Dwelling, Duplex. A building containing two dwelling units totally separated from each other by an unpierced wall extending from ground to roof. A duplex may also be constructed on two adjacent lots with the common wall on the property line.**
- .36 Dwelling, Mixed-Use. A building with residential units above, below, or behind a non-residential use.**
- .37 Dwelling, Multiple-Family. A residential building (apartment) containing four or more dwelling units, including units that are located one over the other. It does not include duplex, triplex, zero lot line, or attached dwellings.**
- .38 Dwelling, Single-Family Detached. A residential building, including manufactured or modular homes, containing not more than one dwelling unit surrounded on all sides by yard area.**
- .39 Dwelling, Triplex. A building containing three dwelling units, each of which has direct access to the outside and the dwelling units are totally separated from each other by an unpierced wall extending from ground to roof. All three dwelling units may be on the same lot or may be constructed on three adjacent lots with common walls between two of the units.**
- .2940 Dwelling Unit. Any building, or portion thereof, with living facilities, including provisions for sleeping, eating, cooking, and sanitation, for not more than one family.**
- .41 Dwelling, Zero Lot Line. A single-family detached dwelling that is located on a line in such a manner that one or more of the building's sides rest directly on a lot line.**
- .3042 Family. An individual, two or more persons related by blood or marriage, or a group of not more than five persons (excluding servants) who need not be related by blood or marriage, living together in a dwelling unit.**

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- .3143~~3143~~**Floor Area.** The area of all floors included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and exterior courts.
- .3244~~3244~~**Frontage.** The portion of a parcel of property abutting a public or private street.
- .3345~~3345~~**Four-Plex.** ~~(See Attached Residential Dwelling, Attached). A four-family residential use in which the dwelling units are separated by common walls.~~
- .3446~~3446~~**Grade.** The grade shall be as defined in the Uniform Building Code, as adopted by the City.
- .47 Group Home. See Residential Care Facility, Residential Facility, and Residential Home.**
- .3548~~3548~~**Home Occupation.** An **accessory** use conducted entirely within a building that is clearly incidental and secondary to the use of the dwelling for dwelling purposes.
- .3649~~3649~~**Hotel/Motel.** A building, or group of buildings, containing six or more guestrooms used for transient residential purposes which may include ancillary restaurant uses.
- .3750~~3750~~**Junk Yard.** A lot for the dismantling or “wrecking” **of motor vehicles**, or for the storage or keeping, of junk, including scrap metals or other scrap materials.
- .3851~~3851~~**Kennel or Other Animal Boarding Place.** Any premises where five or more dogs over one year of age are kept, for any purpose whatsoever, or any premises where dogs are bred, boarded, or offered for sale as a commercial business. “Other animal boarding place”, as used in this code, means and includes any premises where six or more cats or other animals are bred, boarded, or offered for sale as a commercial business.
- .3952~~3952~~**Legislative Action.** Any action which amends City policy including, but not limited to, changes to the Comprehensive Land Use Plan text, Development Code text, and other implementing ordinances, and map changes or amendments to the Comprehensive Land Use Plan Map, the Zoning District Map, or other City adopted maps which represent a change in City land use policy.
- .4053~~4053~~**Loading Space.** An off-street space or berth used for the temporary parking of a vehicle while loading or unloading persons, merchandise, or materials.

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- .4154~~Lot~~. A unit that is created by a subdivision of land.
- .4255~~Lot Area~~. The total horizontal area enclosed within the lot lines of a lot.
- .4356~~Lot Coverage~~. The percentage of the total lot area covered by structures, including all projections except eaves, balconies, bay windows, or uncovered decks ~~42~~ **12** inches or less above grade.
- .4457~~Lot Depth~~. The horizontal distance measured midway between the front and rear lot lines. In the case of a corner lot, the depth shall be the length of its longest side lot line.
- .4558~~Lot Line Adjustment~~. The relocation of a recorded lot line which does not result in the creation of an additional lot, or reduce any lot below minimum sizes required by this code.
- .4659~~Lot Line, Front~~. For an interior lot, a line separating the lot from the street, and, for a corner lot, a line separating the narrowest frontage of the lot from the street.
- .4760~~Lot Line, Rear~~. A lot line not abutting a street which is opposite and most distant from the front lot line.
- .4861~~Lot Line, Side (Interior Lot)~~. Any lot line which is not a front or rear lot line.
- .4962~~Lot Line, Side (Corner Lot)~~. A line other than the front lot line separating the lot from the street, or a line separating the lot from the abutting lot along the same frontage.
- .5063~~Lot Width~~. The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.
- .5164~~Manufactured Home or Manufactured Dwelling~~. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use **as a dwelling** with or without a permanent foundation when connected to the required utilities. **To qualify as a manufactured home, the structure shall have been manufactured after June 15, 1976 and must bear an insignia issued by a state or federal agency indicating that the structure complies with all applicable construction standards of the U.S. Department of Housing and Urban Development.** For flood plain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180

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consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles. (~~See Mobile Home.~~)

~~.5265~~May. As used in this code, MAY is permissive and SHALL is mandatory.

.66 *Mixed-Use Development.* The development of a tract of land, building, or structure with a variety of uses, such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment, in a compact urban form. See Dwelling, Mixed-Use.

~~.5367~~Mobile Home. See manufactured home.

~~.5468~~Multiple-Family Dwelling. A residential building containing three or more individual dwelling units. **See Dwelling, Multiple-Family.**

.69 *Net Area.* The total area of a parcel of land less the following: proposed public streets; area constrained for development under the provisions of this code; area within a community resource protection overlay district; or, where approved by the City Council, land area dedicated or conveyed to the City.

~~.5570~~Nonconforming Development. A development that was legally established before this code was adopted or amended, but which does not comply with the current regulations in this code due to subsequent enactments or amendments.

~~.5671~~Nonconforming Lot. A lot or parcel that was legally established before this code was adopted or amended, but which does not comply with the current regulations in this code due to subsequent enactments or amendments.

~~.5772~~Nonconforming Structure. A structure that was legally established before this code was adopted or amended, but which does not comply with the current regulations in this code due to subsequent enactments or amendments.

~~.5873~~Nonconforming Use. A use that was legally established before this code was adopted or amended, but does not comply with or is not permitted to exist due to subsequent enactments or amendments to this code.

.74 *Nursing Home.* Housing with long-term physical and medical care for the physically handicapped, emotionally handicapped, or elderly population. Other terms used today include residential health care

facility, extended care, intermediate care, and long-term care. However, independent living, assisted living, and congregate housing are considered unique from this use within this code.

.5975**Outdoor Business.** A business, all or most of which is conducted, or items displayed, in an open space area including sidewalk sales, pushcart vendors, Saturday markets, and Christmas tree sales.

.6076**Owner.** The owner of record of real property as shown on the tax rolls of Multnomah County, or a person purchasing a piece of property under contract. For the purposes of this title, in terms of violations and binding agreements between the City and the owner, "owner" also means a leaseholder, tenant, or other person in possession or control of the premises or property at the time of agreement, violation of agreement, or the provisions of this title.

.6177**Parcel.** ~~A unit of land created by a partitioning of land.~~ **A piece of land created by a partition, subdivision, deed, or other instrument recorded with the appropriate recorder. This includes a lot, a lot of record, or a piece of land created through other methods.**

.6278**Partition, Major.** Creation of two or three lots, within a ~~calendar year~~ **12-month period**, that includes creation of a street.

.6379**Partition, Minor.** Creation of two or three lots, within a ~~calendar year~~ **12-month period**, which does not create a street.

.6480**Pedestrian Walkway.** An exterior hard-surfaced pathway intended for pedestrian use. Also referred to simply as a walkway.

.6581**Principal Use.** The primary purpose for which a lot, structure, or building is used.

.6682**Professional Office.** An office containing the activities such as those offered by a lawyer, architect, engineer, accountant, artist, teacher, real estate, or insurance sales.

.6783**Quasi-Judicial Action.** An action which involves the application of adopted policy to a specific development application or amendment.

.6884**Reclamation Plan.** Shall have the meaning contained in ORS 517.750 and OAR 632-30-025 (Department of Geology and Mineral Industries).

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- ~~.69 Residential Care Facility. A facility that provides residential care in one or more buildings on contiguous properties for six or more physically disabled or socially dependent individuals.~~
- ~~.70~~**85** Residential Facility. As defined in ORS 197.660, a facility which provides residential care and/or training and treatment for six to fifteen individuals. (See Definitions 118, 124, 128.)
- ~~.71~~**86** Residential Home. As defined in ORS 197.660, a facility which provides residential care and/or training and treatment for five or fewer individuals. (See Definitions 122, 126, 130.)
- ~~.72 Residential Training Facility. A facility that provides residential care and training in one or more buildings on contiguous properties for six or more mentally retarded or other developmentally disabled individuals.~~
- ~~.73 Residential Training Home. A facility that provides residential care and training in one or more buildings on contiguous properties, when so certified and funded by the Mental Health and Developmental Disability Services Division, for five or fewer mentally retarded or other developmentally disabled individuals.~~
- ~~.74 Residential Treatment Facility. A facility that provides residential care and treatment in one or more buildings on contiguous properties for six or more mentally, emotionally, or behaviorally disturbed individuals, or alcohol or drug dependent persons.~~
- ~~.75 Residential Treatment Home. A facility that provides residential care and treatment in one or more buildings on contiguous properties for five or fewer mentally, emotionally, or behaviorally disturbed individuals, or alcohol or drug dependent persons.~~
- .87 Rowhouse. See Dwelling, Attached.**
- ~~.76~~**88** School. Any building or portion thereof used for educational purposes. **A public, parochial, or private institution that provides educational instruction to students. This definition does not include trade or business schools or colleges.**
- ~~.77~~**89** Shall. As used in this code SHALL is mandatory and MAY is permissive.

.90 Single-Family Dwelling or Single-Family Residence. See Dwelling, Single-Family Detached.

.7891Site and Design Review Committee. A committee comprised of key staff members chaired by the Director to review applicable development proposals for compliance to the provisions of this code.

.8092Street Lighting. The total system of wiring, poles, arms, fixtures, and lamps, including all parts thereof that are necessary to light a street or pedestrian way.

.8193Street, Private. A thoroughfare or street providing a means of access to a property or properties which is not owned by the City or other jurisdictions.

.8294Street, Public. A thoroughfare or right-of-way acquired for use by the public which affords a principal means of access to abutting property not less than 16 feet in width.

7995Subdivision. Creation of four or more lots.

.8396Technical Review Committee. A committee comprised of key staff members chaired by the Director to review development proposals for technical compliance with this code and other applicable ordinances and regulations.

.8497Townhouse **or Townhome**. (See ~~Attached Residential Dwelling, Attached~~.) A residential use where more than four, but less than 12, dwelling units are attached by common walls with one or the other dwelling unit, and in which each dwelling unit has living space on the ground floor, a separate ground floor entrance, and separate front and back yards.

.8598Transit Facility. A facility intended to accommodate and assist transit users. Transit facilities include light rail transit stations, park and ride lots for transit riders, transit centers, transit shelters, bus turnout lanes, and transit stops.

.8699Transit Street. Any street identified as an existing or planned bus or light rail transit route.

.87100Tri-Plex. (See ~~Attached Residential Dwelling, Triplex~~.) ~~A three-family residential use in which the dwelling units are separated by common walls.~~

.88 ~~Two Family Apartment Residential Dwelling. (See Apartment Residential Dwelling.) An apartment residential dwelling with two dwelling units.~~

.101 Two-Family Dwelling. See Dwelling, Duplex.

.89102 Utility Facility, Major. Administrative offices and operation centers, wet system pump stations, sewage treatment plants and lagoons, electric generation facilities **(other than small scale accessory wind turbines or solar panels intended to generate electricity for onsite uses)**, sanitary landfills, pump stations, substations (transmission and distribution), water towers and reservoirs, public wells (aboveground), telephone switching equipment, ~~cable television~~ **communication** receiver and transmission facilities, **telecommunication towers and poles**, and **drinking** water treatment facilities.

.90103 Utility Facility, Minor. Street lights; underground lines and pipes; underground wells; transformers and regulator stations; closed system sanitary pump stations; and private, on-site facilities such as septic tanks, wells, and catch basins.

~~.91 Vision Clearance Area. Those areas near intersections of roadways and ingress/egress points where a clear field of vision is necessary for public safety.~~

.92104 Yard. A required open space on a lot that is unoccupied and unobstructed except for permitted projecting building features and accessory buildings.

.93105 Yard, Front. An open space extending the full width of the lot between a building and the front lot line, unoccupied and unobstructed from the ground upward, except as authorized by this code.

.94106 Yard, Rear. An open space extending across the full width of the lot between the main building and the rear lot line, unoccupied and unobstructed from the ground upward, except as authorized by this code. Where there is no rear lot line, the depth of the rear yard shall be the distance from a ten-foot line parallel to the front lot line, measured from one side line to the other.

.95107 Yard, Side. An open space between any building and the side lot line, unoccupied and unobstructed from the ground upward, except as authorized by this code.

.96108 Yard, Street Side. An open space adjacent to a street that is not a front yard, unoccupied and unobstructed from the ground upward, except as authorized by this code.

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97109 Windscreens. A fence-like structure, not to exceed six feet in height, on the north or east side of a residential building only, and used to reduce the wind velocity at exterior doors.

3.040 SINGLE-FAMILY RESIDENTIAL R-5

3.041 Purpose. This district is intended primarily for single-family **detached** dwellings in a medium-density residential neighborhood environment.

3.042 Permitted Uses. The following uses and their accessory uses are permitted in the R-5 district:

A. Single-family **detached and zero lot line** dwellings, ~~including zero lot line homes.~~

B. Duplex dwellings, when each dwelling unit is situated on an adjoining but separate lot of record.

BC. Accessory residential units, subject to the provisions of chapter 5.1000, Accessory Residential Units, of this code.

~~C. Single family attached duplex dwellings, when each dwelling unit is situated on an adjoining but separate lot of record, provided the base density is not exceeded.~~

~~D. Manufactured home subdivisions and planned developments.~~

ED. Manufactured home parks, **subject to the provisions of chapter 5.900, Manufactured Home Parks, of this code.**

~~F. Manufactured dwellings.~~

GE. Residential homes (ORS 197.660[2]; ORS 443.400-443.825).

HF. Parks and playgrounds.

IG. Utility facilities, minor.

JH. Bed and breakfast inns subject to the provisions of chapter 5.500, Bed and Breakfast Inn, of this code.

KI. Other uses similar in nature to those listed above.

3.043 Conditional Uses. The following uses and their accessory uses are permitted as conditional uses in the R-5 district:

- A. Day care centers.
- B. Golf courses (excluding miniature golf courses or driving ranges).
- C. Nursing homes ~~and homes for the aged.~~
- D. **Congregate housing, subject to the provisions of chapter 4.400, Congregate Housing, of this code.**

~~D~~E. Community service uses.

~~E~~F. Utility facilities, major.

~~F~~G. Other uses similar in nature to those listed above.

3.044 Lot Size, Dimensional, and Density Standards.

A. Lot Size, Width, Depth, and Frontage.

- 1. Minimum lot ~~area~~ **size**: 5,000 square feet for a single-family detached, ~~attached or zero lot line~~ **and zero lot line** dwellings, **and non-residential uses**; ~~8,000~~ **4,000** square feet for a ~~two-family dwelling structure~~ **each unit of a duplex dwelling**.
- 2. Minimum lot width: 50 feet and 50 feet wide at the front setback line for single-family detached **and zero lot line** dwellings, **and non-residential uses**. For ~~single-family attached and zero lot line~~ **duplex** dwellings: 40 feet and 40 feet wide at the front setback line.
- 3. Minimum lot depth: 70 feet.
- 4. Minimum lot frontage: 20 feet.

B. Setbacks.

- 1. Front yard setback: Minimum of 20 feet.
- 2. Side yard and street side yard setback: Minimum of five feet and ten feet on corner lots abutting a street. For ~~single-family attached~~ **duplex** dwellings, common walls shall be located on the common property line with each dwelling situated on its own lot.

3. Rear yard setback: Minimum of 15 feet.
 4. Projections into setbacks: See chapter 5.020, Exceptions to Yard Requirements, of this code.
 5. Accessory ~~Buildings~~ **Structures** in Setback Areas: See chapter 5.010, Accessory Structures in Required Yards, of this code.
- C. Height Limitation. The maximum height of a structure shall be 35 feet.
- D. Minimum Density. Residential development is required to be built at 80% or more of the maximum number of dwelling units per net acre. For purposes of this standard, in computing the maximum number of dwelling units, if the total contains a fraction, then the number shall be rounded down to the next lower whole number. For computing the minimum number of dwelling units, if the total contains a fraction, then the number shall be rounded down to the next lower whole number.
- [Example: Computing maximum and minimum dwelling units for a 12,500 square foot parcel:
- Allowed density is 1 dwelling per 5,000 square feet.
 - A 12,500 square foot parcel yields 2.5 dwelling units; round down to 2 dwelling units for maximum number of units.
 - Eighty percent minimum density is 0.8x2 which yields 1.6 dwelling units; rounded down to 1 dwelling unit for minimum number of units.]

3.045 Additional Requirements.

- A. Design review and landscaping is required for all uses except single-family residential—uses **detached and zero lot line dwellings, and duplex dwellings on separate lots. The design standards of chapter 8.200 of this code apply to residential uses. Development on lots within the Town Center Overlay District must conform to the applicable standards of chapter 4.700, Town Center Overlay District, of this code.**
- B. All lots in this district shall have frontage or approved access to public streets, public water, and public sewer before construction shall be permitted.
- C. Off-street parking spaces shall be provided in accordance with the requirements of Chapter 9, Off-Street Parking and Loading, of this code.
- D. All single-family **detached and zero lot line** dwellings, ~~including manufactured dwellings,~~ **and duplex dwellings on separate lots** shall utilize at least ~~two~~ **six** of the following design features:

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1. Dormers.
 2. Recessed entries.
 3. Cupolas.
 4. Bay or bow windows.
 5. Window shutters.
 6. Offsets on building face or roof (minimum 12").
 7. Gables.
 8. Covered porch entry.
 9. Pillars or posts.
 10. Eaves (minimum 6").
 11. Tile, ~~or~~ shake, **or architectural composition roofing**.
 12. Horizontal lap siding.
- E. **Manufactured dwellings homes** shall comply with the following standards:
1. Be multi-sectional and enclose a space of not less than 1,000 square feet.
 2. Foundations for manufactured homes shall comply with current Oregon Administrative Rules regulations. Homes shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not less than eight inches nor more than 12 inches above grade. If the manufactured home is placed on a basement, the 12-inch limitation shall not apply.
 3. The manufactured home shall have a pitched roof. The minimum slope shall be not less than a nominal three feet in height for each 12 feet in width.
 4. The manufactured home shall have exterior siding and roofing which in color, material, and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community, or

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which is comparable to the predominant materials used on surrounding dwellings as determined by the Director.

5. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required for single-family dwellings constructed under the state code as defined in ORS 455.010.
6. The manufactured dwelling shall have a garage constructed of like materials, where such is consistent with the predominant construction of immediately surrounding dwellings.
7. The towing tongue, axles, wheels, and traveling lights shall be removed from the manufactured home when installed or within 30 days of delivery to site.
8. The manufactured home shall not be sited adjacent to any structure listed on the Register of Historic Landmarks and Districts or a structure designated Community Resource (CR), by the City.
9. The manufactured home shall be connected to the City's public water supply and public sewer.
10. If the manufactured home is removed from its foundation, the owner shall either replace the manufactured home with another approved manufactured home, or remove the foundation, manufactured home accessory structures, and other structures on the property and disconnect sewer, water, and other utilities within 30 days. If the owner fails to perform the work within 30 days, the City may make the removal and disconnection and place a lien against the property for the cost of the work.

3.050 ATTACHED RESIDENTIAL R-4

3.051 Purpose. This district is intended primarily for attached residential dwellings in a medium-density residential environment.

3.052 Permitted Uses. The following uses and their accessory uses are permitted in the R-4 district:

A. Attached, **duplex, and triplex dwellings**. ~~residential dwellings, including single-family, duplex, tri-plex, four-plex, rowhouses, and townhouses.~~

B. Single-family **detached and zero lot line** dwellings, ~~including zero lot line homes.~~

~~C. Manufactured home subdivisions and planned developments.~~

DC. Manufactured home parks, **subject to the provisions of chapter 5.900, Manufactured Home Parks, of this code.**

ED. Residential homes (ORS 197.660[2]; ORS 443.400-443.825).

FE. Residential facilities (ORS 197.660[1]; ORS 443.400-443.460).

GF. Parks and playgrounds.

HG. Utility facilities, minor.

IH. Bed and breakfast inns subject to the provisions of chapter 5.500, Bed and Breakfast Inn, of this code.

JL. Other uses similar in nature to those listed above.

3.053 Conditional Uses. The following uses and their accessory uses are permitted as conditional uses in the R-4 district:

A. Day care centers.

B. Golf courses (excluding miniature golf courses or driving ranges).

C. Nursing homes ~~and homes for the aged.~~

- D. Congregate housing, **subject to the provisions of chapter 4.400, Congregate Housing, of this code.**
- E. Community service uses.
- F. Utility facilities, major.
- G. Other uses similar in nature to those listed above.

3.054 Lot Size, Dimensional, and Density Standards.

A. Lot Size, Width, Depth, and Frontage.

1. Minimum lot ~~area~~ **size: 4,000 square feet for all single-family detached dwellings and zero lot line dwellings, and for non-residential uses; 3,500 square feet for each attached or zero lot line dwelling per unit for duplex, triplex, and attached dwellings when on one lot; 3,500 square feet for duplexes, and the end units of triplex and attached dwellings on separate lots; 3,000 square feet for the interior units of triplex and attached dwellings on separate lots.**
2. Minimum lot width: 40 feet and 40 feet wide at the front setback line for ~~detached dwellings~~ **those uses requiring a 4,000 square foot minimum lot size; 35 feet wide at the front setback line for those uses requiring a 3,500 square foot minimum lot size; 30 feet and 30 feet wide at the front setback line for attached dwellings. 20 feet and 20 feet at the front setback line for rowhouses/townhouses those uses requiring a 3,000 square foot minimum lot size.**
3. Minimum lot depth: 70 feet.
4. Minimum lot frontage: 20 feet.

B. Setbacks.

1. Front yard setback: Minimum of 20 feet.
2. Side yard and street side yard setback: Minimum of five feet and ten feet on corner lots abutting a street. **Duplex, triplex, and attached dwellings on individual lots and zero lot line dwellings shall have a common wall located on a common property line.**

3. Rear yard setback: Minimum of 15 feet.
 4. Projections into setbacks: See chapter 5.020, Exceptions to Yard Requirements, of this code.
 5. Accessory ~~buildings~~ **structures** in setback areas: See chapter 5.010, Accessory Structures in Required Yards, of this code.
- C. Height Limitation. The maximum height of a structure shall be 35 feet.
- D. Minimum Density. Residential development is required to be built at 80% or more of the maximum number of dwelling units per net acre. For purposes of this standard, in computing the maximum number of dwelling units, if the total contains a fraction, then the number shall be rounded down to the next lower whole number. For computing the minimum number of dwelling units, if the total contains a fraction, then the number shall be rounded down to the next lower whole number.
- [Example: Computing maximum and minimum dwelling units for a 10,000 square foot parcel:
- Allowed density is 1 dwelling per 4,000 square feet.
 - A 10,000 square foot parcel yields 2.5 dwelling units; round down to 2 dwelling units for maximum number of units.
 - Eighty percent minimum density is 0.8x2 which yields 1.6 dwelling units; rounded down to 1 dwelling unit for minimum number of units.]

3.055 Additional Requirements.

- A. Design review and landscaping is required for all uses except detached ~~and attached residential dwellings on individually platted lots~~ **single-family and zero lot line dwellings, and duplex dwellings on separate lots. The design standards of chapter 8.200 of this code apply to residential uses. Development on lots within the Town Center Overlay District must conform to the applicable standards of chapter 4.700, Town Center Overlay District, of this code.**
- B. All lots in this district shall have frontage or approved access to public streets, public water, and public sewer before construction shall be permitted.
- C. Off-street parking spaces shall be provided in accordance with the requirements of **section 8.225, Off-Street Parking, Garages, and Carports,** and Chapter 9, Off-Street Parking and Loading, of this code.

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D. All single-family detached and zero lot line dwellings, and duplex dwellings on separate lots shall utilize at least six of the following design features:

- 1. Dormers.**
- 2. Recessed entries.**
- 3. Cupolas.**
- 4. Bay or bow windows.**
- 5. Window shutters.**
- 6. Offsets on building face or roof (minimum 12").**
- 7. Gables.**
- 8. Covered porch entry.**
- 9. Pillars or posts.**
- 10. Eaves (minimum 6").**
- 11. Tile, shake, or architectural composition roofing.**
- 12. Horizontal lap siding.**

E. Manufactured homes shall comply with the following standards:

- 1. Be multi-sectional and enclose a space of not less than 1,000 square feet.**
- 2. Foundations for manufactured homes shall comply with current Oregon Administrative Rules regulations. Homes shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not less than eight inches nor more than 12 inches above grade. If the manufactured home is placed on a basement, the 12-inch limitation shall not apply.**

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3. ***The manufactured home shall have a pitched roof. The minimum slope shall not be less than a nominal three feet in height for each 12 feet in width.***
4. ***The manufactured home shall have exterior siding and roofing which in color, material, and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community, or which is comparable to the predominant materials used on surrounding dwellings as determined by the Director.***
5. ***The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required for single-family dwellings constructed under the state code as defined in ORS 455.010.***
6. ***The manufactured dwelling shall have a garage constructed of like materials, where such is consistent with the predominant construction of immediately surrounding dwellings.***
7. ***The towing tongue, axles, wheels, and traveling lights shall be removed from the manufactured home when installed or within 30 days of delivery to the site.***
8. ***The manufactured home shall not be sited adjacent to any structure listed on the Register of Historic Landmarks and Districts or a structure designated Community Resource (CR), by the City.***
9. ***The manufactured home shall be connected to the City's public water supply and public sewer.***
10. ***If the manufactured home is removed from its foundation, the owner shall either replace the manufactured home with another approved manufactured home, or remove the foundation, manufactured home accessory structures, and other structures on the property and disconnect sewer, water, and other utilities within 30 days. If the owner fails to perform the work within 30***

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days, the City may make the removal and disconnection and place a lien against the property for the cost of the work.

3.060 APARTMENT RESIDENTIAL A-2

3.061 Purpose. This district is intended primarily for multiple-family (**apartments**) and **attached** dwellings in a high-density residential environment.

3.062 Permitted Uses. The following uses and their accessory uses are permitted in the A-2 district:

- A. **Multiple-family** Apartment dwellings (**apartments**).
- B. Attached, **duplex, and triplex** residential dwellings, ~~including duplex, tri-plex, four-plex, and townhouses~~ **when the dwellings are on the same lot.**
- C. Residential facilities (ORS 197.660[1]; ORS 443.400-443.460).
- D. Parks and playgrounds.
- E. ~~Home occupations.~~
- F. ~~Signs.~~
- GE.** Utility facilities, minor.
- HF.** Bed and breakfast inns subject to the provisions of chapter 5.500, Bed and Breakfast Inn, of this code.
- IG.** Other uses similar in nature to those listed above.

3.063 Conditional Uses. The following uses and their accessory uses are permitted as conditional uses in the A-2 district:

- A. Single-family detached **and zero lot line** dwellings ~~units, including zero lot line homes.~~
- B. Attached, duplex, and triplex dwellings when the dwellings are on separate lots.**
- BC.** Residential homes (ORS 197.660[2]; ORS 443.400-443.825).
- CD.** Day care centers.

~~D~~**E.** Congregate housing, **subject to the provisions of chapter 4.400, Congregate Housing, of this code.**

~~E.~~—Meeting halls.

F. Golf courses (excluding miniature golf courses or driving ranges).

G. Professional offices or clinics on arterial or collector streets.

H. Nursing homes ~~and homes for the aged.~~

I. Boarding, lodging, or rooming houses.

J. Community service uses.

K. Utility facilities, major.

L. Other uses similar in nature to those listed above.

3.064 Density, Lot Size, and Dimensional Standards.

A. Dimensional Standards.

- 1. Minimum lot size: Refer to the table in subsection (B) of this section for various residential uses; 4,000 square feet for all other uses.**
- 2. Minimum lot width: 40 feet wide at the front setback line for single-family detached and zero lot line dwellings and non-residential uses; 30 feet wide at the front setback line for duplexes and for the end units of triplex and attached dwellings on separate lots; none for the interior units of triplex and attached dwellings on separate lots.**
- 3. Minimum lot depth: 70 feet.**
- 4. Minimum lot frontage: 20 feet.**

~~AB.~~ ~~General~~ **Maximum** Density and Lot Size. 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 **unless the lot is within**

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the Town Center Overlay District, or except as may be approved under the Planned Development District.

DENSITY STANDARDS		
Number of Dwelling Units Type of Residential Use	Minimum Lot Area in square feet	Maximum Lot Coverage
Single-family detached and zero lot line dwellings on individual lots	4,000 square feet per unit	None
Single-family attached on individual lots or zero lot line Duplex, triplex and attached dwellings	3,500 3,000 square feet per unit when the dwellings are all on one lot. 3,000 square feet for duplexes and the end unit of triplex and attached dwellings on separate lots. 2,000 square feet for the interior units of triplex and attached dwellings on separate lots.	None for units on individual lots; 40% for others
2-6	3,000 square feet per unit	40%

Multiple-Family Dwellings	Minimum Lot Area	Maximum Lot Coverage
74 -14	21,500 9,000 square feet plus 2,500 square feet for each unit over 74	45%
15-37	41,000 square feet plus 2,000 square feet for each unit over 15	50%
38-94	87,000 square feet plus 1,500 square feet for each unit over 38	50%
95-155	172,500 square feet plus 1,000 square feet for each unit over 95	55%
Over 155	1,500 square feet per unit	55%

BC. Minimum Density. Residential development is required to be built at 80% or more of the maximum number of dwelling units per net acre. For purposes of this standard, in computing the maximum number of dwelling units, if the total contains a fraction, then the number shall be rounded down to the next lower

whole number. For computing the minimum number of dwelling units, if the total contains a fraction, then the number shall be rounded down to the next lower whole number.

[Example: Computing maximum and minimum dwelling units for a 7,500 square foot parcel:

- Allowed density is 1 dwelling per 3,000 square feet.
- A 7,500 square foot parcel yields 2.5 dwelling units; round down to 2 dwelling units for maximum number of units.
- Eighty percent minimum density is 0.8×2 which yields 1.6 dwelling units; rounded down to 1 dwelling unit for minimum number of units.]

~~C. Dimensional Standards.~~

- ~~1. Minimum lot width: 60 feet wide at the front setback line.~~
- ~~2. Minimum lot depth: 80 feet.~~
- ~~3. Minimum lot frontage: 20 feet.~~

D. Setbacks.

1. Front yard setback: Minimum of 20 feet.
2. Side yard and street side yard setbacks: ~~Minimum of 7½ feet for one and two-story buildings. For buildings exceeding 20 feet in height, the side yard shall be increased a minimum of one foot horizontally for every three feet of building height above 20 feet. On corner lots the street side yards setback for all structures shall be a minimum of 15 feet. Other side yard setback minimums are as follows:~~
 - a. **Multiple-family, attached, duplex, and triplex dwellings and non-residential structures and uses other than accessory structures as provided for in section 5.010 of this code: one and one-half times the minimum side yard setback of an adjoining residential zoning district for single-story construction; two times the minimum required side yard setback of an adjoining residential district for two-story construction, but not less than 15 feet; three times the minimum required side yard setback of an adjoining residential district for three-story or greater construction, but not less than 20 feet; a minimum of ten feet when adjoining a non-residential zoning district or other A-2 zoned property.**

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- A. Design review and landscaping is required for all uses except detached ~~and attached residential dwellings on individually platted lots~~ **single-family and zero lot line dwellings, and duplex dwellings on separate lots. The design standards of chapter 8.200 of this code apply. Development on lots within the Town Center Overlay District must conform to the applicable standards of chapter 4.700, Town Center Overlay District, of this code.**
- B. All lots in this district shall have frontage or approved access to public streets, public water, and public sewer before construction shall be permitted.
- C. Landscaping and screening will be provided on each site, ~~and all areas on an apartment site not occupied by paved roadways, walkways, patios, or buildings shall be landscaped. Usable recreation areas shall be provided for each multiple-family development which contains more than five dwelling units. A single site containing a minimum of 200 square feet per dwelling unit shall be provided.~~ **according to the standards of Chapter 11, Landscaping and Screening, of this code. All areas of a multiple-family, attached, duplex, or triplex dwelling site not occupied by paved roadways, parking, walkways, patios, or buildings shall be landscaped.**
- D. **Recreational facilities for multiple-family or attached dwelling developments of six units or more on one tax lot shall be provided in accordance with the regulations of section 8.235, Recreation Facilities, of this code.**
- DE. Off-street parking spaces shall be provided in accordance with the requirements of **section 8.225, Off-Street Parking, Garages, and Carports,** and Chapter 9, Off-Street Parking and Loading, of this code.

3.180 OPEN SPACE**OS**

- 3.181 Purpose. The district is intended to provide and preserve open space areas.
- 3.182 Applicability. In addition to other areas which may be so zoned by the City, this district shall apply to publicly owned parklands.
- 3.183 Permitted Uses. The following uses and their accessory uses are permitted in the OS district:
- A. Parks or playgrounds.
 - B. Picnic grounds.
 - C. Wildlife and nature preserves.
 - D. Nature trails and/or bikeways.
 - E. Utility facilities, minor.**
 - EF.** Other uses similar in nature to those listed above.
- 3.184 Conditional Uses. The following uses and their accessory uses are permitted as conditional uses in the OS district:
- A. Boat ramps.
 - B. Swimming facilities.
 - C. Community gardens.
 - D. Ball fields.
 - E. Tennis courts.
 - F. ~~Cemeteries.~~ **Community service uses.**
 - G. Utility facilities, major.**
 - GH.** Other uses similar in nature to those listed above.

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- 3.185 Development Criteria. Development criteria shall include, but are not limited to, the following:
- A. OS district uses shall be compatible with adjacent land uses.
 - B. Picnic grounds and parking facilities shall be equipped with trash receptacles.
 - C. OS districts shall be maintained by the City if publicly owned; by the owner(s) if privately owned.

4.500 PLANNED DEVELOPMENT PD

4.512 Areas of Application.

- A. Commercial, Industrial, and Residential. The Planned Development process may be applied in any zone to all commercial and industrial uses, and all residential uses for site-constructed housing, subject to requirements of the underlying district, the land division regulations, and sections 4.513 and 4.514 of this chapter.
- ~~B. Manufactured Homes. The Planned Development process may also be applied to mobile home subdivisions in the R-5 and R-4 residential districts, subject to the requirements of the underlying district and this code.~~

4.513 Dimensional Standards.

- A. Lot Width, Depth, and Frontage Requirements. Minimum lot size, width, depth, and frontage requirements for lots in a Planned Development may be less than the minimums specified in the underlying district if in accordance with the approved general plan **and program**, and the density standards of this section **chapter**.
- B. Minimum Site Size. A Planned Development shall be established on a parcel of land that is suitable for the proposed development, and shall not be established on less than four acres of contiguous land, unless the Planning Commission finds that property of less than four acres is suitable as a Planned Development 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.

4.514 General Requirements.

- C. Residential Density.
1. In a residential Planned Development, the density permitted is the same as that of the underlying district or districts, **except for the A-2 zoning district which shall be based on the density per dwelling unit established in Goal 2 of the Comprehensive Land Use Plan for the High Density Residential Planning area.**
 - a. **Density shall be allowed consistent with the general plan and program throughout the Planned Development area without regard to zoning district boundaries.**

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- b.** In a mixed-use Planned Development, the number of allowable units is based on net residential area. The net residential area for a Planned Development shall be calculated by taking the total area of the development less streets, commercial, industrial, community service, and other non-residential uses, **area constrained for development under the provisions of this code, and any existing residential uses that are being retained as part of the Planned Development.** Recreational trails, ~~streets~~, open space, etc., shall be included in the net residential area, **unless these open spaces are preserved and protected through conditions, covenants, and restrictions; conservation easements; or where approved by the City Council, dedication, or conveyance to the City.** The number of dwelling units permitted in a Planned Development shall be calculated by dividing the net residential area by the minimum lot size required in the underlying residential district or districts, **except for the A-2 zoning district which shall be a minimum of 2,000 square feet per dwelling unit.** ~~In a CC district, R-5 and R-4 densities shall be permitted; in a GC, CBD, LI or GI district, R-5, R-4 and A-2 densities shall be permitted where limited residential use is determined to be appropriate by the Planning Commission.~~
- c.** **Outside of the Town Center Overlay District in a commercial or industrial zoning district, when limited residential use is determined to be appropriate by the Planning Commission, there is no minimum or maximum density, but density will be allowed consistent with an approved general plan and program.**
2. Greenways, streams, and steep topography areas will be counted as contributing to the density **net area** 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 configuration, 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.

4.700 TOWN CENTER OVERLAY DISTRICT TC

4.705 Applicability. The regulations and standards of this overlay district apply to land within the boundaries of the Town Center Planning as established in the Town Center Plan except they shall not apply to those properties designated Low-Density Residential/Open Space in the Plan.

4.710 Purpose and Intent. The purpose of this district is to encourage the downtown Troutdale area to grow as a diverse and viable town center consistent with the Metro 2040 Growth Concept for town centers. The Troutdale Town Center is envisioned as the district that provides shopping, employment, cultural, and recreational opportunities that serve the Troutdale area. In addition, the district allows for continued housing opportunities close to commercial activities. The intent of specific design standards for buildings, streetscapes, and parking within the TC district is to achieve development that is consistent with the design concepts outlined in the Town Center Plan. These design concepts include, but are not limited to, attractive pedestrian-oriented streets, providing a complementary mix of commercial and residential development, a connected network of streets and accessways to reduce automobile dependency, and avoiding walled streets.

4.720 Permitted and Conditional Uses. Permitted and conditional uses are the same as those listed in the underlying zoning districts with the following exceptions:

A. Single-Family Residential (R-5).

1. Eliminated permitted uses: Manufactured home parks.
2. Additional conditional uses: **Triplex and a** Attached ~~single-family dwellings in excess of two units~~ when each unit is situated on a separate lot of record.

B. Attached Residential (R-4).

- 1.** Eliminated Permitted Uses: Manufactured home parks.
- 2. Additional conditional uses: Manufactured homes.**

C. Apartment Residential (A-2).

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1. Additional permitted uses: Single-family **detached and zero lot line** dwellings, ~~including zero lot line~~ **except that manufactured homes require a conditional use permit.**
 2. Additional conditional uses: Museums, theaters, galleries, or studios for art, dance, and photography.
 3. Eliminated conditional uses: Single-family **detached and zero lot line** dwellings, ~~including zero lot line~~ **except for manufactured homes.**
- D. Neighborhood Commercial (NC).
1. Additional permitted uses: Single-family **detached** dwellings (**except manufactured homes**), duplexes, **triplex, attached, and** multiple-family dwellings, and restaurants (excluding drive-through service).
 2. Eliminated permitted uses: Grocery stores.
 3. Additional conditional uses: Grocery stores and convenience stores without gasoline pumps.
- E. Community Commercial (CC).
1. Additional permitted uses: ~~Residential uses, including~~ sSingle-family **detached** dwellings (**except manufactured homes**), duplexes, **triplex, attached,** and multiple-family dwellings, provided the residential use is located above or behind the ground floor of a commercial use.
 2. Eliminated permitted uses: Grocery stores.
 3. Additional conditional uses: Grocery stores and convenience stores without gasoline pumps.
 4. Eliminated conditional uses: Automotive service stations where no repair work is conducted.
- F. General Commercial (GC).
1. Additional permitted uses: ~~Residential uses, including~~ sSingle-family **detached** dwellings (**except manufactured homes**), duplexes, **triplex, attached,** and multiple-family dwellings, provided the residential use is

located above or behind the ground floor of a commercial use; and public parking lots.

2. Eliminated permitted uses: Automotive repairs, including painting and incidental body and fender work, automotive service stations, lumber yards (retail sales only), and tire shops.
3. Eliminated conditional uses: Automobile and trailer sales area, heliport landings, off-street parking and storage of truck tractors and/or semi-trailers, outdoor stadiums, and racetracks.

4.730 Town Center Residential Densities.

A. General Density Requirements. The residential densities of the underlying zone shall apply except for Apartment Residential (A-2), Neighborhood Commercial (NC), Community Commercial (CC), and General Commercial (GC). The maximum residential density in these zones shall be one dwelling unit per 2,000 square feet of net land area.

B. Minimum Density. Residential development is required to be built at 80% or more of the maximum number of dwelling units per net acre. For purposes of this standard, in computing the maximum number of dwelling units, if the total contains a fraction, then the number shall be rounded down to the next lower whole number. For computing the minimum number of dwelling units, if the total contains a fraction, then the number shall be rounded down to the next lower whole number.

[Example: Computing maximum and minimum dwelling units for a 5,000 square foot parcel:

- Allowed density is 1 dwelling per 2,000 square feet.
- A 5,000 square foot parcel yields 2.5 dwelling units; round down to 2 dwelling units for maximum number of units.
- Eighty percent minimum density is 0.8×2 which yields 1.6 dwelling units; rounded down to 1 dwelling unit for minimum number of units.]

4.740 Dimensional Standards. Dimensional standards shall be the same as those listed in the underlying zone with the following exceptions:

A. Apartment Residential (A-2).

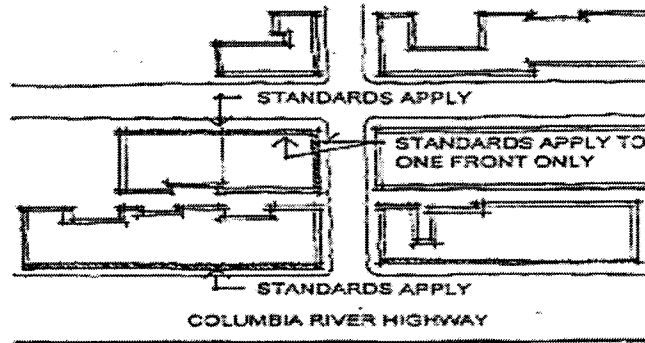
1. Minimum lot width: 20 feet at the front setback line.
2. No side yard setback shall apply for the interior side property lines of attached dwellings on individual lots.

- B. Neighborhood Commercial (NC).
 - 1. Minimum street frontage: 20 feet.
 - 2. Maximum lot coverage: 80%.
 - 3. No front yard or street side yard setback is required.
- C. Community Commercial (CC). No front yard or street side yard setback is required.
- D. General Commercial (GC). No front yard or street side yard setback is required; no minimum street frontage is required.
- E. Central Business District (CBD). No setbacks are required, except that a minimum 15-foot setback is required along a property line that abuts Single-Family Residential (R-5), Attached Residential (R-4), or Apartment Residential (A-2) zoning districts.

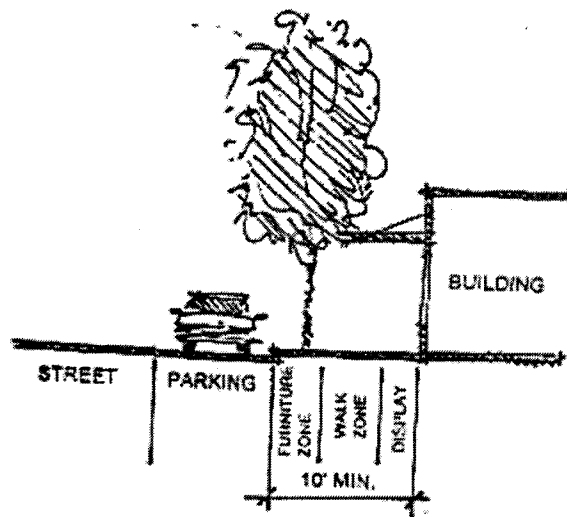
4.750 Commercial Design Review. Site and design review shall be required for all commercial uses within the TC district. Site and design review shall be conducted in accordance with Chapter 8, Site Orientation and Design Standards, of this code.

- A. CBD Design Standards. The Design Standards for CBD, listed in Appendix A of this code shall apply to the CBD zoning district with the following exception. If a design standard refers to the relationship of a site or building to Historic Columbia River Highway, but the subject property does not abut Historic Columbia River Highway, then the standard shall be applied to at least one street frontage that can be used by pedestrians.

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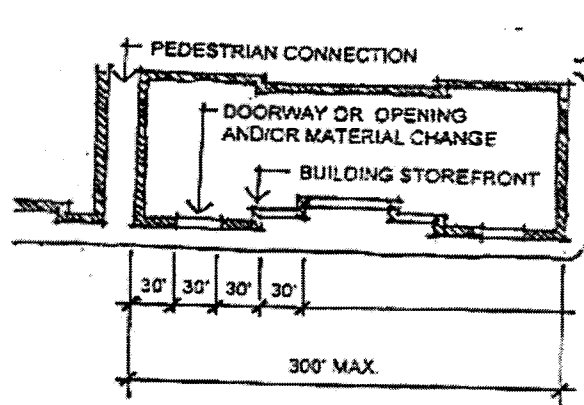


- B. Development adjacent to SW Halsey Street shall install decorative streetlights within the Halsey Street right-of-way as part of any half-street improvements required of the development.
- C. Outlet Mall/Treatment Plant Site. New commercial development on the sewage treatment plant site shall meet the following design standards:
 - 1. The drive or street through the outlet mall site to the sewage treatment plant site shall be a public street. Sidewalks at least ten feet in width shall be provided on both sides of the street.



- 2. New commercial buildings shall be set back no more than ten feet from the new street for at least 50% of the street frontage. Building entrances shall connect to the street.
- 3. Awnings, canopies, arcades, or projected rooflines shall be provided along building storefronts that abut the new street.

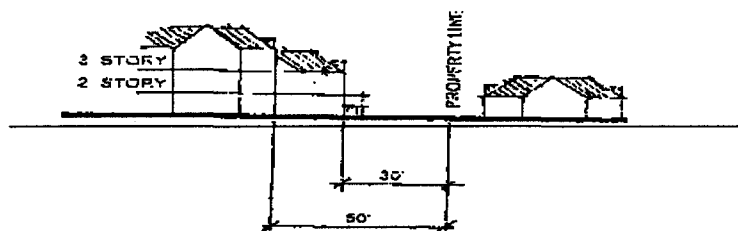
4. Building storefronts that abut the new street shall include at least 50% of the ground floor area as windows or doorway openings. Building facades shall extend no more than 30 feet without providing a variation in building material or building offsets. No building facade shall extend for more than 300 feet without a pedestrian connection between or through the building.



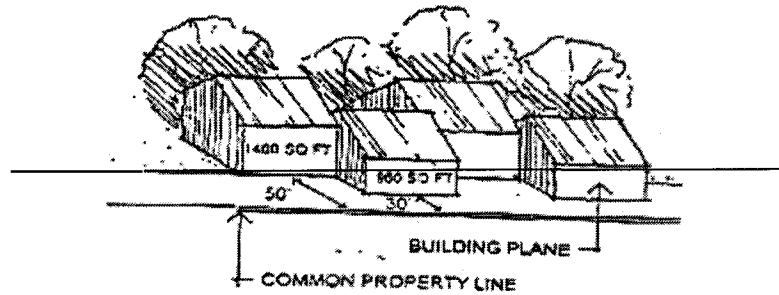
- 4.760 Residential Design Review. All residential development other than detached single-family dwellings, **zero lot line, and duplex dwellings on separate lots and duplexes** shall be subject to site and design review **and design standards specified in chapter 8.200 of this code**. ~~In addition to site and design review requirements of the underlying zone and Chapter 8, Site Orientation and Design Standards, of this code, the following design standards shall apply:~~

A. Building Planes:

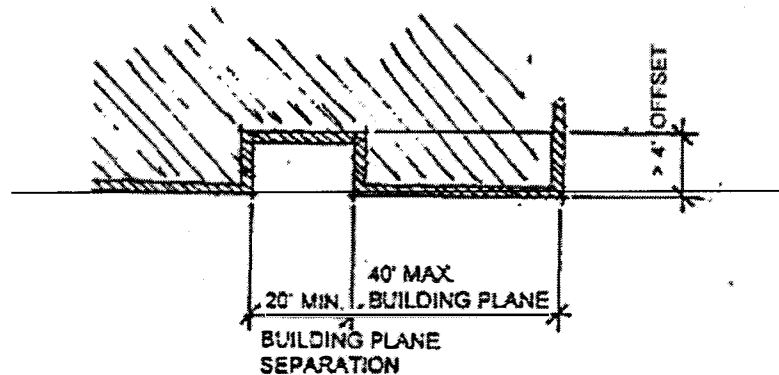
1. ~~Building scale shall not exceed two stories within 30 feet or three stories within 50 feet of any property line.~~



2. ~~No building plane shall have a dimension greater than 40 feet in length, 35 feet in height, nor exceed 1,400 square feet in area. No building plane shall exceed 960 square feet within 30 feet of a property line.~~



3. ~~A horizontal separation of at least 20 feet is required between building planes that are aligned.~~

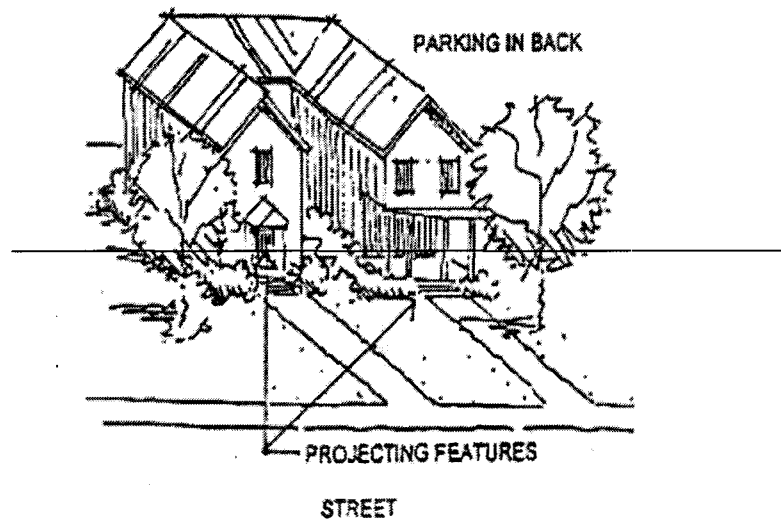


4. ~~Building plane is defined as the plane of a building wall that extends from the ground to the top of each wall of a structure. Area is determined by multiplying the length of each wall by the height. The plane does not include roof area. When a structure along a wall juts out from the wall, or is offset from an adjacent part less than four feet, the structure is considered part of the building plane of the wall behind it. If the structure protrudes greater than four feet, it represents a separate building plane. If a building plane is at an angle in relation to the property line, the midpoint of the wall shall provide the point at which the plane and related distances are measured.~~

- B. ~~Front Facades. Unless impractical because of topography or other design characteristics of the site, all primary ground floor common entries or individual unit entries of units fronting a public street shall be oriented to the street, not to the interior or to a parking lot. The front elevation of large structures must be divided into building planes of 500 square feet or less. Projecting features such as porches, balconies, bays, dormer windows, and roof pediments are encouraged for structures facing a public street. On front elevations, these projecting features~~

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shall be considered separate building planes for purposes of calculating the maximum 500-square foot building plane standard.

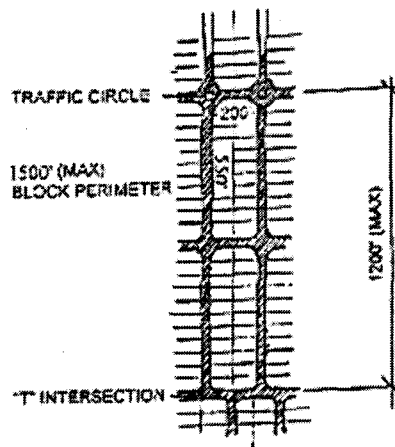


- C. ~~Main Entrance. Residential structures must be oriented with their main entrance facing the street that the site fronts on. If the site is on a corner, it may have its main entrance oriented to either street or to the corner.~~
- D. ~~Unit Definition. Each dwelling unit shall be emphasized by including a roof dormer or bay windows on the street facing elevation, or by providing a roof gable or porch that faces the street.~~
- E. ~~Rooflines. Roofline offsets shall be provided at intervals of 40 feet or less to create variety in the massing of structures and relieve the effect of a single, long roof. Roofline offsets shall be a minimum four-foot variation either vertically from the gutter line, or horizontally.~~
- F. ~~Trim Detail. Trim shall be used to mark all building rooflines, porches, windows, and doors that are on a residential structure's street facing elevation or elevations.~~
- G. ~~Parking. Parking and loading areas may not be located between the residential structure and the right-of-way the structure fronts on. If there is no alley and motor vehicle access is from the street, parking must be either in a garage that is attached to the residential structure, in a detached accessory structure located at least 50 feet from the front property line, or in a parking area at the side or rear of the site.~~

~~H. Pedestrian Circulation. The on site pedestrian circulation system shall be continuous and connect streets abutting the site, ground level entrances, common buildings such as laundry and recreation facilities, parking areas, shared open space and play areas, abutting transit stops, and any pedestrian amenities such as plazas, resting areas, and viewpoints. There shall be at least one pedestrian connection to an abutting street frontage for each 200 linear feet of street frontage.~~

4.780 Street Design and Streetscapes. The following design standards shall apply within the Town Center district.

A. Blocks and Access. The perimeter of blocks shall not exceed 1,500 feet. Blocks along arterial and collector streets shall be designed to allow streets to intersect in a manner that allows the side yards of development to abut the arterial or collector street. In general, development should not be designed with rear yards abutting arterials and collectors.



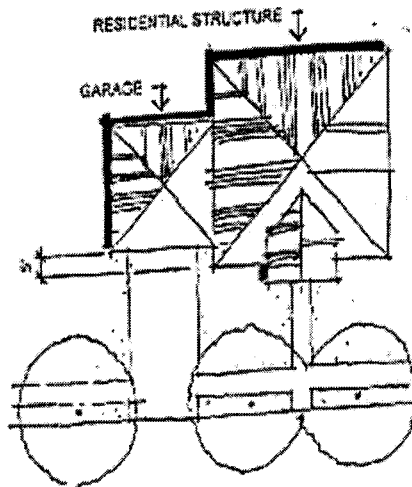
B. Street Termination. Unless impractical due to efficiency of street layout and design, topography, or other site constraints of the property being developed, new street sections shall be no longer than 1,200 feet without providing a jog, a deflected view, traffic island, or a point of termination, such as a “T” intersection.

C. Streetscapes. To encourage pedestrian-oriented streetscapes, the following standards shall apply:

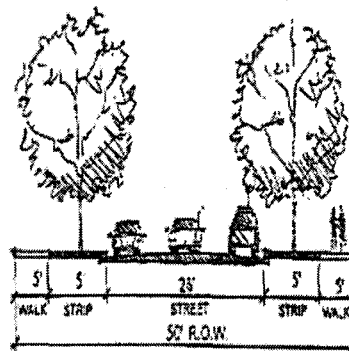
1. Fences and walls greater than 3½ feet in height shall be prohibited in front yards. If fences or walls greater than 3½ feet in height are provided along street side yards or rear yards abutting streets, the fence shall be buffered from the public right-of-way by a landscaped strip no less than five feet wide.

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- Garages shall be set back a minimum of five feet behind the front door of the residence. **For single-family detached and zero lot line dwellings, and duplex dwellings on separate lots, garages shall be set back a minimum of five feet behind the front door of the residence. For all other residential uses, garages shall comply with the standards of section 8.225, Off-Street Parking, Garages, and Carports, of this code.**



- Street trees are required along public streets in accordance with the City's ~~Street~~ Tree Ordinance, **Troutdale Municipal Code, Chapter 13.10.**
- Local residential streets shall have a pavement width of 28 feet, with sidewalks set back and separated from the street by a planting strip of five feet in width. The street shall provide on-street parking on both sides of the street.



5. Development adjacent to SW Halsey Street shall install decorative streetlights within the Halsey Street right-of-way as part of any half-street improvements required of the development.

D. Alleys. Alleys shall be a minimum of 20 feet in width and shall be encouraged as a means of providing vehicle access to development.

4.790 Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with the requirements of the underlying zoning district and with **section 8.225, Off-Street Parking, Garages, and Carports,** and Chapter 9, Off-Street Parking and Loading, of this code as applicable. No use shall be permitted to exceed the required minimum amount of off-street parking by more than ten percent; however, each use shall be allowed at least one parking space in excess of the minimum amount required. When the underlying zoning district requires no off-street parking spaces, no use shall be permitted to exceed the minimum number of parking spaces as indicated for that use within Chapter 9, Off-Street Parking and Loading, of this code by more than ten percent. In computing the maximum number of off-street parking spaces allowed, if the ten percent figure contains a fraction, then the number shall be rounded up to the next higher whole number.

4.795 Authority to Adjust Standards.

A. Because of the diverse topography and parcel configurations within the TC district, it is neither practical nor feasible to uniformly apply these design standards to all development projects. The Director shall use reasonable discretion in determining whether the standards in sections 4.750-4.780 of this chapter are practical for individual developments. The Director is authorized to grant administrative adjustments to these design standards upon making the following written findings:

1. The adjustment is justified due to unique site conditions.
2. The proposal will be consistent with the desired character of the area.
3. Any impacts from the adjustment are mitigated to the extent practical.

B. When, in the Director's opinion, an adjustment to a design standard is not justified, the request shall be handled as a variance in accordance with the procedures of chapter 6.200, Variance, of this code. The Director's decision to adjust a specific standard is a Type II decision under section 2.100, Type II

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Procedure, of this code and may be appealed to the Planning Commission as specified in Chapter 16, Public Deliberations and Hearings, of this code.

Entire chapter deleted

~~5.700 MANUFACTURED HOME SUBDIVISIONS
AND MH PLANNED DEVELOPMENTS MH~~

~~5.710 Purpose. A manufactured home subdivision or planned development is intended for manufactured homes on individual lots in exclusive manufactured home subdivisions or planned developments.~~

~~5.711 Establishment of a Manufactured Home Subdivision or Planned Development. A manufactured home subdivision or planned development may be established in an R-5 or R-4 residential district in accordance with the Type III land division procedure or the planned development procedure.~~

~~5.712 Standards for Manufactured Home Subdivision or Planned Development. In addition to the standards for a residential district in which the manufactured home subdivision or planned development is located, the Type III land division procedure, the planned development procedure, and the City's development standards, the manufactured home subdivision or planned development must comply with the following standards:~~

~~A. The minimum site size for a manufactured home subdivision or planned development shall be four acres of contiguous buildable land.~~

~~B. Each lot shall be adequately served by public facilities and services such as water, sewer, storm sewers, sidewalks, and improved streets, including underground utilities, which meet the City's development standards.~~

~~C. Street layout and design criteria and standards require additional treatment or modification to improve the efficiency of land use or to avoid adverse impacts on adjoining property. This shall not be construed as authority to waive street design standards to override the City's street layout or design requirements, nor to deny approval of the subdivision or planned development.~~

~~5.713 Approval Requirements. An application for a manufactured home subdivision or planned development shall be approved if the following requirements are met:~~

~~A. The request is for a minimum of four contiguous buildable acres;~~

~~B. Adequate City sewer and water service is available;~~

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- ~~C.—Streets are extended and improved to City standards;~~
- ~~D.—Runoff can be accommodated without causing damage to other properties; and~~
- ~~E.—The request complies with the City's Comprehensive Plan and this code.~~

~~5.714—Manufactured Home Housing Unit Standards. Manufactured home subdivisions or planned developments shall comply with the following in addition to complying with other applicable installation standards:~~

- ~~A.—The manufactured home shall have been manufactured after June 15, 1976 and bear the necessary "Insignia of Compliance" indicating conformance with construction standards promulgated by the U.S. Department of Housing and Urban Development. No reconstruction or equipment installation shall have been made to the manufactured home unless it has been approved by the building official.~~
- ~~B.—Before installation, a manufactured home shall be inspected by the building official and installation shall be approved only if the building official determines that the manufactured home bears the U.S. Department of Housing and Urban Development "Insignia of Compliance" with standards for manufactured home construction, notwithstanding any deterioration which may have occurred.~~
- ~~C.—The manufactured home shall be placed on a permanent concrete or concrete block foundation built in conformance with applicable codes and regulations. A continuous perimeter of skirting or facing shall be installed in accordance with applicable regulations and shall be composed of the same material and finish as the exterior of the home unless brick or concrete block skirting is used.~~
- ~~D.—The minimum width of the manufactured home shall be 20 feet.~~
- ~~E.—The towing tongue, axles, wheels, and traveling lights shall be removed from the manufactured home when installed, or within 30 days of delivery to the site.~~
- ~~F.—The roof shall be equipped with rain gutters and downspouts, have a minimum nominal slope of 3:12 (25%), and be covered with roofing materials commonly used for site-built houses.~~

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- ~~G. The manufactured home shall have siding material similar to that commonly used for site-built houses.~~
- ~~H. The manufactured home shall be provided with at least two separate bedrooms, a kitchen having a sink, hot and cold running water, and at least one bathroom equipped with a water closet, lavatory, and bathtub or shower.~~
- ~~I. The manufactured home plumbing shall be connected to the public water supply and a public sewer.~~
- ~~J. The manufactured home shall be owned by the owner of the lot on which it is placed.~~
- ~~K. If the manufactured home is removed from its foundation, the owner shall either replace the manufactured home with another approved manufactured home or remove the foundation, manufactured home accessory structures, and other structures on the property and disconnect sewer, water, and other utilities within 30 days. If the owner fails to perform the work within 30 days, the City may make the removal and disconnection and place a lien against the property for the cost of the work.~~

New Chapter

8.200 MULTIPLE-FAMILY, ATTACHED, DUPLEX, AND TRIPLEX DWELLING DESIGN STANDARDS

8.205 Purpose. The purpose of this chapter is to provide general design standards for residential dwellings other than single-family detached, zero lot line dwellings, and duplex dwellings on separate lots. This chapter is intended to promote and ensure that high quality architectural building designs for these types of residential developments are maintained throughout the City.

8.210 Applicability. In addition to the development standards of the underlying zoning district or overlay zoning district and applicable sections of Chapter 8.000, Site Orientation and Design Standards, of this code, the provisions of this chapter apply to all residential dwellings other than single-family detached, zero lot line dwellings, and duplex dwellings on separate lots. This chapter does not apply to apartment units built above, below, or behind the street level floor of a commercial use.

8.215 General Design Standards.

- A. Building Entrances. The primary entrance to buildings that do not have residential units above or below other residential units shall face toward a public or private street, unless the lot configuration, site characteristics, onsite circulation, or other conditions make it impractical to face a building's primary entrance to the street. Exception: a primary entrance is not required to face a street designated as an arterial.**

- B. Building Separation. Multiple residential buildings on a single tax lot shall be separated at least 15 feet from one another.**

- C. Pedestrian Access and Circulation.**
 - 1. Private streets or driveways greater than 20 feet in length and that serve more than one dwelling unit shall have sidewalks on at least one side that connects to the nearest public street.**

2. **Each primary entrance to a residential building shall be connected to a sidewalk onsite that connects to either a public street, private street, or driveway.**
3. **Onsite pedestrian circulation shall be continuous and connect streets abutting the site, ground level entrances, common buildings such as laundry and recreation facilities, parking areas, shared open space and play areas, abutting transit stops, and any pedestrian amenities such as plazas, resting areas, and viewpoints. There shall be at least one pedestrian connection to an abutting street frontage for each 200 linear feet of street frontage.**
4. **Vehicle/pedestrian conflicts shall be minimized by providing pedestrian routes that are separated from parking lots, including onsite sidewalks that connect to garbage enclosures or recycling areas and mailboxes.**

8.220 Architectural Elements and Building Facades. The architectural design of each building should impart a feeling of neighborhood scale. Residential units should be designed with vertical and horizontal offsets to break up rooflines, define private outdoor areas, allow greater views, and admit light and air to unit interiors. Large, blank walls shall be avoided. Windows and projecting walls shall be used to break up larger walls in order to establish visual interest.

- A. **No wall of a residential building shall exceed a length of 40 feet without a foundation offset of at least four feet for a distance of at least 16 feet.**
- B. **The wall of a building that faces a public street shall incorporate architectural features including, but not limited to, at least three of the following:**
 1. **Porches.**
 2. **Balconies.**
 3. **Dormer windows.**
 4. **Recesses/lalcoves.**

- 5. Unique entry areas, such as porticos or atriums.**
 - C. The same level of architectural design and quality of materials shall be applied to all sides of the building.**
 - D. The following window detail shall be incorporated into the building design:**
 - 1. Windows shall account for at least 15% of any rear or front building elevation no matter what the building's orientation on the lot is.**
 - 2. Windows shall account for at least 10% of any side building elevation no matter what the building's orientation is.**
 - 3. All windows shall have outer casings or frames.**
 - E. Garages, carports, and accessory structures should maintain the same level of design, aesthetic quality, and architectural compatibility as the residential structure(s).**
 - F. Roofline offsets shall be provided at intervals of 40 feet or less to create variety in the massing of structures and relieve the effect of a single, long roof. Roofline offsets shall be a minimum four-foot variation either vertically from the gutter line, or horizontally.**
 - G. The rooflines of attached dwellings shall be multi-gabled or have varied parapets over every unit's main entrance.**
 - H. Rooflines, porches, and doors shall have trim.**
- 8.225 Off-Street Parking, Garages, and Carports. In addition to the standards of Chapter 9, Off-Street Parking and Loading, off-street parking for multiple-family, attached, duplex, and triplex dwellings shall include these design standards:**
- A. Parking and loading areas may not be located between the residential structure and the right-of-way the structure fronts on. If there is no alley, and motor vehicle access is from the street, parking must be either in an attached garage that is set back a minimum of five feet behind the front**

door of the residential structure, in a detached accessory structure located at least 50 feet from the front property line, or in a parking area at the side or rear of the site.

- B. Side and rear yard setbacks for off-street parking and access driveways shall be the same as the minimum building setbacks of the underlying zoning district or the same as the minimum building setback of any adjacent residential zoning district, whichever is more restrictive. Side and rear yard setbacks based on building height shall not be applied to off-street parking and access driveways.**

8.230 Outdoor Private Space. Outdoor private space is required for each residential unit of multiple-family, attached, duplex, and triplex dwellings.

- A. Each ground level dwelling unit shall have an attached accessible outdoor private space of not less than 60 square feet in area. Individual outdoor areas for ground level units must be visually screened from each other by walls, fences, or vegetation screening that is at least six feet high and totally sight-obscuring.**
- B. Each upper level unit shall have an attached outdoor private space, such as a balcony, of not less than 60 square feet in area. The area shall be enclosed, screened, or otherwise designed to provide privacy from adjacent units by walls, building offsets, or similar sight-obscuring screening.**

8.235 Recreation Areas. Recreational facilities or open space areas are required for multiple-family and attached dwelling developments which contain six or more dwelling units on one tax lot. Such recreational facilities and open space areas must be located on the development site or on a lot adjacent to the site. Common recreation areas, whether indoor, outdoor, or both, shall be provided at the rate of at least 200 square feet per dwelling unit. No more than 50% of the required recreation area may be in passive open space. Recreation facilities may include children's play structures and play equipment and shall be located outside of bioswales, detention ponds, steep slopes, or a vegetation corridor as defined in this code. More than one recreation area may be developed on the site. Any play structure exceeding ten feet in height must comply with the underlying zoning district setbacks.

8.240 Authority to Adjust Standards.

- A. Because of the diverse topography, parcel configurations, and site characteristics within the city, it is neither practical nor feasible to uniformly apply these design standards to all development projects. The Director shall use reasonable discretion in determining whether the standards in sections 8.215-8.235 of this chapter are practical for individual developments. The Director is authorized to grant administrative adjustments to these design standards upon making the following written findings:**
- 1. The adjustment is justified due to unique site conditions.**
 - 2. The proposal will be consistent with the desired character of the area.**
 - 3. Any impacts from the adjustment are mitigated to the extent practical.**
- B. When, in the Director's opinion, an adjustment to a design standard is not justified, the request shall be handled as a variance in accordance with the procedures of chapter 6.200, Variance, of this code. The Director's decision to adjust a specific standard is a Type II decision under section 2.100, Type II Procedure, of this code, and may be appealed to the Planning Commission as specified in Chapter 16.000, Public Deliberations and Hearings, of this code.**

**PROPOSED TDC AMENDMENTS PERTAINING
TO THE OUTDOOR LIGHTING ORDINANCE**

- 7.180(M)(14)** Street lighting. A complete street light system including, but not limited to, conduits, wiring, junction boxes, transformers, controls, bases, poles, mast arms, and luminaires shall be designed and installed by the subdivider at his/her expense on all streets within or abutting the subdivision. The design must comply with the standards of the Mid-County Lighting District, ~~which~~ **and the standards of the Troutdale Municipal Code, Chapter 8.26, Outdoor Lighting. The Mid-County Lighting District** will assume ownership and maintenance responsibility for all street lighting systems within public right-of-ways.
- 8.050(C)(3)(m)** Outdoor lighting. The fixtures shall be constructed or fully shielded in such a manner that all light emitted by the luminaire, either directly from the lamp or indirectly from the luminaire, is projected below the horizontal plane through the luminaire's lowest light emitting part. **The fixtures shall also comply with the requirements of Troutdale Municipal Code, Chapter 8.26, Outdoor Lighting.**
- 8.054(D)(5)** Accessways shall be lighted either by streetlights on adjacent streets or pedestrian scale lighting along the accessway. Lighting shall ~~not shine into adjacent residences.~~ **comply with the requirements of Troutdale Municipal Code, Chapter 8.26, Outdoor Lighting.**
- 9.090** Lighting. Artificial lighting shall be provided in all required off-street parking areas. Lighting shall be deflected so as not to shine directly into adjoining dwellings or other types of living units and so as not to create a hazard to the public use of a street. Lighting shall be provided in a bicycle parking area so that all facilities are thoroughly illuminated and visible from adjacent sidewalks or motor vehicle parking lots during all hours of use. **Lighting fixtures shall also comply with the requirements of Troutdale Municipal Code, Chapter 8.26, Outdoor Lighting.**
- 10.020(E)(3)** All externally illuminated signs that measure seven feet or more from ground level to the top edge of the sign shall be illuminated from above. **Externally illuminated signs shall comply with the requirements of Troutdale Municipal Code, Chapter 8.26, Outdoor Lighting.**

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10.055(B)(6)(a) Sign illumination shall be by external source only. All externally illuminated signs that measure seven feet or more from the ground level to the top edge of the sign face shall be illuminated from above. ***Externally illuminated signs shall comply with the requirements of Troutdale Municipal Code, Chapter 8.26, Outdoor Lighting.***