

ORDINANCE NO. 731

AN ORDINANCE AMENDING CHAPTERS 3, 4, 5 AND 9 OF THE TROUTDALE DEVELOPMENT CODE (TEXT AMENDMENT NO. 33)

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The Troutdale Citizens Advisory Committee reviewed these proposed amendments at their March and April 2003 meetings and forwarded them to the Planning Commission for approval. The Planning Commission held a public hearing on April 16, 2003 and has recommended that the City Council adopt the proposed amendments to the Troutdale Development Code.
2. These proposed TDC amendments cover a variety of topics. Most are merely housekeeping amendments to bring about consistency within the Code as a result of amendments adopted in April 2002 related to multi-family design standards. The proposed amendments generally pertain to the following:
 - R-20, R-10 and R-7 single-family residential districts
 - Central Business District and Mixed-Office/Housing District
 - Congregate Housing Overlay District
 - Accessory structures
 - Home occupations
 - Stormwater management
 - Off-street parking
3. Amendments to the R-20, R-10 and R-7 districts are needed to clean up terminology under the permitted and conditional uses for consistency with other chapters in the Code.
4. Amendments to the CBD and the MO/H districts are needed to provide consistency and correct identified shortcomings with certain provisions of these zoning districts.
5. The section from the congregate housing overlay district that lists the zones in which this use is allowed is redundant and should be eliminated because the respective zones already accomplish this purpose.
6. Amending the accessory structure provisions of the code to indicate that a building permit is required for structures exceeding 200 square feet in size is needed for consistency with the building code.
7. Eliminating the standard that home occupations can only be conducted as a supplementary source of family income, not as the principal income source, recognizes the reality of the role that many home occupations play in today's economy.

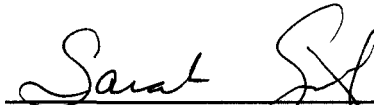
8. Clarifying the purpose and applicability of stormwater management regulations gives the public a better understanding of what kind of development is subject to these standards and makes it easier for city staff to administer the regulations.
9. More flexible parking standards to allow permeable paving materials and to permit temporary overflow parking on unpaved surfaces in some circumstances will help reduce stormwater runoff and help protect water quality.
10. These amendments 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.
11. The minor housekeeping changes encompassed in these proposed amendments will be a positive contribution to the public health, safety and welfare.
12. These amendments do not conflict with any goals or policies from the Troutdale Comprehensive Plan because they are merely housekeeping in nature to maintain consistency and clarity throughout the Development Code. For the same reason, the amendments are consistent with the Metro Urban Growth Management Functional Plan.
13. 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: 6
NAYS: 0
ABSTAINED: 0


 Paul Thalhoffer, Mayor
 Dated: 5-30-03


 Sarah Greif, Office Support Specialist
 Adopted: 5-27-03

CHAPTER 3 - ZONING DISTRICTS

3.010 SINGLE-FAMILY RESIDENTIAL R-20

3.011 Purpose. This district is intended primarily for single-family detached dwellings at the lowest development density provided for in this code. Such density is considered appropriate in areas developed at this density level or lower, and where natural features such as slope, flood plain, soil condition, etc., make these areas difficult to serve or inefficient to develop at higher densities. [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord.]

3.012 Permitted Uses. The following uses and their accessory uses are permitted in the R-20 district:

- A. Single-family detached dwellings.
- B. Accessory residential units subject to the provisions of chapter 5.1000, Accessory Residential Units, of this code.
- C. Residential homes (ORS 197.660[2]; ORS 443.400-443.825).
- D. Parks and playgrounds.
- E. Livestock, poultry, small animals, greenhouses, and nurseries as accessory uses, provided no retail or wholesale business sales office is maintained on a lot of less than two acres, and provided no poultry or livestock, other than household pets, shall be housed within 100 feet of any residence other than a dwelling on the same lot.
- F. Utility facilities, minor.
- G. Bed and breakfast inns subject to the provisions of chapter 5.500, Bed and Breakfast Inn, of this code.
- H. Other uses similar in nature to those listed above. [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord. 611, ef. 9/8/94; Amended by Ord. 653, ef. 9/12/97; Amended by Ord. 690, ef. 7/27/00; Amended by Ord.]

3.013 Conditional Uses. The following uses and their accessory uses are permitted as conditional uses in the R-20 district:

- A. Community service uses.
- B. Day care centers in association with an established community service use.
- C. Guest or parental residence and servant's quarters.

- D. Utility facilities, major.
- E. Other uses similar in nature to those listed above. [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord. 653, ef. 9/12/97]

3.014 Lot Size, Dimensional, and Density Standards.

- A. Lot Size, Width, Depth, and Frontage.
 - 1. Minimum lot size: 20,000 square feet per dwelling unit.
 - 2. Minimum lot width: 70 feet, and 70 feet at the front setback line.
 - 3. Minimum lot depth: 100 feet.
 - 4. Minimum lot frontage: 20 feet.
- B. Setbacks.
 - 1. Front yard setback: Minimum of 30 feet.
 - 2. Side yard and street side yard setback: Minimum of ten feet.
 - 3. Rear yard setback: Minimum of 25 feet.
 - 4. Projections into setbacks: See chapter 5.020, Exceptions to Yard Requirements, of this code.
 - 5. Accessory structures in setback areas: See chapter 5.010, Accessory Structures in Required Yards, of this code.
- C. Height Limitation. No structure shall exceed 35 feet in height.
- 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 50,000 square foot parcel:
 - Allowed density is 1 dwelling per 20,000 square feet.
 - A 50,000 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.] [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord. 690, ef. 7/27/00; Amended by Ord.]

3.015 Additional Requirements.

- A. Design review and landscaping is required for all uses except single-family detached dwellings.
- 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. Single-family detached dwellings are allowed when the proposal is consistent with the following standards:
 - 1. All applicable standards of this district.
 - 2. Department of Environmental Quality-approved water supply systems.
 - 3. Department of Environmental Quality-approved individual subsurface sewage disposal systems.
- E. All single-family detached dwellings 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.

F. 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.
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 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, or as authorized under subsections (D)(2) and (3) of this section.

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. [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord. 611, ef. 9/8/94; Amended by Ord.]

3.020 SINGLE-FAMILY RESIDENTIAL

R-10

- 3.021 Purpose. This district is intended primarily for single-family detached dwellings in a low-density residential neighborhood environment. [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord.]
- 3.022 Permitted Uses. The following uses and their accessory uses are permitted in the R-10 district:
- A. Single-family detached and zero lot line dwellings.
 - B. Accessory residential units subject to the provisions of chapter 5.1000, Accessory Residential Units, of this code.
 - C. Duplex dwellings when each dwelling unit is situated on an adjoining but separate lot of record, provided the base density is not exceeded.
 - D. Residential homes (ORS 197.660[2]; ORS 443.400-443.825).
 - E. Parks and playgrounds.
 - F. Utility facilities, minor.
 - G. Bed and breakfast inns subject to the provisions of chapter 5.500, Bed and Breakfast Inn, of this code.
 - H. Other uses similar in nature to those listed above. [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord. 611, ef. 9/8/94; Amended by Ord. 653, ef. 9/12/97; Amended by Ord. 690, ef. 7/27/00; Amended by Ord.]
- 3.023 Conditional Uses. The following uses and their accessory uses are permitted as conditional uses in the R-10 district:
- A. Community service uses.
 - B. Golf courses (excluding miniature golf courses or driving ranges).
 - C. Duplex dwellings on the same lot at intersections of any two streets of at least neighborhood collector status. Lot size must comply with R-10 requirements.
 - D. Nursing homes.
 - E. Congregate housing, subject to the provisions of chapter 4.400, Congregate Housing, of this code.
 - F. Utility facilities, major.

- G. Other uses similar in nature to those listed above. [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord.]

3.024 Lot Size, Dimensional, and Density Standards.

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

1. Minimum lot size: 10,000 square feet.
2. Minimum lot width: 70 feet and 70 feet wide at the front setback line.
3. Minimum lot depth: 100 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 ten feet.
3. Rear yard setback: Minimum of 20 feet.
4. Projections into setbacks: See chapter 5.020, Exceptions to Yard Requirements, of this code.
5. Accessory 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 25,000 square foot parcel:

- Allowed density is 1 dwelling per 10,000 square feet.
- A 25,000 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.] [Adopted by Ord. 550, ef. 9/25/90; Amended by Ord. 690, ef. 7/27/00; Amended by Ord.]