

**MINUTES**  
**Troutdale City Council – Regular Meeting**  
**Troutdale City Hall**  
**104 SE Kibling Avenue**  
**Troutdale, OR 97060-2099**

**February 26, 2002**

Mayor Thalhofer called the meeting to order at 7:01pm.

**1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE**

**PRESENT:** Smith, Ripma, Thompson, Thalhofer, Kight, Rabe and Daoust.

**ABSENT:** None

**STAFF:** Faith, Galloway, Nelson, Kvarsten, Allen and Stickney.

**GUESTS:** See Attached List.

Mayor Thalhofer asked are there any agenda updates?

Kvarsten replied agenda item 6 has been pulled from the agenda at the request of Open Door Baptist Church.

Mayor Thalhofer called on Boy Scout Troop 174 to lead us in the Pledge of Allegiance.

Mayor Thalhofer stated with the consent of the Council I would like to move agenda item 4 before item 2.

No objections.

**4. PROCLAMATION: Proclaiming February 2002 as Scout Month.**

Mayor Thalhofer read the proclamation.

**2. CONSENT AGENDA:**

**2.1 Accept Minutes: January 8, 2002 Regular Meeting, January 22, 2002 Regular Meeting and February 12, 2002 Regular Meeting.**

**MOTION: Councilor Thompson moved to adopt the consent agenda. Seconded by Councilor Kight. The Motion passed unanimously.**

**3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.**

Mayor Thalhofer asked is there anyone here that would like to speak to us on a non-agenda item?

Dave Munson stated I have read the Outlook and the voter's pamphlet and they disturb me greatly. I want to let you know that as a citizen of Troutdale I am very proud of this council and the mayor. Councilor Ripma, thank you for the letter you wrote to the Outlook, it was very well written. I appreciate all of your efforts. I wish that some of the other communities in the area would have the guidance that this town has; it is superb. I thank you for your time.

**5. PUBLIC HEARING / ORDINANCE (Introduction): An Ordinance adopting Text Amendment #31 to the Troutdale Development Code relating to multiple-family residential design standards.**

Mayor Thalhofer read the Ordinance Title and opened the Public Hearing at 7:13pm.

Rich Faith, Community Development Director, stated the set of text amendments before you have a bit of history that I would like to recap for you. They originate back in 1998 when the City Council adopted the Town Center Plan and the associated amendments in the development code. At that time the amendments included the creation of the Town Center Overlay District, which didn't include design standards for new residential development. During the course of the hearing and the adoption of the Town Center Overlay District the Council indicated the desire to see residential design standards applied to multi-family developments, such as apartments. The Council, for the last several years, has listed this as one of your goals and these amendments are intended to satisfy that goal. The amendments center around a new chapter, 8.200, which establishes the design standards for multi-family type housing. I should clarify multi-family type housing refers to things such as duplexes, triplexes, attached housing and apartments. As we were drafting these amendments it became apparent that there are other revisions that would be necessary within the development code and it gave us an opportunity to clean up some of the terminology and provide some consistency amongst the various chapters. Consequently, we have a broad range of amendments being proposed here, it is not simply a matter of bringing forward one new chapter. There are actually some amendments that are not specifically related to multi-family design standards and I will speak to those as I go through a brief summary of the amendments. The first chapter that is affected by these amendments is the general definitions chapter. We have three things occurring in this chapter. 1) The elimination of some terms that are not present in the code and the elimination of terms that are being stricken from the code. 2) We are including definitions for new terms that are being added. 3) Improve certain definitions that need clarification. I would like to draw your attention to a few of the major definition changes. Community service use, that is a listed use in every zoning district within the city so it is very important to clearly capture what constitutes a community service use. We have expanded upon the definition to clarify what the nature of a community service use is. We have added an assortment of dwelling types to these amendments such as duplex, triplex, attached dwellings, multi-family dwelling, and zero lot line dwellings. Therefore it is very important that we define what those terms are so that it is clear to anyone reading the code. The term major and minor partition, which has been in the code for some time, pertains to the creation of three or fewer lots. The change being made here is that we

are limiting the time period in which a partition plat can be filed to a twelve-month period instead of a calendar year as it is presently written. The reason is to prevent abuse by which someone could file a three lot partition plat in December of one year and as soon as the calendar year turns to the next year they could come back in and file another partition plat resulting in a six lot subdivision through the partition plat process. The definition of school is being modified to distinguish between schools that provide general education and trade or commercial schools. This is important because we allow, under Community Service Use, schools in all of our zones as a conditional use, yet we have other types of schools that have come into the city that are not really intended to fall under that category. In downtown we have a bartending school and soon to open is a billiards school. Those are commercial enterprises and are not really a school for general education. There is one other change in the definition section which was overlooked. On page 12 in the amendments, Utility Facility Major, this definition encompasses a broad range of utility facilities. The change that I would like entertain at this time is that we talk about (at the very end of that definition) cable television receiver and transmission facilities. I think it should be revised to simply say communication receiver and transmission facilities because we don't want to limit those to just cable television. There are a multitude of communication receivers and transmission facilities not specific to cable television. I would also like to suggest the inclusion of the term telecommunication towers and poles. In our industrial districts we actually spell that out as an exception from our major utility facilities because where utility facilities are permitted as an outright use, telecommunication towers and poles are required to get a conditional use permit. We use the terminology but we haven't put it in the definition; that is just an oversight that I would like to correct at this time. Chapter 3.040 – Single-Family Residential R-5 District, primarily what these amendments are about is to clean up the terminology in the conditional and permitted use sections for consistency within the chapters of the code. Also noteworthy is the term “manufactured dwelling” is being deleted from the list of permitted uses because a manufactured dwelling is by definition a single-family dwelling. Under state law single-family dwellings are permitted and wherever a single-family dwelling is permitted a manufactured home must also be permitted on individual lots. Another category of use that is being deleted in the R-5 district is “Manufactured home subdivisions and planned developments”. This is a term that is a carryover from years past. In 1994 the development code was amended to allow for manufactured homes on individual lots within single-family subdivisions. Therefore, it is not necessary for a developer to declare that they are going to have a subdivision that allows for manufactured homes and go through a separate process. They are allowed by right and therefore this particular category of use is meaningless and should be eliminated. The other change is the reference to the design standards in the new chapter 8.200 and also another change is in all of our zones that allow for single-family dwellings we have some minimum design standards that must be applied. In the past we have required that every single-family detached house built in the city must incorporate at least two of twelve different options of design standards. In looking that over it was somewhat ludicrous because they were things that are almost a given in a single-family dwelling and it really didn't accomplish anything at all. The change is to increase that number to six. There are twelve variable design standards that are options and the change would be that six of those have to be incorporated into a single-family detached house. Chapter 3.050 – Attached Residential R-4 Districts. Once again we have amendments that are being made to bring about consistency among the districts that are being amended particularly as they

pertain to multi-family housing. Again, manufactured home subdivisions are being deleted from the list of permitted uses for the reason I explained earlier. Reference to the design standards for multi-family housing in 8.200 is also incorporated. Unique to the R-4 district is that we are adding design features for single-family dwellings and those are the twelve variables that I spoke about earlier. Those currently are not contained in the R-4 district even though the R-4 district allows for single-family dwellings. I think this was an oversight when those series of amendments were made back in 1994. Also, the standards for the placement of manufactured homes are being incorporated into the R-4 district because as I said earlier, manufactured homes are part of the definition of single-family dwelling, therefore they are permitted in the R-4 district. Just as we have various standards for placement of manufactured homes in other residential districts we should have them in the R-4 district as well. Chapter 3.060 – Apartment Residential A-2. What we are doing here is substituting terms and deleting certain uses that do not need to be listed as permitted uses. For example we have home occupation, signs and meeting halls; these are all addressed or provided for already in some form or another and do not need to be listed. One of the most noteworthy revisions in this whole pack of amendments occurs in the A-2 district and that is revisions to the side and rear yard setbacks to address large scale developments that are adjacent to single-family neighborhoods. This issue was prompted by concerns that were expressed about a year ago when a three-story congregate housing facility was being proposed next to the Anton Ridge subdivision. The Citizens Advisory Committee looked at this and subsequently the planning commission recommendation was to incorporate amendments that establish varying setbacks depending upon the type and height of the structure that will be placed next to a single-family subdivision. I think what we have here is going to address those problems that have occurred and the concerns that were expressed. Finally, we again reference the multi-family design standards that are found in the new chapter 8.200. Chapter 3.180 – Open Space. These are changes that came to our attention very recently simply because we have some utility facilities in several of our parks which are zoned open space and we realized that we have no provision for them. They are affectively not permitted uses. We are trying to address the reality of the situation and that is that we do have both minor and major utility facilities that occur in our open space zone and these are allowed by conditional use in every other zoning district within the city and we are tying to bring this into conformity with others. I am sure that this was just an oversight. Also in the open space zone we are adding community service uses as a conditional use to be consistent with all of the other zoning districts within the city that allow community service uses by conditional use. Chapter 4.500 – Planned Development. This is a very minor word change but was one that was requested by the Planning Commission. This particular wording change is being offered in response to the elimination of “manufactured home subdivisions and planned developments” as a permitted use in the R-4 and R-5 district as well as the elimination of Chapter 5.700 which sets standards and conditions for manufactured home subdivisions. The Planning Commission agreed to remove those particular uses but at the same time they felt that it was important to make it clear that the code does make provisions for manufactured home subdivisions to be created through the planned development process. In looking at the planned development chapter we needed to account for that because it is actually there but the wording would be inconsistent with the changes that we were composing for the R-4 and R-5 district and therefore we did come up with some minor changes that ties everything tightly together by making it clear in the planned development

chapter that it is still possible to do a manufactured home subdivision through that process. Chapter 4.700 - Town Center Overlay District. Most of these changes are for the sake of consistency with everything else that we are doing. The residential design review provisions that we currently have in the Town Center Overlay District however will be completely eliminated out of this chapter and reference would be made to the new chapter 8.200 which will apply citywide for all multi-family type housing. I also wanted to point out that while we were looking at amendments to the Town Center Overlay District, there were no changes proposed to the commercial design review provisions that are now applicable to the factory outlet mall site and the former sewer treatment plant site. Chapter 5.700 – Manufactured Home Subdivisions and Manufactured Home Planned Developments. As I mentioned earlier this entire chapter is being deleted because it is no longer relevant since 1994 when the council adopted revisions to the code to comply with state law that allows for manufactured homes to be permitted outright on individual lots. Chapter 8.200 is the new chapter that lays out the design standards for Multi-family, Attached, Duplex and Triplex Dwellings. These would pertain to all types of multi-family housing. They would not apply to single-family detached, zero lot line or duplex dwellings on separate lots. Most of the design standards are being carried over from the Town Center Overlay District, which is where we really began from in providing for design standards. They address a variety of architectural and functional features of this type of housing that includes architectural elements, building entrances, pedestrian access and circulation, off-street parking, garages and carports, outdoor private space and recreational facilities. In the same way that in the Town Center Overlay District there was a built-in provision that allowed for administrative adjustments to these standards recognizing that there are a wide variety of lots within the city and many times the standards will not fit every situation, it was deemed necessary to allow for an administrative adjustment that can be granted by the director of community development after making certain findings. This same provision is being built into the design standards for the multi-family housing chapter. The last set of changes in this packet of amendments deals with outdoor lighting. As you recall last October you adopted an outdoor lighting ordinance that was incorporated into the Troutdale Municipal Code. We do have a variety of sections in the development code that speak to outdoor lighting. These changes make reference to the Municipal Code ordinance for outdoor lighting, which is really the controlling document. That summarizes the rather broad range of changes that are part of this set of amendments. We feel that these amendments do meet all of the criteria outlined in the code for approval. The Planning Commission did conduct a public hearing on these matters in January after they went through three months of review by the Citizens Advisory Committee. The Planning Commission is forwarding these amendments to the city council with a recommendation for adoption.

Councilor Daoust stated I could not tell from the record if there were any constructive public comments or concerns during the planning commission hearings. Were there any?

Faith replied there were no citizens that attended or spoke on these amendments at the planning commission hearings. Let me give you an explanation of what we did do to solicit comments. The Citizens Advisory Committee was a bit concerned themselves about how these changes might be embraced by the development community. Therefore, they thought it was important to try and touch base with several of the designers and developers in the Troutdale area. I did contact three different developers that were associated with a number

of different multi-family developments in Troutdale. I forwarded copies of these amendments to all three and asked for their review and comment. Two of the three did respond to my request and offered some changes but nothing of real significance. Generally they thought that these were very workable revisions and certainly not in their mind, as erroneous as some other communities such as Portland. I think given the feedback that they provided we were able to massage a few of the rough spots. Outside of that our only other means of public outreach has been through the legal notice and article that was in the Troutdale Champion.

Councilor Daoust asked when it comes to R-4 you explained that manufactured home subdivisions are deleted as a permitted use in R-4. It also talks about manufactured homes being included in the definition of single-family detached dwellings because of state law. So, individual manufactured homes are permitted in R-4 but subdivisions are not. We go on to define subdivisions as a creation of four or more lots. Is that clear enough to define what a subdivision is versus four or more manufactured homes that go into an R-4 development?

Faith replied there is a distinction between a manufactured home and a subdivision. A manufactured home is a listed use; a subdivision is a means of creating lots. This does not affect the ability to create lots in the R-4 district. You can subdivide land that is zoned R-4 to create lots that can be built upon. Once you create the lots then whatever use is permitted in the zone can legally be placed on those lots, subject to a review and land use application. We aren't denying anyone the ability to create a subdivision in the R-4 district. You do have to go through the subdivision process and once that is accomplished then a manufactured home is one of the uses that is permitted in the R-4 district and therefore a person could buy that lot and place a manufactured home on it.

Councilor Daoust stated but to deliberately subdivide for manufactured homes is not a permitted use.

Faith stated there is no reason why you would have to declare that it is for a manufactured home. For example, you can create a twenty-lot subdivision in the R-4 district and sell those lots to individuals. Some may decide to build a home and others may decide to place a manufactured home on it. You do not need to declare that upfront. Before this change was made to our code in 1994, I believe it was necessary to do so, because we did not allow manufactured homes on individual lots. Therefore, if you wanted to have a subdivision that was going to have manufactured homes on those lots you needed to declare that in advance and go through a separate process. Now that the law has changed there is really no distinction between whether you put a manufactured home or an on-site built home on those lots.

Councilor Daoust stated it was brought to my attention by a planning commission member that there is a new state law regarding manufactured homes subdivisions. I got the impression that it was a recent law. Do we need to check what we have here and bring this in line with that new law?

Faith replied I have looked into that and I have asked Marnie Allen to look into that. We can't see that there is anything that we need to change in our code.

Marnie Allen, City Attorney, replied in the most general sense what the new statute says is manufactured home parks that existed before this law took effect in 2001 now may be subdivided so the owners of manufactured homes can own individual lots where their homes are in the parks. The law is pretty clear when it says that local governments can't prohibit those subdivisions from going forward although the park is suppose to be in compliance with the local government standards. Rich and I talked about whether or not the 4-acre minimum size and other standards in the city code could preclude creating that subdivision. In looking at the language in the law it says that a manufactured home park that exists when this act took effect is deemed to be in compliance with the local standards. So it really doesn't effect what is being proposed tonight.

Councilor Ripma asked I understood state law to require that manufactured homes can be sited on single lots. I also thought that you had to provide for manufactured home parks in at least one residential zone. One thing that I hoped that we would change is that currently we allow for the manufactured home parks in both R-4 and R-5 and I was hoping that we would eliminate one of those two. The way I read this, it really doesn't change that, they are still permitted in the R-4 and R-5 but only as a single unit.

Faith replied no. A manufactured home park is different then a manufactured home subdivision which really doesn't exist anymore. Manufactured home park means all of the manufactured homes are on one lot which the pad sites are being leased out. You are correct that there is no change being proposed with respect to manufactured home parks, those are still being listed as a permitted use in the R-4 and R-5 districts.

Councilor Ripma asked could we, under state law, limit it to just one of those two districts?

Faith replied I have never really been able to find anything specifically that says that.

Councilor Ripma stated it could be that state law does not require us to allow for manufactured home parks anywhere, is that possible? To me this is a very important question because I have felt for years that we have done our share for the manufactured housing industry in Troutdale. While we have to allow them in single-family zones and we have to comply with state law, there is no use being any more generous then that in my opinion. I would like to have an answer before the second hearing on this ordinance as to whether we can eliminate manufactured home parks from R-4 and R-5, or at least from one of the districts.

Mayor Thalhofer asked the City Attorney to check into that.

Councilor Ripma stated in the Town Center Overlay District, I guess manufactured homes parks were permitted and you eliminated that but that you are adding manufactured homes in the R-4 districts as a conditional use. Do we have to do that?

Faith replied Marnie Allen and I have talked about this and the reason why we are doing this is the R-4 district does allow single-family dwellings. Therefore, by definition it allows

manufactured homes. We are relegating them in the Town Center Overlay District to a conditional use.

Councilor Ripma stated and that is about as good as we are going to get.

Faith replied our opinion is, that is probably the best we can do.

Mayor Thalhoffer stated I have some concerns regarding the major utility facilities. We have some utility administration buildings on Halsey. That is in the Town Center area isn't it?

Faith replied the AT&T facility and the Verizon facility are both in the Town Center Overlay district. Both of those facilities were approved as conditional uses, so they went through a public hearing before the planning commission.

Mayor Thalhoffer stated I have a problem with where those are. I don't know what we can do about it at this point but as we grow in the Town Center area those facilities just don't fit in with what we are trying to do. It seems to me that it would be more of an industrial use. I certainly don't think that they are desirable in the Town Center area. Is there anything that can be done about that at this point? Can they be moved?

Faith replied let me first speak to the AT&T facility. That was a tough call for the Planning Commission. Primarily because the planning staff recommended denial, we did not feel that it belonged in the Town Center area. The Planning Commission saw it differently. I think they were sold on that project because at that time it was Paragon and they talked about doing future phases to that facility that would include some retail. I think it was on that basis that the planning commission thought it could be made to fit in. They did attempt to make it attractive by adding the decorative lighting and benches to help it fit into the downtown area. They are not done, there is another phase that was started but then stopped. I believe that they plan to commence work again later this year. Perhaps there is still opportunity for a retail component in that facility.

Mayor Thalhoffer asked is there any chance, if we can't do anything about the existing facilities, is there something we can do to make sure that no more facilities of that type are allowed in the Town Center?

Faith replied that could be accomplished. We would have to take a look at the different zoning districts that are in the Town Center Overlay District and specifically exclude those.

Mayor Thalhoffer stated I would not want to see a proliferation of that type of use in the Town Center area or westerly on Halsey. I think we should take a look at that.

Faith replied we could do that but we would have to look at it very carefully because there are other types of uses that might be appropriate and necessary there. Remember that this does take in some of our public works type of facilities as well. I think we would need to study this and make sure that we didn't preclude something that we ourselves, as a provided of utilities, felt needed to be located in that area as well.



Mayor Thalhofler stated I think we need to look into this. We have a great opportunity to create something very unique and interesting on Halsey Street going west and I don't think we should include industrial uses.

Faith stated these are listed as conditional uses only. They are not automatic.

Mayor Thalhofler asked does anyone on the Council object to staff looking into this?

Councilor Daoust asked would that be a future agenda item that is not related to this agenda item?

Mayor Thalhofler replied yes.

No objections stated.

Councilor Kight stated I would echo the Mayor's sentiments relative to that type of industrial and commercial development, which I don't feel is compatible with the type of development that we have in downtown. I noticed in your comments that there are no design standards for the sewer treatment plant site. Why did you exclude that particular property?

Faith replied that is not exactly what I said. There are some development standards under the Town Center Overlay District that pertain to the factory outlet site and the former sewage treatment plant site. What I said is that no change is being proposed under these set of amendments with regard to the commercial design standards.

Councilor Kight asked is there any architectural design standards that will be applicable to that piece of property?

Faith replied yes. On page 35 and 36 you will find commercial design and review standards. Page 36, Section "C" addresses the Outlet Mall/Treatment Plant Site and says it shall meet the following design standards: There has to be a street that extends through to serve the sewage treatment plant site; sidewalks at least ten feet in width; new commercial buildings shall be set back no more than ten feet from the new street for at least 50% of the street frontage and building entrances shall connect to the street; awnings, canopies, arcades or projected rooflines shall be provided along building storefronts that abut the new street; building storefronts that abut the new street shall include at least 50% of the ground floor area as windows or doorway openings.

Councilor Kight asked what I am looking for is the type of assurance that we would need to have a tasteful development. Do we have those kinds of assurances built into any of these components? I haven't seen it if there is.

Faith replied no. The focus of these amendments is residential design, not commercial design.

Councilor Kight asked is there anything that speaks specifically for architectural or aesthetic design requirements for the outlet mall and sewage treatment plant sites?

Faith replied no.

Councilor Kight asked is that something that we can incorporate as a condition of development for that property?

Marnie Allen replied that is the kind of thing that you would typically address in a development and disposition agreement.

Councilor Kight asked at what point should that be decided?

Allen replied as you are negotiating the real estate transaction.

Councilor Kight stated on page 3 under Chapter 3.040, Single-Family Residential R-5, in the second paragraph it states that a developer must include six out of the twelve design features in their construction instead of just two. How did you arrive at the number six? Why don't we have a majority of those design features incorporated into multi-family housing?

Faith replied I arrived at the number six in a conference with the building official. In looking at the various design options, I asked him what he thought was a reasonable number that a typical house being built in Troutdale meets. His answer was six of these are a standard in any new single-family dwelling built in Troutdale.

Councilor Kight asked are some of these design standards that you are incorporating also applicable to multi-family?

Faith replied some.

Councilor Kight stated I think that is the critical point. That is why I collected information from Forest Grove and Hillsboro. They have some tasteful designs in their multi-family developments and I was hoping to incorporate that into some of the apartment complexes that are being built in the Troutdale area and have some of the same design features. Do we have that kind of assurance with the language that we currently have?

Faith replied on page 48 of the amendments, section 8.22 architectural elements and building facades. This is a standard that would apply citywide to all multi-family type housing. We have a general statement about what we are hoping to achieve and then we have listed more specifics in terms of the wall area and requirements for offsets. Also the wall of the building that faces a public street shall incorporate architectural features including, but not limited to, at least three of the following; porches, balconies, dormer windows, recesses or alcoves and unique entry areas such as porticos or atriums. Equally important is a requirement that there has to be a minimum percentage of window area on any wall. These are some new features that are being proposed.

Councilor Kight asked are these similar to the kinds of conditions that multi-family has in other cities that are more restrictive?

Faith replied I actually looked at Lake Oswego, Gresham and Portland codes and I tried to strike a balance in terms of what I think are some minimum design standards but I was also realistic about what is feasible to administer. If you start throwing layer after layer of standards it reaches a point where your hands are tied trying to administer it all. In reading through some of these other codes, I thought it was a nightmare in terms of how you would apply those. I tried to keep it simple yet practical.

Councilor Kight stated on page 3 of your staff report you talk about the side yard setbacks and the Alterra Clare Bridge project. If that project were to come before the city council again, how would these proposed changes affect that particular development?

Faith replied if you look on page 26 of the amendments, Section D, setbacks. The project that was being proposed behind Alterra Clare Bridge was called the Troutdale Commons. They were proposing a three-story congregate housing facility. That property is zoned A-2 and the setback requirements for the rear yard was 15 feet and the side yard was approximately 12-½ feet. These amendments tie setbacks, not to the A-2 district, but to the setback of the adjacent single-family or residential zone. It is also tied to the number of stories the building will be. In this case we were talking about a three-story structure, the side yard setback, which was 12-½ feet under the current code, under the proposed amendments it would have required three times the minimum side yard setback of the adjoining residential district but not less than 20 feet. The adjacent property was zoned R-7, which has a 7-½ foot side yard setback. Three times that is 22 ½ feet. So it would have had a 22-½ foot side yard setback as opposed to 12-½ feet. With the rear yard it is one and one-half times the minimum rear yard setback of an adjoining residential district. In that case it was 20 feet so it would require a 30-foot rear yard setback as opposed to a 15-foot setback.

Councilor Kight stated on page 4 of your staff report under Chapter 8.200. Why did you make an exception to duplex dwellings that are on separate lots?

Faith replied duplex dwellings on separate lots is, in my estimation, the equivalent of two attached single-family dwellings. In the past we have treated those differently. In some of our single-family residential zones we have allowed duplexes if they are on individual lots. So we recognize them as a valid type of attached single-family dwelling in our single-family zones. I thought it would be appropriate to exclude them from these particular design standards. They will however be subject to meeting six of the twelve variables.

Councilor Kight stated on page 7 of the amendments, section .64. Where did the date of June 15, 1976 come from?

Faith replied that is a significant date because that is when national standards went into affect. Prior to this time there were no uniform standards for manufactured homes. Effective June 15, 1976 the Federal Government imposed, through HUD, standards for construction of

manufactured homes that applied nationwide. It is also the date in which you make a distinction between a mobile home and a manufactured home.

Councilor Kight stated on page 12 of the amendments under section 101, utility facility major. What you are doing here is including telecommunications, towers and poles.

Faith replied I am suggesting that we include that.

Councilor Kight stated I find them offensive as far as aesthetics to the community. Chances are they are going to be in the community for a very long time. I have noticed that some communities share my same feelings. Is there anyway of camouflaging, masking or having them designed in such a way that they are not aesthetically out of sync with the rest of the community? Are there design standards that could be applicable to those towers?

Faith replied we posed that question to the industry and the industry contends that the gray aluminum pole is probably the most unobtrusive color that you can put up. I know that in some communities they do have standards that you have to make the poles blend in with the surroundings, so in an area that has trees they have gone so far as to require that it has to look like a tree. I have not seen one of those.

Councilor Kight stated there will be more of these towers going up throughout our city and east county as the cell phone use grows. Can we see what other communities have done and look at their requirements through both photographs and their design requirements?

Faith replied we are already doing something and that is whenever feasible we are requiring co-location of more than one carrier on one pole.

Councilor Kight stated I would still like you to look into what other communities are doing. On page 50 of the amendments section "B", side and rear yard setbacks for off-street parking. Could you explain that to me?

Faith stated in all of our zoning districts we set a minimum rear, side and front yard setbacks. Generally that applies to the building. Parking is a different creature from the building. You could have your building setback twenty feet but how does that relate to the parking that goes around the building. What this is attempting to do is to say that the parking and driveways in conjunction with the building must also meet that setback. So when the building is adjacent to a residential area...

Councilor Kight asked if it is adjacent to multi-family development then this isn't applicable?

Faith replied it doesn't make that distinction. You would take a look at whatever residential zoning is adjacent and you would apply the more restrictive of the two. As far as the setbacks it also applies to the parking area.

Councilor Kight asked so you would have a building and a parking lot and the setback would begin from the edge of the parking lot to the rear of the property, is that what you are saying?

Faith replied yes.

Councilor Rabe asked on page 21 of the amendments; in the R-4 and R-5 district you can put up a manufactured home on an individual lot, correct?

Faith replied yes.

Councilor Rabe asked what is the minimum foundation required for a manufactured home?

Faith replied that is something that the Building Official administers. That falls under the building code and I don't know the building code as well as I know the development code.

Councilor Daoust asked we talk about setbacks and trying to segregate three-story developments from single-family dwellings. An issue that came up with the Albertsons development was the height of the wall that separates the residential areas from commercial development. This probably is something that should be considered as a separate agenda item. Maybe we could take a look at those requirements, if we have any, for the separation of commercial from residential.

Faith replied I am familiar with the project that you are referring to. I don't know that we do have a standard; it was something that was imposed through the site and design review process.

Mayor Thalhofer asked is there anyone here that would like to speak to us on this agenda item?

No public comment received.

Mayor Thalhofer closed the public hearing at 8:30pm and stated that the second reading will be on March 12<sup>th</sup>.

**6. REQUEST:** A request by Open Door Baptist Church to have a permanent connection to the City's sanitary sewer system.

Mayor Thalhofer stated at the request of Open Door Baptist Church this item has been pulled from the agenda.

**7. COUNCIL CONCERNS AND INITIATIVES:**

Councilor Daoust stated neighborhood negotiations with the manager of Home Depot are going really well. Some of the neighbors had complained about the pallets being picked up at 5:30am and waking them up. The manager took it upon himself to take care of the problem. There is one issue that may become a problem. 18-wheel rigs are parking along the street behind Home Depot. There are signs currently posted that read, "no motor idling", which was a good staff response to another citizen concern. Every once in a while you will see the 18-

wheel rigs parked along that street. That street is heavily used every single morning by parents driving their kids to school and then picking them up after school. You also have kids walking along that street to and from school. I think this is a safety issue with school children. Maybe we could post a "no truck parking" sign. The Lions Club is sponsoring a banquet to honor this years Humanitarian of the Year on March 9<sup>th</sup> at 7pm at the Sam Cox Building, tickets are available at the door.

Mayor Thalhoffer stated much has been written about me recently in the voter's pamphlet and the newspapers. Suffice it to say I resigned from the Oregon State Bar 35 years ago due to misconduct in dealing with personal problems exacerbated by excessive drinking. I was and am extremely sorry for any pain, hurt or embarrassment I have caused anyone. It should be noted that no one lost any money or property due to my actions at that time and I have never been convicted of any crime and I have never tried to hide this part of my life from anyone. I have lived in Troutdale for 23 years and I have been an active licensed insurance agent for nearly 26 years without a single blemish on my record. I have worked hard for the City of Troutdale for the past 20 years as a volunteer on the Planning Commission, City Council and since May of 1993 as Mayor. Now lets focus on the issues facing voters in the March 12<sup>th</sup> election. Ballot Measure 27-26 asks the question, "Shall an urban renewal agency be established in the City of Troutdale?" The answer should be yes. When campaigning for the passage of a \$16 million dollar bond measure in 1998 to build a new sewer treatment plant north of I-84 and remove the old one from downtown, city councilors and I promised the voters that we would help provide the old plant site with a tasteful mixed use development with amenities for the public including a promenade along the Sandy River. The voters passed the bond measure by a good margin and now it's our turn. Unlike the revitalization of downtown, the city does not have the money to provide the infrastructure for development. We also do not want to go to the people for more taxes. Therefore, the Council decided that an urban renewal project would provide the tax increment financing to make possible the redevelopment of the old plant site and also the development of the Pig Farm on NE Halsey across from McMenemy's Edgefield. Arguments in opposition to Ballot Measure 27-26 which appear in the voters pamphlet can be simply answered as follows: First there will be no new taxes. The double majority requirement does not apply because there are no new taxes required. Second, the City Council took out of the Urban Renewal Plan the power to condemn property. Third, the City Council did not give itself immunity; it has statutory limited immunity as a council or as an urban renewal agency. Fourth, there is no general housing component in the plan, only mixed uses which could include condos, apartments and possibly houses but not on a large scale that would cause traffic congestion. Fifth, the city councilors and I will not favor government insiders. I have been on the council for 18 years and we have never favored any developer or special interest group for any projects. If we ever had it would, for sure, have been noticed by the people. Sixth, we didn't put the urban renewal agency, the urban renewal district and the urban renewal plan together quietly somewhere out of public view, which one of the arguments is. We had several well-attended lively public hearings in which everyone was heard. Seventh, the City Council is accountable to the voters of Troutdale. In conclusion, Roman York and Gail Thurber, Americans for Honest Government, are grinding a political axe. Scott Northcote is a sincere young man and has made his point, but he is off target in view of what I have just said. Don McIntyre's Executive Club and Oregonians in Action are outsiders who don't give a rip about Troutdale.

The people who care about Troutdale are our citizens, businesses, city employees and our city council who are partners in progress to make and keep Troutdale the most livable city in the USA. Please vote yes on 27-26.

Councilor Kight stated I am going to talk about the same subject but I am going to put a little different spin on it. The Mayor put flesh and bone on a subject that is very near and dear to the heart of everybody on this council who has worked very hard to make this city a livable city. I open my comments by saying that Oregon right now has the highest unemployment rate in the nation. East Multnomah County for the State of Oregon has the highest unemployment rate. A lot of people are affected by this. A lot of people have lost their jobs or they know people that have lost their jobs. One of the arguments against urban renewal is that it is a tax grab. Nothing could be further from the truth. Urban renewal is a gift to the community. Why do I say that? We are able to make improvements to the community without going to the property owners, the residential property owners in the City of Troutdale and asking for additional taxes. If you look at your tax statement now or in the future, if urban renewal passes, you will not see a line item on your tax statement that says urban renewal. We do not have the ability to collect taxes throughout the City of Troutdale. What happens is you take a blank piece of property, and for my illustration I am going to refer to the old sewage treatment plant property. That is 12 ½ acres that the City of Troutdale owns. It does not generate a dime's worth of income. There is nobody employed working that property, it is a mothball facility and it will remain that until there is development there. One of the things that will help spur development is urban renewal. Essentially you take an underdeveloped piece of property, or blighted area, and as you make improvements to that property it increases in value. As it increases in value it increases its use and it provides a source of employment. The reason I say that is as it is developed that requires construction. Those are family wage jobs. Later on it will be a mix of retail and other types of stores. Some people complain about retail and they say that it is a lower wage job, but I want to point out to you that one of the last jobs to go when there is a slowdown in the economy is retail. One of the first to go is manufacturing. Some of those people who worked at Fujitsu and LSI are now employed in retail. They are doing this to keep a roof over their heads and provide food for their family. That along with public assistance keeps them from losing their home and keeps them here in the State of Oregon. We want to keep those people here, in their homes in Troutdale, Gresham and East Multnomah County. I am asking the voters in Troutdale to think and consider carefully. Again, no new taxes, you have my word on it and the rest of the council and the city. You can check the records here at the city, when we formed the urban renewal agency, there will be no new taxes. Development pays for the amenities. The developer is going to pay for the park, streets, lighting, curbs, sidewalks and all of the infrastructure that normally tax payers would pay for. It is a great deal for Troutdale and I ask your support in voting yes on urban renewal in Troutdale.

## **8. ADJOURNMENT:**

**MOTION: Councilor Thompson moved to adjourn. Seconded by Councilor Ripma. The Motion passed unanimously.**

The meeting adjourned at 8:45pm.

**Paul Thalhfer, Mayor**

**Approved March 26, 2002**

**ATTEST:**

**Debbie Stickney, City Recorder**