



CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

AGENDA

CITY COUNCIL - REGULAR MEETING
TROUTDALE CITY HALL
COUNCIL CHAMBERS
104 SE KIBLING AVENUE
TROUTDALE, OR 97060-2099

7:00 P.M. -- June 13, 2000

Mayor

Paul Thalhofer

City Council

Pat Smith
David Ripma
Bruce Thompson
Jim Kight
Paul Rabe
Doug Daoust

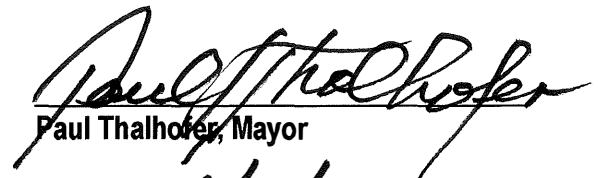
- (A) 1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE**
- (A) 2. **CONSENT AGENDA:**
 - 2.1 **Accept Minutes:** City Council Regular Meeting April 11, 2000; City Council Regular Meeting April 25, 2000.
 - 2.2 **Business Licenses:** April 2000 and May 2000
 - 2.3 **Resolution:** A Resolution accepting parcels 1N3E36AD100, 1N3E36DA200, 1N3E36A100 known as tax foreclosed properties for non-housing uses (public purposes), from Multnomah County for inclusion withing the City Greenway System.
- (I) 3. **PUBLIC COMMENT:** Please restrict comments to non-agenda items at this time.
- (A) 4. **MOTION:** A Motion authorizing participation in the East County Marketing Study Task Force and appointing Mary Greenslade as the City's representative. Mayor Thalhofer
- (A) 5. **PUBLIC HEARING TO CONSIDER THE FOLLOWING RESOLUTIONS:**
 - 5.1 A Resolution adjusting the rate and Capital Improvement Plan for water system development charges and rescinding Resolution No. 1435.
 - 5.2 A Resolution adjusting the rate and Capital Improvement Plan for sanitary sewer system development charges and rescinding Resolution No. 1436.
 - 5.3 A Resolution adjusting the rate and Capital Improvement Plan for transportation system development charges and rescinding Resolution No. 1437 and 1468.
 - 5.4 A Resolution adjusting the rate and Capital Improvement Plan for storm water system development charges and rescinding Resolution No. 1438. Galloway
- (A) 6. **PUBLIC HEARING / ORDINANCE (Introduction):** An Ordinance vacating a portion of SW 4th Street. Seivers

- (A) 7. **PUBLIC HEARING / ORDINANCE (Introduction):** An Ordinance modifying public contracting procedures and amending Chapter 2.24 of the Troutdale Municipal Code.

Galloway
- (A) 8. **PUBLIC HEARING / ORDINANCE (Introduced 5/23/00):** An Ordinance amending the Troutdale Development Code; repealing Chapter 10 Signs and adopting a new Chapter 10.

Faith
- (A) 9. **PUBLIC HEARING / ORDINANCE (Introduction):** An Ordinance amending Chapters 3, 5, 7 and 8 of the Troutdale Development Code to comply with requirements of the Metro Urban Growth Management Functional Plan.

Faith
- (I) 10. **COUNCIL CONCERNS AND INITIATIVES**
- (A) 11. **ADJOURNMENT**


Paul Thalhofer, Mayor
Dated: 6/2/00

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

June 13, 2000 7:00pm

Meeting was called to order at 7:02 p.m. by Mayor Thalhofer.

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Thalhofer lead us in the Pledge of Allegiance.

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

STAFF: Allen, Faith, Galloway, Hanna, Hulton, Kvarsten, Nelson, Seivers, Stickney.

GUESTS: Diane McKeel, Shannon Turk, David Piper.

Mayor Thalhofer asked are there any agenda updates?

Kvarsten replied we have no changes to offer this evening.

2. CONSENT AGENDA:

- 2.1 **Accept Minutes:** City Council Regular Meeting April 11, 2000; City Council Regular Meeting April 25, 2000.
- 2.2 **Business Licenses:** April 2000 and May 2000
- 2.3 **Resolution:** A Resolution accepting parcels 1N3E36AD100, 1N3E36DA200, 1N3E36A100 known as tax foreclosed properties for non-housing uses (public purposes), from Multnomah County for inclusion withing the City Greenway System.

Mayor Thalhofer called this item and read the consent agenda.

MOTION: Councilor Thompson moved adoption of the consent agenda. Councilor Kight seconded the motion.

YEAS: 7
NAYS: 0
ABSTAINED: 0

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

Shannon Turk stated I wanted to update you on the census numbers. We had a Troutdale sub-committee that served under Commissioner Serena Cruz. Troutdale was the very best in all of the County in getting responses back. As of the end of April we were at 78%. I appreciated all the efforts of the City staff. City Administration was wonderful. I don't know the final numbers yet.

Mayor Thalhoffer stated thank you for all your work on this.

4. MOTION: A Motion authorizing participation in the East County Marketing Study Task Force and appointing Mary Greenslade as the City's representative.

Mayor Thalhoffer called this item and stated we touched on this at the last meeting. I wanted to read the memo from Metro Councilor Rod Park (Mayor Thalhoffer read the memo contained in the packet).

Diane McKeel, Executive Director of Troutdale Area Chamber of Commerce stated I just wanted to let you know that the Troutdale Chamber of Commerce is in favor of this proposal and our board has already made the two appointments that come from the Chamber and the Visitor Center to this Task Force. It is our understanding that the goal of doing a regional marketing plan is to increase our occupancy in our hotels and motels and to increase visitor image of East County. With those goals in mind, we felt it was important that we are involved in the Task Force. We also support this proposal because it puts process before structure and we feel it is important to put the steps in the right order.

Mayor Thalhoffer asked you have been working on this for some time, is that correct?

McKeel replied that is correct.

Councilor Daoust asked who did you appoint?

McKeel replied Kristine Gottsch and myself.

Councilor Ripma asked Mary Greenslade is a business person in Troutdale and active in the Chamber, do you support the nomination of Mary to the City's position?

McKeel replied yes.

Councilor Ripma stated I have a Resolution that I have written that I would like to propose. (Councilor Ripma read the resolution contained in the packet).

MOTION: Councilor Ripma moved to adopt the Resolution he prepared which read "Therefore, the City of Troutdale hereby resolves as follows: 1) The City of Troutdale agrees to participate in the Marketing Study Proposal but will provide no funding; the City prefers that all funding comes from POVA; 2) The City of Troutdale appoints Mary Greenslade as the city's representative on the Task Force; 3) it being the preference of the City and Mary Greenslade, and an integral part of the Marketing Study Proposal, that the Marketing Study be of limited duration, the participation of the City will terminate upon completion of the marketing study or on September 30, 2000 whichever occurs first; and 4) The City of Troutdale acknowledges the contribution of the Troutdale Area Chamber of Commerce in successfully marketing Troutdale and its environs on behalf of the tourism and hospitality industries; and the City resolves that Troutdale's portion of any regional tourism development funds available now or in the future be given to the Troutdale Area Chamber of Commerce for use in tourism development. Seconded by Councilor Kight.

Councilor Ripma stated I favor the proposal and I favor the selection of Mary Greenslade and I talked to both Mary Greenslade and Diane McKeel and this resolution that I have proposed

is consistent with their views. Since there was a question in Rod Park's letter about funding, I think we should make it clear where I think Troutdale should be on this, which is we are not going to provide funding. The termination date, Mary Greenslade told me she was interested in making sure that it was clear that this was going to be a short term appointment.

Councilor Kight stated I believe this could have a positive effect on the tourism industry here in Troutdale and the rest of the region. As far as the funding mechanism goes, the City of Troutdale with the money we collect and turn over to the County, we are already funding it to some degree through POVA. I believe that 1% of the hotel/motel tax is dedicated towards the Portland Oregon Visitors Association. In addition to that there is a 2½% tax which they have started to collect, part of that money is to be coming back from the Civic Stadium since that is owed by the City of Portland, it is not owned by Metro or Multnomah County. To that degree we are already funding this particular study. I think, as Councilor Ripma points out, this resolution removes all doubt 1) where the funding is coming from, from POVA; 2) that this task force will sunset; 3) that it supports our own Troutdale Chamber of Commerce and visitors center.

Mayor Thalhofer stated I have been working on this with Rod Park and Diane McKeel for some time and there has never been any doubt as to whether or not POVA was going to fund this and front the fees and the payback would be from the money from the Civic Stadium fees from the hotel/motel tax. It is a good deal for everyone as long as the marketing study stays and the Troutdale Chamber is equal partners with the Gresham Area Visitors Association. I worked hard to make that happen and that has happened. They have the population but we have the visitor count even though we are a much smaller city. Our geographical location on I-84 and Columbia River Highway and the Sandy River, we just naturally get the visitor count.

Councilor Rabe stated I have some concerns. I see the term marketing plan and I guess what I am interested in is being kept informed of the studies objectives. Exactly what it is you intend to assess or study. My other comment would be is how would you ever measure those objectives in terms of obtaining them or not if you invest a bunch of time into such a study, what is it exactly you are looking for. Are they clear, objective, obtainable objects and how do you assess whether or not you have met anything. In other words, if you are going to do a study, what it is you are looking for, how will you measure it and the termination date is important because if you don't lay down an exact point for it to end then there will be less drive to get to those objectives. The first draft dated the 17th of May compared to the draft that I am reading tonight, considerable change, much more favorable in terms of my support.

Councilor Daoust stated I support the East County Marketing Study, I support the Task Force. I fee like the resolution before us is over doing it a bit, setting constraints that don't need to be set. I have a hard time figuring out why we need to set a sunset date, that should be up to the task force and since the city is not paying for it, why do we have a right to set a sunset date? To me we are putting limitations on a task force that should be ready to do their job and just let them do their job. I don't think that we need to tell them that by September 30th you had better be done, so what if it takes until October 30th. I appreciate the clarification that the City of Troutdale is not paying for it, to me that is not necessary either because it is very clearly stated that the City is not paying for it. I think we are over doing it a little bit, putting to many limitations on this very simple procedure to set up a task force and do a study.

Councilor Smith stated that we do need restraints somewhere because you are talking about \$10,000 to \$20,000. You say it doesn't affect us but it does. When all is said and done, with

Portland I feel we are going to be on the bottom of the pile. At the 4 Cities meeting is was suppose to be informational only, but what are they doing they are asking people for their vote, I don't think that is appropriate either. It caught me off-guard. Troutdale has our share of visitors over Gresham because we are at the mouth of the Columbia River Gorge. I don't see putting a lot of time, it could take months, I think there should be limitations as far as money and time spent on it.

Councilor Thompson stated I agree that the marketing plan is necessary and I support the creation of the task force. To do that I think the Chamber of Commerce is a natural promoter for this. The funding is clear, the ending is certain, I don't think it hurts to overstate that, so I would be in favor of the resolution.

Councilor Rabe asked the phrase "would be willing to front the entire amount" that doesn't mean that they are going to pay for it, it just means that they will pay for it initially, is that correct?

Mayor Thalhofer replied yes.

Councilor Rabe asked when they get tired of paying for it where are they going to go?

Mayor Thalhofer stated the \$10,000 to \$20,000 cost of the study is split half by POVA and half by the cities. The cities will not be required to pay any at this time, it will come out of the Civic Stadium piece of the hotel/motel tax. When that money comes back to us then the cities will repay POVA out of that money.

YEAS: 7
NAYS: 0
ABSTAINED: 0

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| <p>5. PUBLIC HEARING TO CONSIDER THE FOLLOWING RESOLUTIONS:</p> <p>5.1 A Resolution adjusting the rate and Capital Improvement Plan for water system development charges and rescinding Resolution No. 1435.</p> <p>5.2 A Resolution adjusting the rate and Capital Improvement Plan for sanitary sewer system development charges and rescinding Resolution No. 1436</p> <p>5.3 A Resolution adjusting the rate and Capital Improvement Plan for transportation system development charges and rescinding Resolution No. 1437 and 1468</p> <p>5.4 A Resolution adjusting the rate and Capital Improvement Plan for storm system development charges and rescinding Resolution No. 1438.</p> |
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Mayor Thalhofer read the Resolutions and opened the Public Hearing at 7:29pm.

Galloway stated this is the annual review of updates to our system development charges. We first did an update to our Capital Improvement Project list, deleting those projects that have been accomplished and adding any additional projects that have been deemed necessary during the past year. We then revised the cost estimates on those projects and in most cases revised them upward by 2.6% which would be the construction index for the northwest based upon the information published in Engineering News Magazine. We are basically recommending a 2.6% increase in water, sanitary sewer and storm water system development charges and no increase in the transportation system development charge. Some of the members of the Council have asked us in the past how this compares to other jurisdictions, we did prepare a chart shown as Exhibit I in the report that shows how our system development charges compare to nine other jurisdictions.

The chart shows one jurisdiction considerably higher than the rest, four of them are at similar rates to us and four that have considerably lower system development charges. There is one other action taken this year that we had not taken in the past. In doing some of the preliminary back-up work to prepare this document for your consideration tonight, I realized in reviewing the ORS that there had been a change in the last session of the legislature that prohibited using an employee count as the basis for assessing system development charges. We did use that method for some of our user classes in the sanitary sewer system development charge. On item 5.2 on page 2 you will notice that there is a box showing a number of user classes, equivalent residential units and units of measure. Three of those located under the commercial block near the bottom, previously used the per employee as a basis for assessing system development charges. Once we realized that prohibition in the Statutes we went back through historical data we had and changed the basis for those to 1,000 square feet of net building area.

Mayor Thalhoffer asked how did transportation SDC escape a rate increase?

Galloway replied in the process of adding and deleting projects and revising cost estimates it turned out that over the twenty year life that we are projecting the continuation of system development charges and trying to accomplish the projects that we have on our list, there appears to be sufficient revenues coming in at the current rate to accomplish all of those projects. There is no need, as we see it at this point, to raise the rate in order to accomplish all those projects unless of course you want us to accomplish those in a shorter time frame than we show on the Capital Improvement Plan.

Mayor Thalhoffer stated I think it is great that we don't have to increase the SDC's in that category but since the money is drying up all over for transportation I just wonder if at some point down the road we wished we had increased it a little to provide for some road construction or maintenance that we might need in the future since the County is having more difficulty than they used to.

Galloway replied I think to accomplish the projects that we have identified on our City Street System that may need construction or capacity enhancing improvement, I think we are well covered. Just as a comment, normal maintenance projects would not qualify for system development charges because we have to increase capacity in order to use the SDC dollars. I think the only situation that we might find ourselves coming up short is if, you as the policy makers decide that you want to make a fairly hefty investment in the future in county roads in Troutdale. We have done this to a limited extent, we kicked in about \$100,000 to see the improvements at the intersection of Troutdale Road and Stark Street, we are paying about half of the cost of some sidewalk improvements on Troutdale Road and of course we are picking up the local government share of the ongoing sidewalk improvements here on Columbia River Highway. So we have done this to a limited extent and those have been reflected within the system development charges. I think if we are going to be getting into that on a much bigger area than we would have to revise our project list and probably adjust rates accordingly, but I am not sure that is the direction that the Council wants to go or not.

Mayor Thalhoffer stated I just wanted to raise the question.

Galloway stated it is certainly one that may be something for a future work session.

Councilor Kight stated I share some of the same concerns as the Mayor does on transportation. One

thing is absolutely clear is that there is some definite budget constraints that Multnomah County has. I have a feeling that the only way that county projects are going to be built anywhere in East Multnomah County is when there is participation by that jurisdiction. We might want to take another look at that. The other question I have has to do with our water SDC's, they seem to be about half of what Fairview, Gresham and Sherwood, could you explain that?

Galloway replied I can't really explain why their rates are so high. Our method, and I suspect that they use a somewhat similar methodology, is to estimate what our capital needs are going to be for additional capacity over a period of time, determine what additional user requirements we are going to have placed on the system and then do a mathematical calculation. I would say that the other jurisdictions with the higher rate either have some combination of higher cost improvements they need to make or smaller base on which to spread those improvements.

Councilor Rabe asked this 2.6% is a rate that will not be added each year?

Galloway replied this is a one-time recommendation. About this time next year we will review these again.

Councilor Rabe asked those revenues that are collected under the transportation SDC, am I to understand that they are used each year or is there a reserve that we bank?

Galloway replied we do have a reserve. We try not to collect more than we have a need for but we have a fairly healthy balance in each of those accounts. Typically that is due to some of the projects that are in the hundreds of thousands of dollars and it may take a few years to collect enough to be able to accomplish a good size project.

Councilor Rabe asked is that reserve in some sort of interest gaining fund?

Galloway replied like all city funds, it goes into some type of government investment pool.

Kvarsten stated it is the Local Government Investment Pool which is ran by the State Treasurers Office. It is a pooling of excess revenues from all local governments and I believe it is paying near 6% now.

Councilor Daoust asked the methodology used to establish these SDC's is based on estimated cost of capital improvements. Is it appropriate for the City to collect an increased SCD say for transportation projects that are on county roads? Can we ask new people that move into our neighborhoods to cost share with the county if it is a county road?

Galloway replied I believe it is. Certainly the way our ordinance and our resolution is drafted, its open enough that it does not specify that it must be a city street. I think as long as the policy makers representing the citizens determine that it is the best use of the funds that have been collected to entice the county to make an improvement that is going to benefit the citizens of Troutdale, I am not aware of any prohibition on that.

Allen stated I would agree with that. There is not a prohibition or limitation in the State Statutes for SDC's that would restrict the City to only using money on a city road, it rather references capital improvements.

Kvarsten stated that is a big leap and I think before the Council decides to go there we need some significant discussion. There is a lot of implications in making that kind of decision. I would send a cautionary note that you need to sit down and talk about all aspects of any kind of decisions that include county roads and our capital improvement fund.

Mayor Thalhoffer asked is there was anyone else who would like to speak to the Council on this agenda item?

No public comment received.

Mayor Thalhoffer closed the Public Hearing and reconvened the City Council meeting at 7:49pm.

MOTION: Councilor Daoust moved that we adopt Resolutions 5.1, 5.2, 5.3 and 5.4. Seconded by Councilor Kight.

Councilor Daoust stated I see a very clear methodology and it is for the purpose of annually updating our capital improvement plan, so it is fairly straight forward to me that we need to see these increases in these particular SDC's at this time.

Councilor Kight stated it is straight forward and periodically we do have updates to our plan and need to revise the SDC fees. I would add, maybe we should have a work session on the transportation SDC's, if we expect to get any of the projects completed on county roads within the City.

Mayor Thalhoffer stated I agree that we should probably have a work session on that. I think we need to take a good long hard look at this transportation situation in Troutdale.

Councilor Ripma stated I generally support SDC's that help the city recover the cost associated with new development so that the burden doesn't fall on our existing tax payers. I think everyone knows that SDC's don't recover the full cost to the city of new development but we are compensated in other ways such as increased tax base. In general I support SDC's and these adjustments are needed from time to time, I also support the way that staff has handled it over the years. Our SDC's are not the highest, they are not the lowest, they are mid range. I support the motion.

Councilor Thompson stated I support the motion for all the reasons that have already been given.

**YEAS: 7
NAYS: 0
ABSTAINED: 0**

6. PUBLIC HEARING / ORDINANCE (Introduction): An Ordinance vacating a portion of SW 4th Street.

Mayor Thalhoffer read the Ordinance title and opened the public hearing at 7:52pm.

Jason Seivers stated the applicant for file #00-018 has requested a vacation on approximately 12,200 square foot portion of SW 4th Street public right-of-way immediately east of SW 257th Avenue. The adjacent property to the south is zoned A-2 apartment residential, the adjacent property to the north is zoned CBD-central business district. The property lies within the Town Center Overlay District. For approximately 25 years the City's Water and Streets Division, commonly referred to as the "City Shop" have occupied the property adjacent to this right-of-way. Due to the close proximity to the right-of-way line and the fact that 4th Street has always been and will always be a dead end at that location, the portion of right-of-way in question has been functionally incorporated as part of the parking and circulation area for the city shops. The City of Troutdale is the owner of both of the abutting properties and this vacation application is made at the request of and on the behalf of the Troutdale City Council who voted unanimously to initiate the vacation at the March 14, 2000 Regular Council meeting. The Troutdale Planning Commission reviewed the application at its May 17, 2000 regular meeting and has forwarded it to the City Council with a recommendation for approval of the proposed street vacation.

Councilor Daoust asked who owns the parcel to the north of the city's land?

Seivers replied the City owns on both sides of the right-of-way.

Mayor Thalhofer asked is there was anyone here who would like to speak to us on this issue?

No public comment received.

Mayor Thalhofer closed the public hearing and reconvened the City Council meeting at 7:55pm. The City Council will take action on this ordinance at the next regular meeting.

7. PUBLIC HEARING / ORDINANCE (Introduction): An Ordinance modifying public contracting procedures and amending Chapter 2.24 of the Troutdale Municipal Code.

Mayor Thalhofer read the Ordinance title and opened the Public Hearing at 7:56pm.

Galloway stated the proposed ordinance introduced tonight modifies certain public contracting procedures. Basically the contracting procedures that we have in our code closely follow the provisions of the state law found in ORS 279. The last session of the legislature made a number of changes in order to bring our statutes current it was necessary to go back and make some changes. (Galloway reviewed the proposed changes that are in the proposed ordinance before the council, these changes can be found in the staff report contained in the Council packet).

Councilor Rabé asked when was this all decided, was it the most recent legislature?

Galloway replied yes, it was the 1999 session. Many of the changes were to have taken affect January 1st so we are a little behind.

Councilor Daoust asked are the city employees already trained on implementing this?

Galloway replied the requirements that have to be in bidding documents, we are already doing that, this brings our code up to date.

Mayor Thalhofer asked is there was anyone here would like to speak to us on this issue?

No public comment received.

Mayor Thalhofer closed the public hearing and reconvened the City Council meeting at 8:00pm.

8. PUBLIC HEARING / ORDINANCE (Introduced 5/23/00): An Ordinance amending the Troutdale Development Code; repealing Chapter 10 Signs and adopting a new Chapter 10.

Mayor Thalhofer read the Ordinance title and opened the Public Hearing 8:01 pm.

Faith stated this ordinance was introduced at the last City Council meeting and at that time I had proposed several changes to the document and there were other changes that were requested due to public comment received. The Council directed us to bring this back to incorporate those revisions that had been proposed to you. The Ordinance and the exhibits including the amendments to the Development Code have been modified in the following ways. First the definition of a political sign has been clarified to mean a local election. Secondly, the maximum height for a real estate sign has been increased from 5' to 6' in response to written comments received. Third, changes to sections 10.025 subsection "P" and "Q" increasing the maximum number of temporary community event signs and temporary special event signs from one to four as proposed in attachment "B" of my previous staff report have been incorporated in the changes. Fourth, revisions to section 10.040 subsection "B" also as proposed in attachment "B" of my previous staff report but with other modifications to allow for temporary free standing signs or temporary banner signs for community service uses, which includes churches, and that was at the request from public comment received. Finally, changes increasing the maximum size for A-frame signs from 6 square feet to 10 square feet and increase the maximum height from 3' to 4' to better reflect the norm for these types of signs. These are the changes from the last hearing on this ordinance. In addition to the revisions, the City Council also directed me to modify the ordinance to include an emergency clause so that it can go into affect immediately instead of the thirty days after it passes. There is one other change that I would like to propose at this time and that is in reference to section 10.025 subsection "P" and "Q" which refers the community and special events. As this was initially proposed at the last meeting there was a limit of one sign for display for community events or special events. At the last meeting I proposed that it be increased to four. I would now like to propose that we set no limit for these types of signs. The reason for that is I guess reality struck during the Ice Cream Social as I went around the City and began to see the number of signs that were up for that event. I guess I have come to realization that in all likelihood those types of events will want to have more signs then just four. I think for that reason I think it would be prudent not to set a limit, there are other safeguards in terms of size limitation and the need to obtain permission to put them in the public right-of-way or on private property. I think with those things in mind, there is little room for abuse of that so I would suggest that we strike item number 1 under subsection "P" and item number 1 under subsection "Q", thereby setting no limit on the number of signs for a community event and special events. With that I would concur with the Planning Commission's recommendation which is a recommendation to adopt the ordinance.

Councilor Kight stated I received a call from an individual who has a piece of property down town in the CBD. This property is not at the sidewalk but in fact sits somewhere from 125' to 150' back. This individual is concerned about having a free standing sign because of the setback of the building

and being able to advertise the different business that would be leasing from him. Under our current code, as I understand it, he would have to go before the Planning Commission. Could you explain the process for that?

Faith stated I am familiar with that request. The CBD has a separate set of regulations than the other zones in the city and that is by purpose since we worked very hard at establishing design standards not only for structures in the CBD but for the overall aesthetics and look that we want to achieve there. When the design standards for the downtown area were first enacted in 1996, one of the provisions as it relates to signage, was that free standing signs are prohibited and that the only types of signs allowed are wall signs. The proposal before you this evening has carried that same regulation forward and as it is currently proposed only wall signs are allowed and free standing signs, with the exception that there is a master directory free standing sign that is allowed. That came about in meetings with the downtown business people in terms of what they would like to see. They recognized the need to have a directory sign on the back side of the businesses fronting main street, and felt if they could have some signage that would be adjacent to the parking lot that would direct people to various business, that it would be to their benefit. We worked hard on drafting specific language that would allow for that. So I think the intent is very clear on how that particular free standing sign would work and where it would be allowed. It was not intended to apply to an individual business, so in the instance that you are referring to it would not work. The means by which a person could get a free standing sign would be through a special variance.

Councilor Kight stated under section 10.055 on page 10-17, if I understand this individual correctly there will be more than one business in that building. I understand if there is only one business that they would have to go through the Planning Commission, but I am wondering under 4A if that wouldn't be applicable since there will be multiple tenants in that building, this wouldn't be applicatory in his instance.

Faith replied I don't see that individual building as a building cluster. A building cluster was written in order to capture what we see across the street here where you have a row of maybe five or six buildings before there is a break and then you have another row or cluster of buildings. The property in question has only one building.

Councilor Kight stated short of going through the Planning Commission route, he would still have signage available for his building if he wanted to have a sign mounted on the building is that correct?

Faith replied that is correct.

Councilor Kight stated or he could have a projection sign?

Faith stated there is a provision for a projection sign which would be allowed over a building entrance.

Councilor Rabe asked the revisions that you made, were they communicated to the individuals that gave public comment at the last meeting?

Faith replied I have not made contact with them, nor have they contacted me.

Councilor Daoust stated I am glad we have accommodated temporary free standing signs for

churches but I do have a question on that. On page 10-14 under section 10.040 where it states "temporary signs that require permits", correct me if I am wrong but the church putting up an A-frame temporary sign would have to get a permit to do that?

Faith replied any business that puts up an A-frame sign.

Councilor Daoust asked how often would they have to apply for a permit?

Faith replied I need to clarify something. The provision allowing for an A-frame sign was already built into the proposal two weeks ago and the Pastor that spoke to you was not satisfied with that because I said there is a means to accommodate what you want and that is an A-frame sign. As you recall he wanted a free standing sign that could be somewhat higher. What we have today in response to that is an additional provision which is on page 10-15, paragraph 5, this is new language that reads "one temporary banner or one temporary free standing sign within the boundaries of the community service use provided that the total combined time of the community service use is permitted to display temporary sign shall not exceed sixty days in any calendar year. There is no time limit for an A-frame sign, that can be out year round. The request was for a free standing or banner sign. I also recall that the Pastor wanted to be treated equally with commercial businesses, which are restricted if they are putting up a temporary banner or free standing sign, they are limited to sixty days in any calendar year. On the basis of that I am making this similar to what the commercial businesses are restricted to.

Councilor Daoust asked on page 10-17, where it talks about lighting it says "projecting signs shall not be illuminated". When I have this vision of a projecting sign I have this vision of walking in down town Ashland where they have projecting signs and some of them have lights illuminating the signs so you can see them at night. Is there a reason why in Troutdale we are not going to allow them to be illuminated?

Faith replied the only way I can answer that is that the provision for the projecting sign in down town was one that was specifically requested by the down town merchants through their representative on our sign committee. In the specifications or requests that they submitted to me, it did not include illuminating the signs. They have reviewed this proposal as it went through the CAC and the Planning Commission and I have not had any of them object to the standard so I am assuming that they are satisfied.

Councilor Rabe asked is the sign itself lit or are you talking about an exterior light that shines on the sign?

Faith replied either way. The reality is that the signs are going to be under the awnings and there is lighting in conjunction with their front door already. The projecting sign is bound to pick up the lighting that is already there.

Mayor Thalsofer asked if there was anyone else who would like to speak to us on this issue?

No public comment received.

Mayor Thalsofer closed the Public Hearing and reconvened the City Council meeting at 8:22pm.

MOTION: Councilor Ripma moved to adopt and Ordinance amending the Troutdale Development Code repealing Chapter 10 Signs and adopting a new Chapter 10 with one amendment to Section 10.025 items 1 be deleted from subsections "P" and "Q". Seconded by Councilor Daoust.

Councilor Ripma stated I believe this was reviewed carefully by the down town merchants who favored many of the changes. We also responded to some other concerns that we heard from the public. The staff worked long and hard on this and I commend them. It is a compromise, and I agree with the Mayor that this is a living document and if it turns out that we have done something that we really didn't want to do, it can be changed like any ordinance.

Mayor Thalhoffer stated I feel the same way, we have made some amendments where we have felt they were necessary.

Councilor Kight stated I am going to vote in favor of this, it is long overdue to clean up some issues. In regards to the down town merchants, I think that the fact that they need those projection signs as people are walking down the sidewalk is self evident.

Councilor Daoust stated I think after reviewing this that it is very comprehensive, very thorough and we have taken public input.

YEAS: 7
NAYS: 0
ABSTAINED: 0

9. PUBLIC HEARING / ORDINANCE (Introduction): An Ordinance amending Chapters 3, 5, 7 and 8 of the Troutdale Development Code to comply with requirements of the Metro Urban Growth Management Functional Plan.

Mayor Thalhoffer read the Ordinance title and opened the Public Hearing at 8:28pm.

Faith stated we have a requirement to comply with the requirement of the Metro Functional Plan. That plan took affect in February 1997 and cities and counties throughout the Metro Region were required to come into conformance with that plan within a two-year time frame which meant February 18, 1999. We submitted a compliance report in August of 1998 and a supplemental with additional information in January of 1999. At that time we requested an extension for a number of provisions that we had not yet met. The request was for an extension until May of 1999. To main items that we sought an extension for was the minimum density standard and that is amendments to the Troutdale Development Code to require new residential developments to achieve at least 80% of the maximum density per net acre allowed by the underlined zoning district. The other area was amendments to the Development Code to address street design requirements and street connectivity which includes minimum spacing between street intersections and minimum spacing between bicycle and pedestrian ways. In our compliance report we had also indicated to Metro that we do not intend to adopt provisions for accessory residential dwellings because we felt that we were substantially in compliance with our housing target allocation without that provision. Metro has responded a number of times to that position of ours saying that they don't agree with that and that failure to adopt provisions for accessory residential dwellings as required under the Functional

Plan will need an exception to the Functional Plan. The extension request that we sought back in late 1998 and 1999 was agreed to or approved by Metro and so the amendments that we are in need of to bring our code into compliance were put together and taken to the CAC and then to the Planning Commission who held a hearing in March of last year and that was forwarded to you for a public hearing on May 11th and May 25th. The Council took no action on these matters and consequently we have again sought another extension from Metro for completion of this task. It was on December of 1999 that we submitted our request to Metro seeking an extension until mid 2000. As part of that extension request we also included in our letter that we were going to reconsider the matter of accessory dwelling units as part of the package. The Metro Council did approve our extension request to mid 2000 however there was one caveat that went with that approval and that was that no further time extensions will be considered for Troutdale with respect to compliance with Title 1 and Title 6 of the Functional Plan. The Ordinance before you this evening is the same one that was before you back in May of 1999 with the inclusion of provisions for accessory dwelling units to allow for accessory units within new single family subdivisions within the R-20, R-10, R-7 and R-5 zoning districts. In addition there have been some minor housekeeping amendments added to bring about some consistency among our various zoning districts in regards to lot area, lot width and lot depth. To summarize them, the first having to do with the minimum density standards for new residential developments. Again this is a requirement out of Title 1 of the Metro Functional Plan. The City Council laid the ground work for these amendments to our Development Code in December of 1998 when you adopted a policy to our Comprehensive Plan to make that comply with the Metro Functional Plan and at that time the Council adopted a policy under Goal 10, the housing goal, which stated "establish minimum density for new residential developments excluding residential dwelling built in conjunction with a commercial use and require that new development achieve at least 80 percent of the maximum density per net acre allowed by the zoning district". So we already have this built into our Comprehensive Plan as a housing policy and we are now at a point of needing to bring our Development Code into conformance with that policy and consequently conformance with the Metro Functional Plan. When that policy was adopted by the Council you directed staff that when we did bring forward the amendments to the Development Code to round down to the next lower number when computing the minimum number of allowed dwelling units. We have incorporated that methodology into the amendments and so the language that is in each of the zones in which we are including the requirement to achieve the minimum 80% density reads as follows: "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." That minimum density standard has been incorporated into all of the zoning districts which allow for construction of residential dwellings. The local street connectivity design standards are again those that satisfy requirements of Title 6 of the Functional Plan. These deal with street connectivity. The Metro Functional Plan identifies street connectivity standards for residential areas and mixed-use developments throughout the Portland Metropolitan area. So the amendments to our code to comply with that include; 1) street intersections shall be spaced at intervals of no more than 530 feet; 2) accessways for pedestrians, bicycles or emergency vehicles on public easements or right-of-way where full street connections are not possible, with spacing between full street or accessway connections of no more than 330 feet; 3) cul-de-sac streets are no more than 200 feet in length and serving no more than 25 dwelling units. These are all being built into our standards to accommodate street connectivity. The third area having to do with accessory dwelling units, as you recall this has been brought to you twice before and has been twice rejected. Because

of our repeated conflicts with Metro in terms of whether or not we can comply without adopting this, that you are at a point of needing to reconsider this matter and so again because we did state in our last extension request you would be looking at this again, I have incorporated those provisions that would allow for accessory dwelling units only within new single family subdivisions within the R-20, R-10, R-7 and R-5 zoning districts and subject to standards and limitations that are spelled out in a separate section of the Development Code and this would be the proposed section 5.800. A quick review of what those provisions will be: in order for an accessory dwelling unit to be built, it must be processed through a Type I I Site and Design Review procedure; they are only allowed as part of an attached single family dwelling with at least 1,800 square feet of floor area; they are only allowed on a lot within a subdivision recorded after the adoption date of this code amendment; they are only allowed by converting existing living area or adding floor area to the dwelling; an attached garage does not qualify as living area; no separate free standing unit would be allowed; they may not exceed 750 square feet; and a second entrance can not be located on the front of the primary dwelling to allow entry to the accessory unit. The primary purpose behind these standards is to safe guard the character of the single family zone. I believe that these standards will do that and are adequate to protect the single family character of these developments. I think equally important is that this, in my opinion, will meet the requirement that Metro has set out that we adopt provisions for accessory dwelling units, yet will result in very few if any, accessory dwelling units actually being built. One other thing worth noting is that even aside from our standards in the Development Code is that a private developer can write CCR's for that subdivision that would prohibit any single family dwelling unit be converted into more than one living unit and those are fully enforceable by the residents of that subdivision. These are amendments that are forwarded to you by the Planning Commission in March 1999 with their recommendation for approval and staff would concur with their recommendation.

Mayor Thalhoffer asked on December 1998 with Ordinance #667 we adopted the 80% density requirement, right?

Faith replied as a housing policy.

Mayor Thalhoffer asked we build at more than 80% anyway, is that correct?

Faith replied yes. When we submitted our compliance report we were required to look at what our actual build out for all new residential developments in the time period of 1990 to 1995. Our analysis showed at that time that the build out was 84%. I have since looked at our build out for residential for the time period of 1996 to present, it is now at 87% for that 5 year time frame. If you look at the combined period of 1990 to present we are building at 85%.

Mayor Thalhoffer stated so this will not increase density in the City?

Faith stated it will simply guarantee that the trend that is already occurring will continue.

Mayor Thalhoffer stated the accessory dwelling has been tightened up to where it makes sense to me and actually provides for very few accessory dwelling units in this city. On local street connectivity design standards, in view of what we have done recently with the Sturges Drive/Sturges Lane area, how does that affect this?

Faith replied I was fearful that this would tend to override or certainly reflect with decisions that

were made during consideration of that local street network plan. In anticipation of that question I have looked at it more carefully and I think that we are going to be okay with following through the directive of the Council with respect to street network in the western portion of the town center. The reason I say that is because language in the amendments here on page 19 section 7.180 (3), it says "the City of Troutdale's Comprehensive Land Use Plan, Troutdale's Transportation System Plan and applicable regulations shall be used to identify potential street and access way connections". What that says to me is that we will be referring to that document as our first guide in determining where new streets are to go. Since the Local Street Network Plan that was done is an amendment to our Transportation System Plan that is the document we will be looking to. Even though this talks about minimum spacing, I think it is still saying that we need to look at these other documents as the guide for future streets.

Mayor Thalhoffer asked is there anyone here who would like to speak to us on this issue?

No public comments received.

Mayor Thalhoffer closed the Public Hearing at 8:52pm. Council will take action on this ordinance at the next regular meeting.

10. COUNCIL CONCERNS AND INITIATIVES

Mayor Thalhoffer called this item and stated that the Council meeting schedule for July and August 2000 is as follows: July 25, 2000 will be the only meeting held in July and August 22, 2000 will be the only meeting held in August. On May 24th I attended a County Commission meeting at the Gresham Library and supported the continuation of the inmate work crew program. You can see the results of it here in Troutdale, they hung the flower baskets in downtown and they also water them on a daily basis. (Mayor Thalhoffer reviewed the meetings he has recently attended) I did some research on how late our meetings go due to a column and cartoon in the Oregonian. It was very interesting that even though we think we meet past mid-night regularly, we don't. We only had two meetings in the last three years, 74 meetings total, we only had two that have gone past mid-night and nine that have went past 11:00. We do listen to people perhaps more than other jurisdictions, we make sure they have an opportunity to talk to us and we ask questions of them. We do not put them on a three minute egg-timer, we give them a opportunity to state their case and I think that is important. Tomorrow is Flag Day and I hope everyone puts out their American Flag in front of their house.

Councilor Rabe stated I had some conversations with some of the folks that work for AMR down at our beach and it was communicated to me that they have a tremendous problem with liter. For those of you who use the beach I would appreciate, as all the citizens would, that you would clean up the debris that you bring to our beach.

Councilor Daoust stated I am very glad to see AMR down at the beach it is a positive program. I commend AMR for pulling through again this year. The reason I missed the last Council meeting is because I had to work late and I also had band practice. I am member of the One More Time Around Marching Band, the huge 550 member band in Portland that plays in the Grand Floral Parade and the Star-Light Parade.

Councilor Smith stated I think people should take a little more pride and clean-up the trash that is in the streets and sidewalks.


Councilor Ripma stated the Mayor, Councilor Kight, Councilor Smith and myself last Wednesday we had a very special evening introducing the first ever Troutdale wine at McMenamin's Edgefield. It is very special vintage. This particular wine is going to be a collectors item, it is made from the grapes out in front of the Edgefield Manor.

11. ADJOURNMENT

MOTION: Councilor Thompson moved to adjourn the meeting. Councilor Kight seconded the motion.

**YEAS: 7
NAYS: 0
ABSTAINED: 0**

Meeting was adjourned at 9:07pm.


Paul Thalhofen, Mayor
Dated: 7-26-00

ATTEST:


Debbie Stickney, City Recorder

