



Agenda September 12, 2023

Regular Meeting | 7:00 p.m.

Troutdale Police Community Center – Kellogg Room
234 SW Kendall Ct, Troutdale, OR 97060

- 1. Pledge of Allegiance, Roll Call, Agenda Update**
- 2. Public Comment:** Public Comment on non-agenda and consent agenda items is welcome at this time. *Public comment on agenda items will be taken at the time the item is considered. Public comments should be directed to the Presiding Officer and limited to matters of community interest or related to matters which may, or could, come before Council. Each speaker shall be limited to 5 minutes for each agenda item unless a different amount of time is allowed by the Presiding Officer, with consent of the Council. The Council and Mayor should avoid immediate or protracted responses to citizen comments.*
- 3. Discussion:** An update from Senator Gorsek and Representative Hudson on the 2023 Legislative Session. – Senator Chris Gorsek, District 25 and Representative Zach Hudson, District 49
- 4. Public Hearing / Ordinance (Introduced 8/22/23):** An ordinance prohibiting camping on public property in accordance with State and Federal Law. – Ray Young, City Manager
- 5. Public Hearing / Ordinance (Introduced 8/22/23):** An ordinance adding Section 8.42 to the Municipal Code regarding the unlawful or abusive transfer of material goods or money on a street or public right-of-way. – Ray Young, City Manager
- 6. Public Hearing / Ordinance (Introduction):** An Ordinance Adopting Text Amendments to Chapters 3 and 6 of the Troutdale Development Code. – Dakota Meyer, Associate Planner & Carrie Brennecke, MIG
- 7. Discussion:** A discussion of recycling and solid waste ordinance structure and implementation of Administrative Rules. – Ryan Larqura, Environmental Specialist
- 8. Staff Communications**
- 9. Council Communications**
- 10. Adjournment**

Randy Lauer, Mayor

Dated: September 6, 2023

Meeting Participation

The public may attend the meeting in person or via Zoom. Please email info@troutdaleoregon.gov by **5:00pm on Monday September 11th** to request Zoom meeting access credentials. You may also submit written public comments via email to info@troutdaleoregon.gov no later than **5:00pm on Monday, September 11th**. City Council Regular Meetings are broadcast live on Comcast Cable Channel 30 (HD Channel 330) and Frontier Communications Channel 38 and replayed on the weekend following the meeting - Friday at 4:00pm and Sunday at 9:00pm.

Further information and copies of agenda packets are available at: Troutdale City Hall, 219 E. Historic Columbia River Hwy. Monday through Friday, 8:00 a.m. - 5:00 p.m.; on our Web Page www.troutdaleoregon.gov/meetings or call Sarah Skroch, City Recorder at 503-674-7258.

The meeting location is wheelchair accessible. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to: Sarah Skroch, City Recorder 503-674-7258.

MINUTES
Troutdale City Council – Regular Meeting
Troutdale Police Community Center – Kellogg Room
234 SW Kendall Court
Troutdale, OR 97060

Tuesday, September 12, 2023 – 7:00PM

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Lauer called the meeting to order at 7:00pm.

PRESENT: Mayor Lauer, Councilor Ripma, Councilor Wunn, Councilor White, Councilor Wittren and Councilor Glantz.

ABSENT: Councilor Caswell (excused).

STAFF: Ray Young, City Manager; Kenda Schlaht, Deputy City Recorder; Ed Trompke, City Attorney; Ryan Largura, Environmental Specialist; Heather Jones, Building and Code Compliance Manager / Interim Director of Community Development; and Dakota Meyer, Associate Planner.

GUESTS: See Attached.

Mayor Lauer asked for agenda updates.

Ray Young, City Manager, stated that item #3 will be pushed back 1 or 2 spots because Senator Gorsek and Representative Hudson are running behind.

2. PUBLIC COMMENT: Public comment on non-agenda and consent agenda items is welcome at this time.

<0:02:20>

Babette Bastiam, Troutdale resident, stated she lives behind the Old City Hall where the brewery is being constructed and there are a ton of full garbage bags right in front of her apartment complex. She's concerned about them possibly containing asbestos or hazardous chemicals. Her other issue is the parking on First Fridays. The tenants have nowhere to park during First Fridays and she has to park blocks away.

Mary Becker, Troutdale resident, stated she lives in the same apartment complex as Babette, and she is disabled. At the last First Friday event she had to park her Jeep all the way up by the school and walk all the way home. By the time she gets home she crashes on the couch and can't move for the next 2 days because she's in excruciating pain. She asked to have it tenant parking only.

Tanney Staffenson, Troutdale resident, stated that he is a resident, and he also serves as a member of the Public Safety Services Delivery Working Group. It's a new group that has been formed and it's only met one time so far. The second meeting is scheduled for the 27th of September. Resolution #2578 sunsets the working group on the 27th. He made the suggestion that maybe Council could sunset it further down the road so the working group could do some more of its work.

(Agenda Item #3 discussed after Agenda Item #6)

4. PUBLIC HEARING / ORDINANCE (Introduced 8/22/23): An ordinance prohibiting camping on public property in accordance with State and Federal Law.

<0:07:19>

Ray Young gave a brief overview of the staff report. He stated staff was asked to make several corrections, additions and changes to the ordinance. There is also an update to Attachment A of the ordinance showing some corrections suggested by Paul Wilcox (a copy can be found in the meeting packet).

Mayor Lauer opened the public hearing at 7:11pm.

None.

Mayor Lauer closed the public hearing at 7:11pm.

MOTION: Councilor Wittren moved to adopt the ordinance prohibiting camping on public property in accordance with State and Federal Law as amended with item #4 updated to Attachment A. Seconded by Councilor Wunn.

VOTE: Councilor White – Yes; Councilor Wittren – Yes; Councilor Glantz – Yes; Councilor Ripma – Yes; Councilor Wunn – Yes and Mayor Lauer – Yes.

Motion passed 6-0.

5. PUBLIC HEARING / ORDINANCE (Introduced 8/22/23): An ordinance adding Section 8.42 to the Municipal Code regarding the unlawful or abusive transfer of material goods or money on a street or public right-of-way.

<0:13:00>

Ray Young gave a brief overview of the staff report.

Mayor Lauer opened the public hearing at 7:14pm.

None.

Mayor Lauer closed the public hearing at 7:15pm.

MOTION: Councilor Wittren moved to adopt the ordinance adding Section 8.42 to the Municipal Code regarding the unlawful or abusive transfer of material goods or money on a street or public right-of-way. Seconded by Councilor Wunn.

VOTE: Councilor White – Yes; Councilor Wittren – Yes; Councilor Glantz – Yes; Councilor Ripma – Yes; Councilor Wunn – Yes and Mayor Lauer – Yes.

Motion passed 6-0.

6. PUBLIC HEARING / ORDINANCE (Introduction): An ordinance adopting Text Amendments to Chapters 3 and 6 of the Troutdale Development Code.

<0:17:22>

Dakota Meyer, Associate Planner, gave a brief overview of the staff report and presented a PowerPoint (attached as Exhibit A).

Councilor White asked if the Planning Commission Chair could answer some questions.

Tanney Staffenson, Planning Commission Chair, stated most of this is work that the Planning Commission has been through once before. He stated there were some comments from Metro about the rezoning of land and the only thing he says to that is, he doesn't know that you could call some of this regionally sensitive land that's talked about. From his perspective, this is more land that has sat in an undeveloped state for more than a decade. The City may have a chance to do something positive with it. Especially when there is a willing landowner. As far as the variances, they came from the Planning Commission and the recommendation was primarily due to some of their more recent land use applications. The Fox Development on Halsey is kind of a big one and it was one that cleared the hurdle of 30% because it was 29% and could have been ran as a Type II. There were significant public hearings on it because it was bumped to a Type III. The Planning Commission felt it was a very positive process allowing the public to come in and testify and weigh in on.

Mayor Lauer opened the public hearing at 7:38pm.

None.

Mayor Lauer closed the public hearing at 7:39pm.

Mayor Lauer stated the ordinance will be brought back to Council on September 26th.

3. DISCUSSION: An update from Senator Gorsek and Representative Hudson on the 2023 Legislative Session.

<0:42:14>

Representative Zach Hudson stated it was a successful legislative session despite some difficulty with the walkout they were able to come to an agreement and bring everyone back to the building and got a lot of great bills passed. Some of the most important ones he thinks are the housing and homelessness package HB 5019 and other related bills that went with it. There was \$200 million added for efforts to create stable and affordable housing and help people transition out of homelessness. It created new shelter beds and helped partner with service providers and it continued work on affordable housing that's already in progress. Another aspect are the bills related to housing and disaster recovery. Wildfires have shown that they can strike unexpectedly, and you don't have to be in the middle of the forest to be affected. There was also a bill passed for resiliency grants for disaster preparedness. Another great takeaway from the last session has to do with public safety with bills to curb gun violence and bills to fund public defense systems. Also, a bill for crime victims' compensation and many others. There was record funding for education this session as well as a separate literacy initiative and also some school safety measures. He worked on bills that were particular to his background having to do with education, helping to support teachers, supporting students and students with disabilities. He stated that he and Senator Gorsek worked hard to make sure HB 2548 did not pass because of the bad effect it would have on Troutdale and similar cities around the area. It was a bill that would've changed how the Metro business income tax was calculated and if that bill had gone into effect, it would've been a big decrease for cities like Troutdale in their revenues.

Ray Young stated that was the bill that was going to change how Multnomah County calculated business income tax, which Troutdale gets over \$1 million a year from.

Representative Hudson stated one of the most touching episodes from the 2023 session was when Legacy Mt. Hood Hospital announced the surprise closure of its birthing center. He appreciated local leaders, including Mayor Lauer and Councilor Wunn for being part of the team that responded quickly to that and helping to formulate a plan of how to get the birthing center back open.

Senator Chris Gorsek stated he has formed a very effective team with Zach Hudson and Ricki Ruiz in working on East County issues. He thinks they have been able to get some good pieces of legislation for East County. There is a tremendous need around the mobile home parks and the need to preserve and improve those. In his mind, those are every bit as important as some of the hotels being proposed for housing. He stated they are painfully aware of some of the challenges that citizens face. He stated his problem with TriMet continues. TriMet did their alleged upgrade of service. There was no upgrade of service in Troutdale. He will be harping at them some more. There is lots that TriMet can do and for whatever reason they're not. The fortunate thing was that their colleagues came back. The unfortunate thing was that they were out for a while. They were under a huge time crunch to get done by the constitutional deadline. They ran through the majority of bills for the last session in about 2 week's time. Some things didn't get the vetting that they needed, and some things didn't survive because there wasn't enough time. One of the things he continues to work on is SB16, which is trying to improve both freight rail and passenger rail services in the entire state. He stated there is a lot of freight rail that does not currently carry passengers. SB119 passed, which is telling ODOT that they

need to be involved more in apprenticeships. They had been excluded in the past and he can't think of a better state agency to be involved in getting people up to speed on those sorts of trades than ODOT. SB238 was designed to improve drug and alcohol education in schools, a lot of it surrounding fentanyl. He wants to make sure that schools are talking to kids about fentanyl because it can be such a dangerous drug and sometimes kids aren't even aware that what they have taken something that had fentanyl in it. Then there's a really interesting bill, SB256, which recently passed that has to do with counterfeit airbags. The Honda Corporation came and met with him and asked if he knew that there are counterfeit airbags. There are folks who will sell you airbags that have nothing but maybe plastic bags in it. In some cases, there are actual stories of shrapnel being inside of the airbags. The automobile industry was very interested in seeing that bill go forward. SB165 also passed, which has to do with street racing. It's something that has frustrated many, many people around the state but especially in the metropolitan area where entire intersections are shut down to street race. They're putting more teeth into that statute, so law enforcement has the tools that they need to try and shut some of it down. He mentioned a lot of the things that he, Ricki Ruiz and Zach have all worked on in terms of a lot of the money that came from the federal government. He stated he thinks that for the first time the leadership and the legislature actually let the legislators take the federal money and apply it to the programs that the legislators wanted to do.

Ray Young asked if there is anything special going on about corrections or repealing ballot measure 110.

Senator Gorsek stated the mistake with measure 110 is if you're going to do something like they did, you have to have the support services that are intended to be where you divert people if you're not going to incarcerate. Those support services were not in place. That's fueling people saying that measure 110 needs to be gone. He doesn't know if there's enough steam to get that on the ballot.

Mayor Lauer stated it's an issue that's tied closely to Troutdale, East County, Multnomah County and the State as a whole. It's tied relatively closely to homelessness. Troutdale doesn't have a health department and it doesn't have the means of working with the Multnomah County Health Department. He stated Troutdale would love for the ability to have those means so it could help get the people that are living in the city the help they need.

Senator Gorsek stated if you've paid any attention to the press, you would see it's a long way from a good, solid, unified way of dealing with this and it's not for a lack of money.

Councilor Glantz thanked Senator Gorsek for voting against the Governor's housing bill. She stated she participates in the LOC housing development policy and some of the concerns they have are with infrastructure. She knows there's the whole Governor's task force on trying to get some of this coordinated. The other thing she knows that's being worked on is telling cities what they need to do, not necessarily telling them how to do it but letting the city decide for themselves without all the restrictive codes that aren't appropriate in a lot of instances.

Senator Gorsek stated that he and Zach both voted against the housing bill. 3414 was a bad bill and the problem with it was that it was kind of sprung on the legislators at the end of the session when all the other madness was going on with long days and all the bills. There wasn't enough time for representatives to talk to their cities and have a reasonable and solid discussion about all of it. Based on what he is hearing, the son/daughter of 3414 is coming back and legislators will have to watch it very carefully to make sure it's going to be something that's actually going to work for cities.

Ed Trompke stated he had breakfast with the Cities of Cornelius and Hillsboro's Economic Development Director and City Manager and then yesterday, Beaverton's. They were talking about the 3414 issues and the big one that the west side cities are talking about is the need to balance the infrastructure problem is how do you pay for it if you're a city. The only way cities know how to pay for things is to develop employment or industrial lands which don't require the services and subsidize the services to the housing portions. If you look at the 2040 plan, it requires a balance of employment and housing and that also cuts down on the transportation needs if people can live near where they work. The balance needs to be built into anything like 3414 or else it just becomes abomination.

Councilor White stated that Troutdale is the National Scenic Gorge and the closest city to it. It's not in Troutdale so there's very little that the City can do. He is thinking along the lines of a Ranger Station because the area known as Thousand Acres has really gotten out of hand. It's destroying that environment. He stated that Troutdale has been trying to come up with a way to get a train stop at the new urban development site that would go to Multnomah Falls.

Mayor Lauer opened public comment at 8:24pm.

Adrian Koester, Troutdale resident, stated he was also going to mention what Councilor Glantz brought up about infrastructure and dealing with housing. Utility infrastructure, food services, medical services are needed. Because of the limitations of the transportation network, particularly here in East County, people have a hard time getting to those services. He expressed his appreciation for SB283 looking at increases in teacher retention and possibly increasing funding for special education. On the special education note, there are some potential and real unintended consequences around SB819 which just went into effect in July. It basically allows parents to override the school districts in the length of the day that their students go to school. In some cases, he knows from experience, parents inevitably because of their own circumstances are taking advantage of it because they need a full day of care for their child when it's not necessarily in the child's education's best interest. While the schools should be able to accommodate the child for the whole day for their full education experience, in many cases the schools and the districts simply do not have the funding resources to be able to do it. Many of the kids need all day one on one just for themselves and the schools simply do not have the resources and infrastructure to put it in place.

Senator Gorsek stated that there is also a lack of qualified teachers to do the work. He's happy to see that at least 819 is opening the door and actually getting some discussion because there

were some kids that were getting maybe 2 hours a week of instruction. He's hoping to bring everybody together and get to a place that works for everyone.

Tanney Staffenson stated Senator Gorsek mentioned the environment. The Planning Commission has seen it where the State is allowing wetlands to be filled in, especially when it is a low income or workforce housing project. An entire wetland can be filled in and it's a real problem.

Senator Gorsek asked if litigation is needed for it.

Tanney Staffenson replied, the state says no. We could fill in an entire wetland. That's something totally out of Troutdale's wheelhouse but it's a real problem. When you look at things like CFEC, especially in Troutdale, when you look at something like a project coming in that has 86 units with no parking. He feels like it's a cookie cutter machine and when we don't have MAX and don't have decent bus service, he's wondering who in Salem thinks this is a good idea.

Senator Gorsek stated it's probably some higher ups in the legislative chain. He stated he has opposed such things because it sounds too much like what Portland wants to do. If you have a community that can do it without parking, great, but it should not be mandated. That isn't going to work in Troutdale or Gresham. He has seen it happening and the lack of parking needs to be talked about. It seems like they're trying to do it before the infrastructure is there.

Tanney Staffenson stated when you look at the infrastructure piece right now, there are real issues with response times, especially for fire. That can be attributed to a lot of things but also there continues to be road diets. People are dying because emergency response can't get to them and then you have people who are more worried about the size of a sidewalk. He wonders who's making some of these decisions.

Senator Gorsek stated where he's seen that is in the City of Portland. They like to do a lot of road dieting. If you drive down Glisan the road disappears with all the parking things and signs. He stated he grew up in the 60s and 70s and cars were not the enemy. He thinks in some jurisdictions, cars are definitely the enemy. There needs to be some compromise.

Ed Trompke stated the source of the car being the enemy is LCDCs Transportation Planning rule. If you read it there's no way to see that it doesn't say the car is the enemy. Basically, it is a 1970s view of big, gas guzzling cars. That's not what cars are today.

Mayor Lauer closed public comment at 8:34pm.

Councilor White stated the County showed Council their plan for 257th, which is putting it on a diet. That's a freight route and they want to make it just one lane of a freight lane and skinny the lane down by 2 feet. The only thing they're really going to accomplish there is widening the bike lane. They're taking it away from the freight route which he thinks is dangerous.

Senator Gorsek stated he would look into it.

Councilor Wittren stated he's really surprised today with inflation and the way the economics of the Country, the State, Multnomah County that it really didn't come up today when Senator Gorsek and Representative Hudson talked about what they were most proud of. There was really no economic stimulus that you were championing for or pushing for this last session. He hopes that in a year from now or after the next short session there will be more.

Senator Gorsek stated that's a great point. HB2009 included several pieces of legislation on economic incentives.

7. DISCUSSION: A discussion of recycling and solid waste ordinance structure and implementation of Administrative Rules.

<1:45:50>

Ryan Largura, Environmental Specialist, gave a brief overview of the staff report and presented a PowerPoint (attached as Exhibit B).

Mayor Lauer asked what percentage of the proposed changes is driven by Metro ordinance or code changes that are implemented into Troutdale's jurisdiction.

Ryan Largura stated for food waste and the business recycling, those are the 2 main ones as of late. He stated he's come before Council for rate reviews and franchise agreements. He stated those are the only 2 specifically as of the last few years due to Metro's requirements. There are the multi-family regional service standards, that's something they're wanting cities to adopt, that would be a new one.

Councilor Ripma stated he appreciates the interest in streamlining but he hasn't felt overburdened with having to look at business recycling or the solid waste program. The franchise agreements don't seem to come up that often. He likes to keep track of what Metro is up to. He thinks that businesses will let Council know if there is something weird coming down the line. He appreciates the offer but he's not a fan. There are things he likes to keep track of as a council.

Councilor White stated he would like to keep it status quo.

Ryan Largura stated Council would probably still need to adopt some sort of language or structure as an ordinance, initially. Council would still have to come in and weigh in on the initial ordinance. It's mainly after the fact with saving time and streamlining some of the language in the code on his part so he wouldn't have to come before Council for something so minor.

Councilor Wittren stated that he would like to see what the administrative rules really look like.

Ryan Largura stated that he doesn't have any examples of what an administrative rule looks like based off the ordinances currently. They would be more technical in nature.

Ray Young stated he thinks staff should submit an ordinance to Council that consolidates the 2 sections for their consideration of a first and second hearing. Ryan can work on what an ordinance would look like that might allow for some flexibility for staff to make technical changes.

Councilor Ripma stated he thinks staff could be making better use of their time and not come up with an ordinance. He doesn't see an advantage of combining business recycling with solid waste into one ordinance. His preference is to leave it alone.

Councilor Glantz agrees with Councilor Ripma. She stated she likes Metro in general, but she doesn't trust Metro. She likes to see what it is they're doing.

Councilor Wunn stated he heard what Councilor Ripma said and it makes sense to him.

Mayor Lauer stated he likes the idea of streamlining but not now.

8. STAFF COMMUNICATIONS

<2:07:53>

Ray Young provided the following staff communications:

- Slurry sealing has been happening around town. The City wants to apologize to the citizens because it has not gone as well as planned. The weather did not cooperate, and the subcontractor has not been as responsive to the City's requests on how they conduct their work.
- Parks Advisory Committee's next meeting is next Wednesday, and they will be discussing dogs in city parks.
- Ed Trompke would like to review a memo (a copy can be found in the meeting packet) with Council tonight.

Ed Trompke, City Attorney, stated he doesn't know why the Legislature decided it was so important to adopt this legislation, but they did. They tried to define what is a serial meeting which ends up being a communication that is part of a decision-making process in which more than a quorum or more of the public body takes part over some period of time and it doesn't say what that period of time is. If one council member speaks to the mayor and that council member speaks to 2 other council members, that is 4 people which is a quorum. If the subject matter falls within what is a deliberation, which means a discussion or communication that's part of the decision-making process. It excludes purely factual matters but it's kind of hard to talk about facts without some kind of inflection in your voice that may deliver some kind of a message that may be part of the deliberative process. It also requires training once every 5 years or once every term of office that one holds. LOC has training sessions for it. The Council can ratify actions that have been taken that may have been in violation of the public meetings laws and make them valid but that doesn't undo the first problem. The Oregon Government Ethics Commission can come after you and it specifies now that any fines imposed are yours personally, it can't be paid by a public body. It's very broad what the definitions are and there's

no clear answer as to whether an inadvertent action which takes place that could snare 4 or 5 council members is any different than one that's intentionally wrong. Council is going to have to be very careful.

9. COUNCIL COMMUNICATIONS

<2:18:47>

Councilor White asked if there is anything the City can do about the parking issue on First Fridays that was discussed during public comment.

Ray Young stated it's a good problem to have because First Fridays are becoming very popular. The area they were talking about is public right-of-way. Unless the City wants to engage in what the City of Portland does, which is residents having permits to only park in certain places. That would be a change in how the City does things and that's something Council would have to decide if they want to do that. First Fridays only happen 4 or 5 times a year.

Councilor Wittren stated Tanney brought up the Public Safety Working Group and getting a meeting pushed out a little. He asked if it was possible to get the meeting on the 26th.

Ray Young stated it will be extended.

Councilor Ripma stated that the First Fridays have been a great success this summer.

Mayor Lauer stated school is back in session. Be careful driving around the schools.

10. ADJOURNMENT

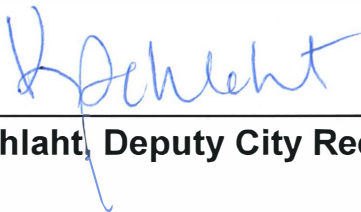
MOTION: Councilor Glantz moved to adjourn. Seconded by Councilor Wittren.
Motion passed unanimously.

Meeting adjourned at 10:23pm.



Randy Lauer, Mayor
Dated: October 13, 2023

ATTEST:



Kenda Schlaht, Deputy City Recorder

CITY OF TROUTDALE

City Council – Regular Meeting
7:00PM

Tuesday, September 12, 2023

PLEASE SIGN IN

Name – Please Print	Address	Phone #
Adrian Kuester	Troutdale	503 702 9675
Tanner Stephenson	Troutdale	503 319-7732
Barbette Bestian	403 SE 2nd St	503-270-8368

September 12, 2023 City Council Mtg. - Zoom Guests

Name (Original Name)	User Email	Join Time	Leave Time	Duration (Minutes)
Troutdale Conferencing	troutconf@troutdaleoregon.gov	9/12/2023 18:50	9/12/2023 21:23	154
MetroEast		9/12/2023 18:50	9/12/2023 21:23	154
speaker table		9/12/2023 18:54	9/12/2023 21:23	150
Dave Ripma		9/12/2023 18:55	9/12/2023 21:23	149
Troutdale Conferencing	troutconf@troutdaleoregon.gov	9/12/2023 18:55	9/12/2023 21:23	148
Randy Lauer		9/12/2023 18:57	9/12/2023 21:23	147
Dakota Meyer		9/12/2023 18:57	9/12/2023 19:43	46
Jordan Wittren		9/12/2023 18:58	9/12/2023 21:23	145
Sandy Glantz		9/12/2023 19:00	9/12/2023 21:23	144
Carrie Brennecke		9/12/2023 19:02	9/12/2023 19:42	41
Geoffrey Wunn		9/12/2023 19:02	9/12/2023 19:04	2
Geoffrey Wunn		9/12/2023 19:04	9/12/2023 21:23	139
ray.young		9/12/2023 19:11	9/12/2023 21:23	132
Ryan - City of Troutdale		9/12/2023 19:13	9/12/2023 21:07	115
Bernard		9/12/2023 19:24	9/12/2023 20:39	75
Travis Hultin		9/12/2023 20:25	9/12/2023 21:23	58
Nik Ramstad		9/12/2023 20:53	9/12/2023 21:07	14

**INDUSTRIAL ZONE & VARIANCE
TEXT AMENDMENT (75-13)
PUBLIC HEARING**

Exhibit A

September 12, 2023 Council Meeting Minutes

City Council

September 12, 2023

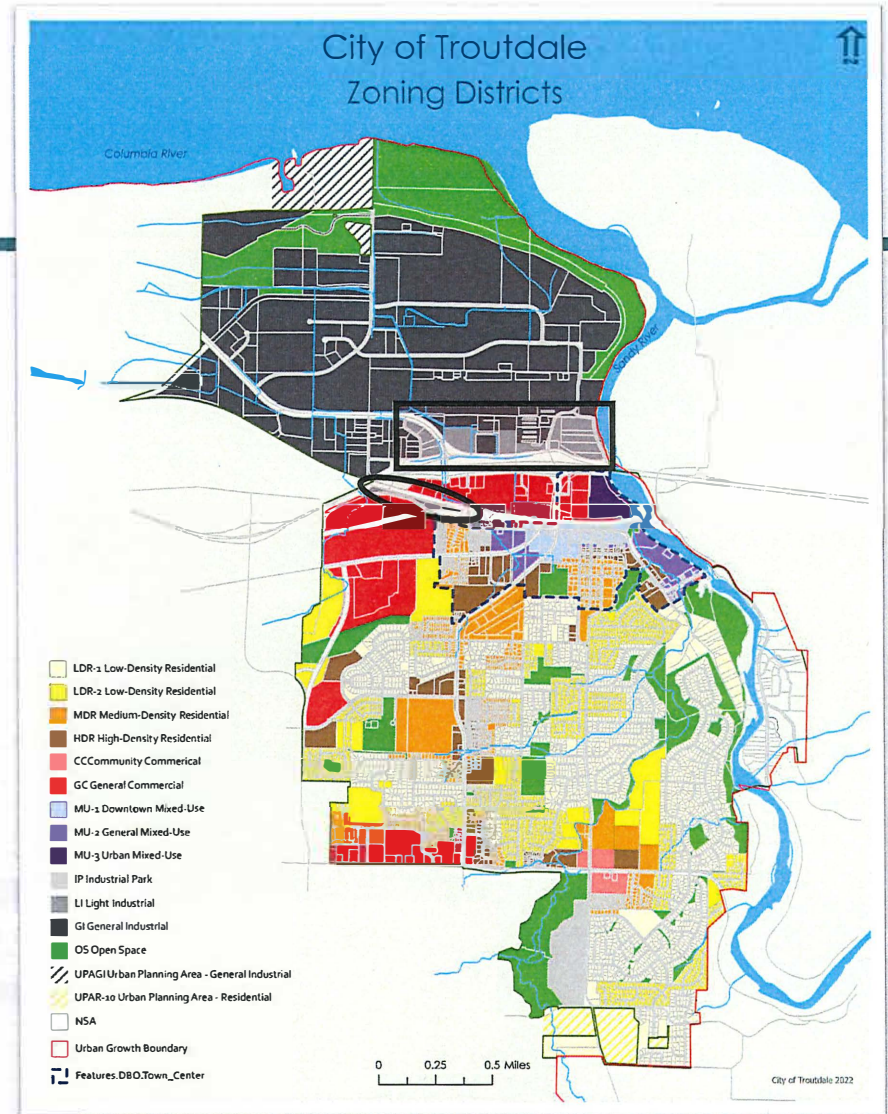


LIGHT INDUSTRIAL ZONE

[CASE FILE 75-13]

- **Zoning Map**

- The selected areas represent the Light Industrial (LI) zones affected by this application.



TDC SECTIONS, PROPOSED AMENDMENTS

- TDC Chapters 3 & 6
- TDC 3.020 - Zoning District Outline
 - Reorder numbering
- TDC 3.410-3.413 - General Purpose and Intent
 - Move the existing purpose statements to TDC 3.411-3.413
- TDC 3.420 - Use Table
 - Consolidates lists of uses from each industrial zone in to one table
 - Lists one new permitted use
- TDC 3.430 – Dimensional Standards Table
 - Consolidates the dimensional stands listed in each industrial zone in to one table
- TDC 3.430 – Additional Standards
 - Consolidates additional standards from each industrial zone in to one list
- TDC 6.1300 – Variance
 - Revision to increase the quantifiable provision upper threshold from 30% to 15%



PROPOSED TEXT AMENDMENTS

- TDC 3.020 - Zoning District Outline
 - Reorder numbering

3.020 Zoning District Outline

All areas within the city limits of Troutdale are divided into the following zoning districts. The use of each tract of land within the corporate limits of the City of Troutdale shall be limited to those uses permitted within the applicable zoning district.

<i>Industrial Districts</i>		<i>3.400</i>	
IP	Industrial Park		3.411
LI	Light Industrial		3.412
GI	General Industrial		3.413



OLD VS. NEW NUMBERING

Old

3.400 Industrial Zoning Districts
 3.410 General Purpose

- 3.411 Reserved
- 3.412 Reserved
- 3.413 Reserved
- 3.420 Reserved
- 3.430
- 3.440
- **3.450 Industrial Park**
 - 3.452 Permitted Use List
 - 3.453 Conditional Use List
 - 3.454 Dimensional Standards List
 - 3.455 Additional Requirements List
- **3.460 Light Industrial**
 - 3.462-3.465...
- **3.470 General Industrial**
 - 3.472-3.475...

New

3.400 Industrial Zoning Districts
 3.410 General Purpose

- **3.411 Industrial Park**
- **3.412 Light Industrial**
- **3.413 General Industrial**
- 3.420 Use Table (All industrial Zones)
- 3.430 Dimensional Standards
- 3.440 Additional Requirements
- ~~3.450~~
 - ~~3.452~~
 - ~~3.453~~
 - ~~3.454~~
 - ~~3.455~~
- ~~3.460~~
- ~~....~~
- ~~3.470~~
- ~~....~~



PROPOSED TEXT AMENDMENTS

- TDC 3.420 - Use Table
 - Consolidates lists from each industrial zone in to one table
 - Change one (1) *conditional* use to a *permitted use* in light indus.
- TDC 3.430 – Dimensional Standards Table
- TDC 3.340 – Additional Requirements

3.420 Use Table for Industrial Zoning Districts

A. Uses that are permitted are marked with a "P", with specific standards for the use listed in the far-right column as shown below.

B. Uses that require conditional use approval in accordance with Section 6.300 of this Code are marked with a "C", with specific standards for the use listed in the far-right column as shown below.

C. Uses that are not permitted are marked with a "N".

Land Use	IP	LI	GI	Specific Standards
Residential Uses				
One Caretaker unit in conjunction with an existing industrial use	N	P	P	
All other residential uses	N	N	N	
Commercial Uses				
Commercial sports complexes including, but not limited to, health clubs, tennis courts, aquatic centers, skating rinks, and similar facilities	N	C	C	
Convenience stores	C	N	N	3.440.I
Eating and drinking establishments				
Restaurants and bars	P	N	N	3.440.H
Mobile Food Vendor operating a Food Stand, Food Cart, and Food Trailer	P	P	P	5.200
Financial institutions	C	N	N	3.440.D.1
Hotels/Motels/Convention Halls	C	C	N	
Marijuana facilities	N	C	C	3.440.F
Medical and dental clinics	C	P	P	3.440.D.1
Personal services	C	N	N	3.440.D.1
Product sales, service, and/or display accessory to any manufacturing, fabricating, or processing use	N	P	P	3.440.K
Professional Offices	P	P	N	3.440.D.1
Storage facilities	N	C	N	3.440.J
Automobile, truck, trailer, heavy equipment, recreational vehicle, boat and manufactured home services				



PROPOSED TEXT AMENDMENTS

- TDC 6.1300 – Variance
 - Update upper threshold for Type II and Type III Variances from 30% to 15%.

6.1300 VARIANCE

6.1320 Type II Variance

The Director may grant a variance under the Type II procedure if the request involves the expansion or reduction of a quantifiable provision in this Code by more than ten percent (10%), but not more than fifteen percent (15%), and the criteria in Section 6.1315 are met.

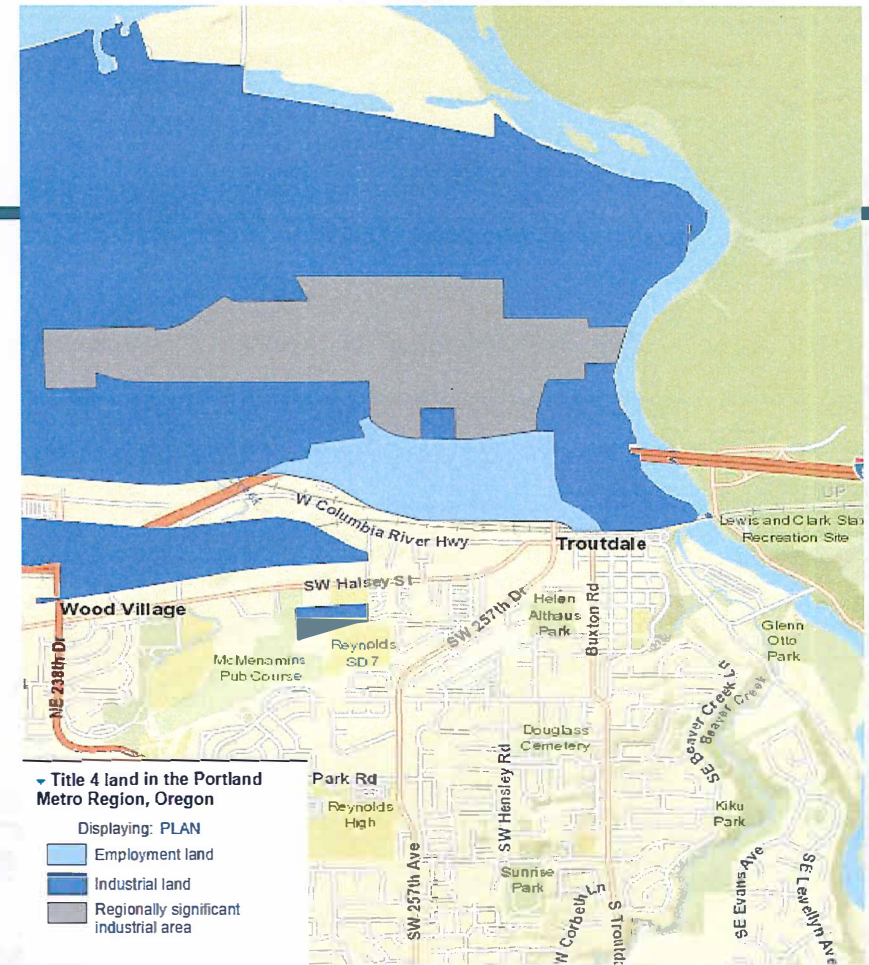
6.1325 Type III Variance

The Planning Commission may grant a variance under the Type III procedure if the request involves the expansion or reduction of a quantifiable provision in this Code by more than fifteen percent (15%), or if the request is referred to the Planning Commission in accordance with Section 6.1335 of this Chapter. The variance shall be granted only if the Planning Commission determines that the criteria in Section 6.1315 of this Chapter are met.



METRO COMMENT

- Metro Title 4 Map
 - Title 4 of Metro's Urban Growth Management Functional Plan (UGMFP) helps protect regional supply of industrial lands
 - The gray shaded area is designated Regionally Significant Industrial Areas (RSIA) and have additional requirements
- Metro requests the City ensure limitations on retail commercial in the RSIA and in the Employment and Industrial lands



PROPOSED FINDINGS [TDC 6.1120] TEXT AMENDMENT APPROVAL CRITERIA

- A. The proposed change to the Development Code does not conflict with applicable Comprehensive Land Use Plan goals or policies.
- B. The proposed change is consistent with the applicable Statewide Planning Goals.
- C. The proposed change is consistent with the applicable provisions of Metro Code.
- D. Public need is best satisfied by this particular change.
- E. The change will not adversely affect the health, safety, and welfare of the community.

These criteria are met.



PROCEDURE [TDC 2.065]

- Type IV Land Use Application
- PC Recommendation to Council
- City Council is the decision-making body

- Notice
 - Newspaper
 - Online
 - DLCD



COUNCIL ACTION

- PC recommends approval to City Council
- City Council Hearings
 - September 12th, 2023 (Introduction)
 - October 10th, 2023 (Adoption)
- Actions: TDC 15.030
 - Confirm, amend or reverse PC's recommendation
 - Enact or defeat all or part of ordinance
 - Remand some or all of the proposal to PC





A Discussion of Solid Waste Ordinance Structure and Administrative Rules

City of Troutdale
Public Works Department
September 12, 2023

Discussion Topics

Ordinance Structure

- Chapter 5.08 Business Recycling Program
- Chapter 8.40 Solid Waste
- Combine both under Title 12 for Public Works

Administrative Rules

- Transfer authority to city staff for easier promulgation of rules
- Lessen burden on City Council to review ordinances with technical aspects
- Increase efficiency because:
 - Staff would not need to write staff reports, draft ordinances, etc.
 - Staff would not need to coordinate with a minimum of two City Council meetings and/or availability
 - Mandated rule changes can be implemented sooner without relying on City Council calendar

Examples

8.40.025 Business Food Waste Requirements

- Compliance Timeline Out of Sync
- Change the Applicability of covered businesses

Potential Applications

- Franchise Agreement Service Standards ready to adapt to Plastic Pollution and Recycling Modernization Act
- Metro Regional Service Standards for Multifamily
- Reduced Rate Program for Low-Income and/or Elderly Residents

Non-Solid Waste Examples

- Local Limits in Admin Rules
- Telecom Franchise Agreements moved to Right of Way Ordinance

Two Options

Continue with Status Quo

- Staff continues to introduce ordinances to update or implement new rules

Use Administrative Rules

- Introduce Ordinance that grants authority to City Manager or designee for promulgation of rules



CITY OF TROUTDALE
PUBLIC WORKS
DEPARTMENT

Questions?



Thank you for your time.

City of Troutdale
Public Works Department