



April 10, 2024

Regular Meeting | 7:00 p.m.

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

Agenda

1. Call to Order, Roll Call, & Pledge of Allegiance
2. Public Comment on Non-Agenda Items
3. Review & Approval of Minutes
 - a. March 13, 2024 Meeting Minutes
4. Public Hearing
 - a. Case File No. LU-0003-2024 – 1635 SW Hewitt Avenue
 - i. Special Variance
 - b. Case File No. 75-15 – Main Streets on Halsey
 - i. Type IV – Planning Commission Recommendation
5. Discussion
 - a. Climate Friendly Equitable Communities
 - b. Discussion - Use Tables
6. Staff Communications
7. Commissioner Comments
8. Adjournment

Participation

The public may attend the meeting in person or via Zoom. Please email comdev@troutdaleoregon.gov to request Zoom meeting access credentials.

This meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting to the City of Troutdale (comdev@troutdaleoregon.gov or 503-665-5175).



Meeting Minutes

March 13, 2024, | Regular Meeting

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

1. Call to Order, Roll Call, & Pledge of Allegiance

Chair Staffenson called the meeting to order at 7:00 p.m.

Commissioners Present: Kevin Minkoff, Zach Andrews, John Leamy
Vice Chair Shirley Prickett, Paul Wilcox, Chair Tanney
Staffenson and Rich Allen

Commissioners Absent:

City Staff Present: Erika Palmer, *Community Development Director*
Dakota Meyer, *Associate Planner*
Nik Ramstad, Assistant Planner
KrisAnn Washington, Planning Admin Assistant

Others in Attendance: Evan Manvel, Climate Mitigation Planner with DLCD to present
Climate Friendly Equitable Communities (CFEC) parking
reform requirements.

2. Public Comment on Non-Agenda Items

None

3. Climate Friendly Equitable Communities Presentation

Evan laid out the parking program requirement changes, effective since Jan 2023. The three options cities can choose from are repealing parking mandates, creating at least 2 of 5 fair policies or repealing mandates for more uses, more areas.

4. Public Hearings

Mr. Staffenson read a description of the public hearing process.

a. Case File LU-0005-2024 East County Pickleball Courts

Opening of Hearing

Dakota Meyer opened the hearing for the case file LU- ***LU-0005-2024 East County Pickleball Courts***, which is a Type III Conditional Use LU application.

Staff Report

Staff recommended approval with the conditions of the application. Dakota proceeded to take questions from the Planning Commission.

Chair Staffenson and Commissioner Allen mentioned that they have a history with the building owner but have no challenges or bias in this case.

Commissioner Allen commented that a traffic study seems wrong.

Commissioner Andrews suggested that PW and Fire comments need to be lined up.

Commissioner Wilcox referenced the Finding of Fact, paragraph B, which reads that the entire complex has adequate 382 parking spots but 455 parking spaces were required when the building was a grocery store, years prior.

Applicant Testimony

Stacey Blume and Amelia Salvador will offer drop-in pricing and monthly and annual memberships.

Public Testimony

Proponents

There were no proponents who testified.

Opponents

There were no opponents who testified.

Neutral Parties

There were no neutral parties who testified.

Applicant Clarification / Rebuttal

None

Closure of Hearing

Vice Chair Pricket moved to close the hearing and Commissioner Minkoff seconded the motion. The motion passed unanimously and the hearing was closed.

Voting

Vice Chair Pricket moved to recommend approval for case file LU-0005-2024 as presented and Commissioner Minkoff seconded the motion. The motion passed unanimously.

b. Case File LU-0007-2024 Checkmat Portland

Opening of Hearing

Chair Staffenson opened the hearing for the case file ***LU-0007-2024 Checkmat Portland*** which is a Type III Conditional Use LU application.

Staff Report

Staff recommended approval with the conditions of the application. Nik proceeded to take questions from the Planning Commission.

Chair Staffenson asks about parking. Did you take into account 257th Way being built out completely? Staff responded that parking is accommodated to the tenant. ROW parking is included in this case. There are no minimum requirements for parking for this site. Commissioner Wilcox suggested Findings of Fact, section B needs to have consistent street identification throughout the record.

Applicant Testimony

Antonio Roberto of 450 NW 257th Way is looking forward to opening his studio to help build the community positively and constructively. He is from Brazil and moved to Oregon 3 years ago. Three-time national champion.

Public TestimonyProponents

Dwayne Denson

Opponents

There were no opponents who testified.

Neutral Parties

There were no neutral parties who testified.

Applicant Clarification / Rebuttal

None

Closure of Hearing

Vice Chair Pricket moved to close the hearing and Commissioner Allen seconded the motion. The motion passed unanimously, and the hearing was closed.

Commissioner Allen, when he was a City Council member the city had litigation with Time Equities, the owners of the outlet mall where the applicant will have the studio.

Commissioner Andrews says the studio will be good for teaching small children to elderly folks.

Voting

Vice Chair Pricket moved to recommend approval for case file LU-0007-2024 as presented and Commissioner Andrews seconded the motion. The motion passed unanimously.

5. Staff Communications

Director has submitted to the City Recorder the SCI statement for Troutdale, It is due by April 15 but cannot be started until March 15. Dakota shared two more hearings are coming for the next PC meeting. Main Street on Halsey and a variance.

6. Commissioner Comments

Commissioner Allen likes the staff getting to healthier levels

Commissioner Wilcox would like a definition for a 'gym' in the code. Is there a standard for sq foot relative to parking demand? Dakota responded that staff would be adding definitions.

Commissioner Minkoff shared the work CAC is doing in terms of increasing citizen participation.

Chair Steffenson recommends moving agenda item Discussion – Use Tables to the April 10 meeting

7. Adjournment

Vice Chair Pricket moved to adjourn and Commissioner Minkoff seconded the motion. The vote was unanimous and the meeting was adjourned at 9:50 p.m.



STAFF REPORT

DATE OF NOTICE: April 03, 2024

DATE OF HEARING: April 10, 2024

FILE NUMBER / NAME LU-0003-2024 1635 SW Hewitt Avenue

APPLICATION TYPE Type III Special Variance

PROJECT APPLICANT Emad Mikhail

PROPERTY OWNER Same as Applicant

PROJECT LOCATION 1635 SW Hewitt Avenue

TAX MAP / TAX LOT # 1N3E35AD-08000 / R556943

COMPREHENSIVE
PLAN DESIGNATION High-Density Residential (HDR)

LAND USE ACTIVITY Residential

ZONING DISTRICT High-Density Residential (HDR)

OVERLAY DISTRICT None

PROPOSAL

The Applicant is seeking a Type III Special Variance approval to allow an addition located partially within the 15-foot rear yard setback of their property. The applicant intends to use the space as a study room/ bedroom. A Type III Special Variance was requested by the applicant to waive the rear yard setback standard to allow the building footprint to extend approximately six feet into the rear yard setback (TDC 6.1330). No other site improvements are requested with this application.

VICINITY MAP



📍 Location of street view perspective

STREET VIEW – Google 2023



View looking west from SW Hewitt Avenue.

APPLICATION HISTORY

Staff was informed that the addition had been constructed in November 2023 and determined a land use application was required. The applicant submitted their application on January 23, 2024 and it was deemed incomplete February 22, 2024. The applicant resubmitted materials March 11, 2024, and the application was deemed complete on March 15, 2024. The public hearing is scheduled for April 10, 2024.

PROCEDURE

This application will undergo a Type III quasi-judicial procedure. [TDC 2.060] This procedure requires a Public Hearing and Planning Commission review in order to be adopted. The Planning Commission is the decision-making entity for this application and may approve, approved with conditions, or deny this application. Nearby property owners, relevant review entities, and other stakeholders have been notified accordingly. [TDC 2.075 - 2.090]

APPLICABLE CRITERIA

Listed below are governing standards that shall apply:

- *Troutdale Development Code (TDC): Ch. 1* Introductory Provisions; **Ch. 2** Procedures for Decision Making; **Sec. 3.114** High-Density Residential (HDR); **Sec. 6.1300** Variance; **Ch. 17** General Provisions;
- *City of Troutdale Comprehensive Land Use Plan*
- *Construction Standards for Public Works Facilities*
- Building and Fire Codes

REVIEW ENTITY COMMENTS

Listed below are review entities who received the Notice. If the entity provided comments, they can be found in a corresponding attachment.

Review Entity	Comments	Review Entity	Comments
Planning	See Findings of Fact and Final Order	Public Works	No Comment
Building	See Attachment 1	Gresham Fire & Emergency Services	No Comment

OTHER COMMENTS

As of the date of this Staff Report, this application did not receive any comments from nearby property owners or other stakeholders.

RECOMMENDATION

For this application, Staff recommends Planning Commission vote for ***DENIAL***.

Staff has prepared a draft ***Findings of Fact and Final Order*** document, outlining how the decision criteria for this application were not satisfied. Any subsequent approvals from the City shall not be issues until all conditions listed in the attachments are adequately addressed as determined by the appropriate review entity. Planning Commission reserves the right to amend the draft and proposed conditions unless other governing documents or agreements state otherwise.

GENERAL INQUIRIES

For more information, please contact Dakota Meyer at 503-674-7249 or dakota.meyer@troutdaleoregon.gov.



FINDINGS OF FACT & FINAL ORDER

HEARING & DECISION
DATE:

April 10, 2024

FILE NUMBER / NAME LU-0003-2024 1635 SW Hewitt Avenue

APPLICATION TYPE	Type III Special Variance		
PROJECT APPLICANT	Emad Mikhail	PROPERTY OWNER	Same as Applicant
PROJECT LOCATION	1635 SW Hewitt Avenue	TAX MAP / TAX LOT #	1N3E35AD-08000 / R556943
COMPREHENSIVE PLAN DESIGNATION	High-Density Residential (HDR)	LAND USE ACTIVITY	Residential
ZONING DISTRICT	High-Density Residential (HDR)	OVERLAY DISTRICT	None

PROPOSAL

The Applicant is seeking a Type III Special Variance approval to allow an addition located partially within the 15-foot rear yard setback of their property. The applicant intends to use the space as a study room/ bedroom. A Type III Special Variance was requested by the applicant to waive the rear yard setback standard to allow the building footprint to extend approximately six feet into the rear yard setback (TDC 6.1330). No other site improvements are requested with this application.

PROCEDURE

This application will undergo a Type III quasi-judicial procedure. [TDC 2.060] This procedure requires a Public Hearing and Planning Commission review in order to be adopted. The Planning Commission is the decision-making entity for this application and may approve, approved with conditions, or deny this application. Nearby property owners, relevant review entities, and other stakeholders have been notified accordingly. [TDC 2.075 - 2.090]

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- *City of Troutdale Comprehensive Land Use Plan*
- *Construction Standards for Public Works Facilities*
- Building and Fire Codes

FINDINGS OF FACT

- Planning Commission received public testimony from Staff, the Applicant, and members of the public at the April 10, 2024 hearing.
- The Findings of Fact contained herein are derived from the specific decision criteria outlined in Section 6.1300 of the Troutdale Development Code and are hereby adopted as the Findings of Fact in this matter.
- The Final Order has been reached and **denial** of the application is hereby issued.

FINDINGS OF FACT – SPECIAL VARIANCE [TDC 6.1330]

6.1330 The Planning Commission may grant a special variance under the Type III procedure if the request involves waiving a provision in this Code, not involving a quantifiable standard, is not prohibited by Section 6.1310, and the following criteria are met:

A. The unique nature of the proposed development is such that the intent and purpose of the regulations and of the provisions to be waived will not be violated;

FINDING: The subject property (Lot 132) is located in the Morgan Meadows Planned Unit Development. The Morgan Meadows (formerly Arbor Heights) subdivision was approved under Case File No. LU-050-2002. At the time of its approval, the application received approval for reduced lot dimensions under then Chapter 4.513 Dimension Standards for Planned Unit Developments. A planned unit development (PUD) is a tool that allows for deviation of code standards to create unique sites/neighborhoods. In allowing for deviation of code standards there are typically trade-offs that increase community benefits such as; common open spaces, preservation of sensitive lands, public trails, or recreation facilities. The Morgan Meadows Planned Unit Development was developed with reduced lot dimensions, and the public benefit was open space in the form of a passive park located in the central portion of the subdivision adjacent to SW Hensley Road. Lot 132 is typical of other lots in the Morgan Meadows subdivision with a lot area of 2,387 square feet and a 15 foot rear yard setback.

The intent and purpose of the Morgan Meadows subdivision setbacks is to preserve a consistent and reliable amount of yard space and building separation between dwelling units that were reduced as part of the planned unit development. Residents who reside in this specific subdivision do so because there is an expectation that the amount of open space and building separation will remain compliant with the subdivision plat requirements, which includes a rear setback of 15ft. Granting a variance to the entirety of the rear setback provision of Morgan Meadows plat directly contradicts and violates the purpose of the setback itself. **As such, this criterion is not met.**

B. Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted; and

FINDING: All lots within the Morgan Meadows subdivision west of SW Hewitt are “carriage lots” with 15-foot rear yard setbacks. Carriage lots or homes is a term for single-family homes built on a lot just large enough for the home with the trade-off that a larger common open space(s) is shared with other homes in the same planned unit development. In the narrative submitted by the applicant, the applicant states that the distance between the addition and the surrounding neighbors hasn’t changed. This is found to be invalid. The residence now sits approximately nine feet from the rear property line, which reduces the distance to the home directly to the west. Staff finds granting a reduction to the rear yard setback standards will be detrimental to the public welfare and will be injurious to other property owners as it brings the building footprint closer to the neighboring property to the west, thereby altering the aesthetic character of the neighborhood and contradicting a long-established precedent.

When compared to existing homes adhering to the standard setback regulations for Morgan Meadows subdivision, the proposed addition demonstrates a deviation that could result in disproportionate impacts on neighboring properties. Staff finds that granting a variance to waive the rear-yard setback standard for this carriage lot subdivision may lead to overcrowding, reduced privacy between neighbors, compromised safety standards, an increase in noise complaints, and impacted property values, which are not consistent with the effects of development otherwise permitted. **As such, this criterion is not met.**

C. Application of the provision to be waived is unreasonable and unwarranted due to the specific nature of the proposed development.

FINDING: The applicant argues setback regulations are unreasonable and unwarranted as less than half the lot is used toward the building footprint. At the time the planned development was approved in 2002, Lot 132 was zoned Single-Family Residential (R-7). Chapter 4.513, Dimension Standards for Planned Unit Developments,

CITY OF TROUTDALE | Findings of Fact & Final Order

allowed lot dimensions to be less than the minimum requirements with Planned Unit Development approval. The resulting setbacks for lots within the R-7 zone were 20-foot front yard, 3.5-foot side yard, and 15-foot rear yard. There is not an argument specific in nature to the addition as the surrounding lots within Morgan Meadows subdivision are regulated by the same setback requirements. Granting a variance to waive the rear yard setback regulations without adequate justification may set a pattern that undermines established zoning regulations aimed at protecting public welfare and property interests. Staff finds the existing and approved rear yard setback provision for Morgan Meadows reasonable and warranted. As such, future deviation requests to reduce the rear yard setback in this subdivision could erode the integrity of the original land use approval and lead to a cascade of similar requests, resulting in cumulative harm to the surrounding community. **As such, this criterion is not met.**

D. A special variance is not required for a Type II design adjustment as provided in Section 8.240.

FINDING: The applicant is not requesting a Type II design adjustment. **As such, this criterion does not apply.**

FINAL ORDER & DECISION

FINAL ORDER

Based upon the foregoing Findings of Fact, the Troutdale Planning Commission **denies** the Variance for Case File No. LU-0003-2024 1635 SW Hewitt Avenue on the count of the aforementioned decision criteria not being satisfied as stated herein.

DECISION

The Planning Commission hereby adopts these Findings of Fact as stated and has voted to **deny** the Application as described in the Final Order above as stated herein.

This decision shall expire two (2) years from the date of this Final Order.

YEAS: 0

NAYS: 0

ABSTAINED: 0

ABSENT: 0

Tanney Staffenson, Planning Commission Chair

Date



DATE: April 2, 2024
FROM: Heather Jones, Building & Code Compliance Manager (on behalf of the Building Official)
TO: Planning Division

SUBJECT: Building Division Comments – Unpermitted Addition (LU-0003-2024)

The Building Division has reviewed the application submittal for the **Unpermitted Addition (1635 SW Hewitt Ave.)** and provides the following conditions and comments [based on the 2023 Oregon Residential Specialty Code (*Building Code*) and the provided land use application submittal materials]:

Comments

- This application is proposing to retroactively permit and approve an unpermitted addition to an existing single-family dwelling.
- Based on the proposed scope of work, the Building Division offers the below comments for the project:
 - Unpermitted Work: This project requires permits (2023 ORSC R105.1) and inspections (2023 ORSC R109) which were not completed at the time of construction.
 - Prescriptive Path: There are many aspects of this project that do not seem to meet the Building Code prescriptive path requirements. Required revisions include but are not limited to:
 - Foundation (R403.1)
 - Floor Systems (R502)
 - Roof Construction (R802)
 - Insulation [N1101.3 & Table N1101.1(1)]
 - The Building Division strongly recommends this applicant hire a design professional to handle the building permit plan submittal requirements and modifications due to the significant Building Code deficiencies on the existing unpermitted structure.
- Adopted building codes may be viewed online free of charge at the Oregon Building Codes Division website (<https://www.oregon.gov/bcd/codes-stand/Pages/adopted-codes.aspx>).

Conditions

- If Land Use approval is given, the applicant shall submit for a building permit and any applicable trade permits through the Building Division CSS portal (<https://troutdaleor-energovpub.tylerhost.net/Apps/SelfService#/home>). The building permit would require plan review and the submitted plans shall address all necessary modifications to the existing

structure in order to meet all Building Code requirements as per the above provided comments.

- If Land Use approval is denied, the applicant shall discontinue occupying the space and demolish the structure immediately.

CONTACT INFORMATION:

Sean Blaire,
Building Official
City of Troutdale Building Division
(503)618-2794
sean.blaire@greshamoregon.gov

Heather Jones,
Building & Code Compliance Manager
City of Troutdale Building Division
(503)674-7262
heather.jones@troutdaleoregon.gov



Staff Report

Case File:	75-15 Main Streets on Halsey Development Code Update
Staff Report Date:	Wednesday, April 3, 2024
Initial Hearing Date:	Wednesday, April 10, 2024
Staff / Applicant:	Dakota Meyer, Associate Planner / City of Troutdale
Subject:	Proposed Text Amendment to the Troutdale Development Code
Requests:	Update to Chapter 3.200 and Appendix A of the Troutdale Development Code to change maximum building height requirements and incorporate design standards for the Halsey Street corridor.
Applicable Criteria:	Troutdale Development Code (TDC) Sections 2.065 (Type IV Procedures) and 6.1100 (Text Amendment)
Staff Recommendation:	Denial (a recommendation to City Council for denial)

The following chapters and sections of the TDC are proposed to be amended:

- TDC Chapter 3 (Zoning Districts)
- TDC 3.200 (Mixed-Use Zoning Districts)
- TDC Appendix A – Design Standards for Central Business District.

Text amendment applications are required to have public hearings and undergo a Type IV legislative procedure, in which the Troutdale Planning Commission may recommend approval, approval with conditions, or denial of the application to the Troutdale City Council, which is the decision-making entity. [TDC 2.065]

BACKGROUND

This is a proposed Development Code Text Amendment initiated by the City of Troutdale.

In 2017, Metro awarded a 2040 Planning and Development Grant to the cities of Fairview, Wood Village, and Troutdale to engage with property owners of key opportunity sites to identify barriers to existing development codes and to develop context sensitive design standards to establish a more coherent form along the Halsey Corridor. As part of the scope of work and deliverable package to Metro for the grant award each city is required to review and consider the recommended code updates that were produced as part of this project.

Project Timeline

In July 2020, after working with a consultant team led by Cascadia Partners, the first joint work session was held by the Troutdale Planning Commission to review and provide feedback on code concepts for the Main Streets on Halsey (MSOH) project. In February 2021, another joint work session was held between Planning Commissions for the three cities. At this work session, the Planning Commissions reviewed and provided feedback on recommended text amendments to each city's respective development codes.

At the March 2021, Planning Commission meeting, the Commission discussed the future text amendments provided by Cascadia Partners that pertained specifically to Troutdale. Discussion items included: 1) re-naming two of Troutdale's existing zoning districts, Central Business District and Mixed Office/ Housing, to better reflect the mixed-use intent, 2) determine the preferred land uses for a new zoning district, Urban Mixed Use (MU-3), and 3) review land uses, building heights, and potential zoning map changes.

In June 2021, city staff initiated a Type IV application proposing Text Amendments to the Troutdale Development Code for Urban Mixed Use Zoning District (75-06). The proposed code edits involved renaming the Central Business District (CBD) to Downtown Mixed-Use (MU-1), Mixed Office/ Housing (MO/H) to General Mixed-Use (MU-2) and creating a new MU-3 Urban Mixed Use Zoning District. The Planning Commission held the initial public hearing on June 9, 2021, and recommended approval of the text amendments to the City Council. The City Council held public hearings and deliberations on June 15, 2021, June 22, 2021, and July 13, 2021. At the July 13th public hearing, City Council adopted Ordinance 869 establishing a new Urban Mixed-Use (MU-3) zone.

On October 11th, 2023, Planning Commission held a work session which the project consultant, Cascadia Partners, presented a summary of the vision for the Main Streets on Halsey project and the previous recommendation for updating the Troutdale Development Code to support this vision. Planning Commission discussed the proposed edits and provided feedback that more work needs to be done to meet the City's needs.

While the City has adopted several Text Amendments that coincide with the scope and vision of the Main Streets on Halsey project, a full text amendment package including those recommended by Cascadia Partners has not been brought to Planning Commission or Council for review and consideration of approval. As part of the final grant deliverables, and to close out the grant, the City is required to hold a public hearing to review and consider adoption of the code edits. If the City does not hold a public hearing to review and consider the adoption of the code amendments, Metro will not award the final monies to close out the grant. At the public hearing on April 10th, Planning Commission is to consider the following: 1) whether or not to continue to develop and refine the recommended code updates and 2) vote to approve or deny the proposed code amendments as written in 2021 (Attachment A).

REVIEW TIMELINE

The current Troutdale Development Code was adopted in 2017 [Ordinance No. 842]. The most current version of the TDC came into effect on December 17, 2023 [Ordinance No. 887].

On October 11, 2023, Planning Commission held a work session with City consultant Cascadia Partners to discuss the proposed text amendments.

A Post-Acknowledgment Plan Application (PAPA) was submitted to the Oregon Department of Land Conservation and Development on March 13, 2024, to alert the agency of the City's intentions. The initial public hearing was scheduled for Wednesday, April 10, 2024.

Public Notice of the initial public hearing was provided in accordance with the Type IV Procedures in the TDC 2.090. Note this is a legislative Type IV hearing, not a quasi-judicial land use hearing so no mailed notice to property owners was provided.

The Troutdale City Council is scheduled to hold two hearings on this matter on dates to be determined. The hearings will be scheduled when the Planning Commission forwards their recommendation to City Council.

TESTIMONY RECEIVED

No public testimony was received.

PROPOSED TEXT AMENDMENTS

Code sections that are to be affected by the proposed amendments are included in Attachment A of this report. The following text is a summary of the proposed amendments.

- Within "Chapter 3.200 – Mixed-Use Zoning District," edits are proposed to incorporate Appendix A into the MU-1 (formerly CBD) zone and amend height limitations, dimensional and design standards in the MU-1 and MU-2 (formerly MO/H) zones. The intent of the proposed amendments is to simplify the development code, enhance project design, and encourage development.

Consultants recommend the following edits.

3.200 Mixed-Use Zoning Districts

Consultants Notes:

- Amend height limitations, dimensional and design standards in the MU-1 and MU-2 zones.

Appendix A - Design Standards for Central Business District

Consultants Notes:

- Consolidate Appendix A of the Development Code into Chapter 3.200 Mixed-Use Zoning Districts.

PROPOSED FINDINGS

TDC Section 2.065 specifies that the City Council is the decision-making body for text amendment applications after the Planning Commission forwards a recommendation for their consideration. Planning Commission is charged with making a finding for each applicable

criterion point as listed in TDC Section 6.1120. Listed below are draft findings prepared by Staff for Planning Commission to review and amend as needed upon the conclusion of the public hearing portion of the meeting and prior to a vote for recommendation.

TDC SECTION 6.1120.A-E

A. The proposed change to the Development Code does not conflict with applicable Comprehensive Land Use Plan goals or policies.

The amendments proposed seek to simplify the development code, enhance project design, and expand the potential for development along the Halsey corridor. These amendments would promote vertical-based mix opportunities due to an increased height allowance and a uniform look and feel to the downtown by extending design standards to the west across SW 257th Avenue.

The Comprehensive Land Use Plan has several goals and policies that this text amendment would be in general conformance. Under “general goals and objectives”, the Plan seeks to:

- “To provide a sound basis for urbanization by establishing proper relationships between residential, commercial, industrial and open space land uses.”
- “Bring about a general increase in population density throughout the community in order to facilitate the use of [...] public facilities and services.”
- “To significantly improve the appearance of the community, particularly along I-84 and in the downtown area [...]”
- “To encourage and promote innovation in development techniques in order to obtain maximum livability and excellence in planning and design for all new developments [...]”

Under “Goal 10 Housing”, the Plan policies include the following which are consistent with the amendment:

- Residential developments shall be located in close proximity to employment and shopping facilities to allow Troutdale residents easy, convenient access to job sites and shopping needs.
- Allow a mix of multiple-family dwellings and professional offices, or limited commercial in [...] town center planning area outlined in the Comprehensive Plan.

Furthermore, the amendments as proposed are consistent with the adopted recommendations of the 2020-2040 Town Center Plan.

The proposed text amendments satisfy the goals and objectives outlined and further continues the spirit and intent of the comprehensive plan.

The criterion is met.

B. The proposed change is consistent with the applicable Statewide Planning Goals.

The amendments proposed in this application are not substantive in a way that would alter or jeopardize conformance to Statewide Planning Goals. Goal 9 (Economic Development) speaks to the need for cities to have enough land available to realize economic growth and development opportunities.

Goal 9 speaks of the need for cities to provide “an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies.” By increasing height maximums within mixed-use zones, the proposed amendments would allow for additional residential opportunities without impacting the need for commercial space. Amending the development code could benefit both local residence and local economic development and tourism.

Goal 10 speaks of the need for cities to maintain an adequate supply of sites for housing opportunities. Increasing allowable height maximums would encourage residential density and further the City’s available supply of property to accommodate needed housing.

The proposed text amendment is therefore consistent with applicable Statewide Planning Goals.

The criterion is met.

C. The proposed change is consistent with the applicable provisions of Metro Code.

The Metro 2040 Growth Concept established the classifications of town centers and main streets as a preferred development pattern to fulfill regional growth objectives. Metro Code 3.07 covers the Urban Growth Management Functional Plan, which outlines the expectations of “centers, corridors, station communities and main streets” in Title 6. These centers are to be the “principal centers of urban life in the region”. In Section 3.07.640, the Code outlines that Town Centers are recommended to average 40 persons per acre and Main Streets should average 39 persons per acre.

The proposed edits, through an increase in height allowances provide the ability for the City to accommodate additional residents or workers in a denser environment and more efficient development pattern. The Main Streets on Halsey project is focused within Troutdale’s Town Center District (previously known as the Storefront District) and along the Halsey Street Corridor. Density suggestions provided in the Metro Code are not currently met. This zoning district can help advance these geographies towards the recommended figures, which will also support surrounding commercial areas.

The criterion is met.

D. Public need is best satisfied by this particular change.

The adopted 2020-2040 Town Center Plan established a vision that was carefully crafted from public input and desired needs. This vision calls for the maintenance of a small-town feel while improving the business climate and improving residential quality of life. However, economic analysis has suggested that this desire needs to be balanced with an expectation to increase the number of residents in the surrounding areas. After several work sessions with the Planning Commission, Commissioners expressed that an increase in maximum height would take away from the small-town feel rather than support the vision of the Town Center Plan. Approving an amendment as written would not best satisfy a public need as it would change the very nature of the code that gives Troutdale its small-town characteristics.

The criterion is not met.

E. The change will not adversely affect the health, safety, and welfare of the community.

The health, safety and welfare of the community were considered when drafting the proposed amendments. It is not anticipated that there are health or safety concerns that stem from the increase in maximum height requirements. Furthermore, providing expanded design standards and streetscapes along the Halsey Street corridor ensures that the aesthetic vision of the 2020-2040 Town Center Plan will be met as development continues in the area.

The welfare of the community will also be expected to be upheld or improved, as the proposed amendments would allow for greater residential and commercial opportunities.

The criterion is met.

STAFF RECOMMENDATIONS

Through several work sessions with the Planning Commission, staff finds that the proposed amendments do not meet the needs of the City of Troutdale as written. Specifically, the proposed code amendments do not comply with TDC 6.1120.D. Therefore, staff recommends denial of Case File 75-15 Main Streets on Halsey Development Code and adopt the findings of non-compliance for TDC 6.11.20.D. The denial will also close out the Main Streets on Halsey grant at this time. If directed, staff will continue to work with the Planning Commission at future work sessions to come up with an alternative approach to implementing similar code amendments while preserving Troutdale's small-town characteristics and vision.

Staff offers the following recommendations for the conduct of the April 10, 2024, public hearing regarding the proposed amendments to the Troutdale Development Code.

1. Recommend denial of Case File 75-15 and adoption of findings of non-compliance for TDC 6.1120.D. for City Council consideration tentatively scheduled for public hearings on May 7th and 21st, 2024.
2. Modify findings and recommend approval of Case File 75-15 Main Streets on Halsey Development Code for City Council consideration tentatively scheduled for public hearings on May 7th and 21st, 2024.
3. To continue to the public hearing to a date certain if more information is needed.

Attachments

- A. Proposed Development Code Revisions – Redline

Chapter 1 – Introductory Provisions

[...]

- 1.020 General Definitions. As used in this Code, words used in the present tense include the future tense, while words in the plural include the singular, and all words used in the singular include the plural unless the context clearly indicates to the contrary. All words used in the masculine gender include the feminine gender. The word "shall" is mandatory and the word "may" is permissive. The word "structure" includes the word "building". The words "land", "property", "site", "lot", "parcel" and "premise" are used interchangeably unless the context clearly indicates to the contrary. The words "proposal", "application", and "request" are used interchangeably unless the context clearly indicates to the contrary. The word "lot" includes the word "parcel" unless the context clearly indicates to the contrary. Where words are not defined in this Code, the following sources shall be consulted: State statute, and any dictionary of common usage, all of which shall be interpreted by context. Interpretations of the Code are the responsibility of the Director.

[...]

- .57 Food Vendor (Mobile). Any trailer, vehicle, wagon, cart, stand, or other similar mobile or temporary device or structure which is used for the purpose of preparing, processing, or converting food for immediate consumption as a drive-in, drive-through, curbside, or walk-up service. A valid City business license is required. Food vendors (mobile) also means the site occupied by a mobile food vendor if a mobile food vendor occupies the site daily for more than three (3) consecutive days even if the mobile device or structure does not occupy the site twenty four (24) hours per day. Specific types of mobile food vendors are defined as follows:
- a. Food Carts – in a location and operating for a limited duration. Includes both mobile carts, and also temporary stands with a maximum size of one hundred (100) square feet. Examples include a food stand erected for an event, such as a food stand put up and operated for the duration of an authorized community event. Customer access is walk up only.
 - b. Food Kiosks – located on a site in a long-term or permanent manner such as a drive-up coffee stand. These may be structures on trailers. There is no kitchen or indoor seating. Customer access can be walk-up or drive-up window.
 - c. Food Stands – in a location and operating for a limited duration. Examples include a hot dog stand that operates on a street corner during the lunch hour or a lemonade stand in a neighborhood. Maximum size is forty eight (48) square feet. Customer access is walk up only.
 - d. Food Trucks/Trailers – in which food is prepared and from which food is served. Food Trucks and Trailers park generally in parking lots and may move from the business site daily, or may locate in the same site for several weeks at a time. Maximum size is two hundred (200) square feet. There is no indoor seating.

Customer access can be walk-up or drive-up window.

- e. Food Truck Pod - a site containing four (4) or more Food Trucks/Trailers and associated site amenities.

[...]

.93 Micro Retail Building. Any structure no greater than 600 square feet in area intended to be used for a small retail shop or service. The structure may be pre-fabricated, site built, modular, or mobile.

.94 Micro Retail Pod. A site that includes a minimum of three (3) Micro Retail buildings and associated site amenities such as outdoor seating, landscaping, restrooms, and lighting.

[...]

[renumber remaining sections]

~~Appendix A – Design Standards for Central Business District~~

~~A.101 Purpose.~~

- ~~A. The purpose of these design standards is to guide the design of buildings constructed in the CBD zoning district to ensure that, through appropriate use of facades, windows, building orientation, and architectural details, new structures and alterations of existing structures are physically and visually compatible with other buildings within the downtown business district. Existing buildings in the downtown area reflect architectural styles that were popular during the early to mid-twentieth century. It is the desire of the City to have buildings conform to architectural styles of this era. The design standards are intended to further define those characteristics that cause buildings to look like they were constructed during this period.~~
- ~~B. These standards are intended to encourage good quality design in new building construction, enhance street safety, and provide a comfortable street environment by providing features of interest to pedestrians. Good design results in buildings that are in visual harmony with nearby buildings, leading to a central downtown district that is attractive, interesting, active, and safe. These qualities, in turn, contribute to the creation of a downtown core which facilitates easy pedestrian movement and establishment of a rich mixture of uses.~~

~~A.102 Dimensional Standards.~~

- ~~A. Lot Area, Lot Width, and Lot Depth: As specified in the CBD zoning district.~~
- ~~B. Setbacks: As specified in the CBD zoning district.~~

- ~~C. — Landscaping: Minimum five percent of site area, except that no minimum landscaping is required for the area between Historic Columbia River Highway and 2nd Street extended west to its intersection with 257th Avenue from 257th Avenue to the SE Sandy Street right of way.~~
- ~~D. — Building Height: The maximum height of a structure fronting on Historic Columbia River Highway shall be measured above the grade of Historic Columbia River Highway as it occurs adjacent to the lot.~~

~~A.103 — Pedestrian Accessibility.~~

- ~~A. — Buildings shall maintain and enhance the pedestrian scale and orientation of the downtown core.~~
- ~~B. — Building entries must comply with the accessibility requirements of the Oregon State Structural Specialty Code.~~
- ~~C. — Special attention shall be given to designing a primary building entrance which is both attractive and functional.~~
- ~~D. — Buildings located at the intersection of two (2) streets shall consider the use of a corner entrance to the building.~~
- ~~E. — Pedestrian environment may be enhanced by street furniture, landscaping, awnings, and movable planters of seasonal flowers.~~

~~A.104 — Compatibility with Existing Downtown Businesses. The size and shape of proposed construction shall be comparable with the size and shape of nearby traditional storefront buildings. Where building sizes will not be equivalent or comparable, larger building facades shall be broken down into units that resemble the size of existing storefront facades. Likewise, the form of new construction shall complement the general shape of existing, nearby storefront buildings and their features.~~

~~A.105 — Building Materials and Colors.~~

- ~~A. — Facades shall be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in facades, floor levels, architectural features, and exterior finishes shall create the appearance of several smaller buildings.~~
- ~~B. — Exterior building materials shall convey an impression of durability. Materials such as masonry, stone, stucco, and wood are encouraged. Metal is not allowed as the primary exterior building material, but it may be used for accents including awnings.~~
- ~~C. — Where masonry is used for exterior finish, decorative patterns must be incorporated. Examples of these decorative patterns include multicolored masonry units such as brick,~~

~~stone, or cast stone, in layered or geometric patterns, or split-faced concrete block to simulate a rusticated stone-type construction.~~

- ~~D. Wood siding must be bevel, shingle siding, or channel siding and must not be applied in a diagonal or herringbone pattern. T1-11 style siding is not permitted.~~
- ~~E. Preferred colors for exterior building finishes are earth tones, creams, and pastels of earth tones. High-intensity primary colors, metallic colors, and black may be utilized as trim and detail colors but shall not be used as primary wall colors.~~

A.106 — Roof Materials, Parapets, and Roof Pitch.

- ~~A. Pitched roof structures shall have a minimum roof pitch of 6:12.~~
- ~~B. Flat roofs are permitted with detailed stepped parapets or detailed brick coursing.~~
- ~~C. Parapet corners must be stepped or the parapet must be designed to emphasize the center or primary entrance(s), unless the primary entrance is at the corner of the building.~~
- ~~D. Visible sloped roofs must be a “non-color”: gray, black, or dark brown.~~
- ~~E. Visible roof materials must be wood or architectural grade composition shingle, or sheet metal with standing or batten seam.~~
- ~~F. All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, must be screened from public view by parapets, walls, or by other approved means.~~

A.107 — Building Orientation and Entrance Standards.

- ~~A. Buildings must have an entrance connecting directly between Historic Columbia River Highway and the building interior. The entrance must be open to the public during all business hours.~~
- ~~B. Building entrances must be architecturally emphasized and visible from the street.~~
- ~~C. Due to the elevation difference between the Historic Columbia River Highway and the public parking lot, daylight basement type of construction is preferred. This method of construction has the benefit of causing all materials stored below Historic Columbia River Highway to be screened and secured behind sight-obscuring walls, adding to the attractiveness of the downtown area.~~

A.108 — Building Facades.

- ~~A. Ornamental devices, such as molding, entablature, and friezes, are encouraged at the roofline. Where such ornamentation is present in the form of a linear molding or board, the band must be at least eight (8) inches wide.~~

- ~~B. Alcoves, Porches, Arcades, etc. Buildings must incorporate features such as arcades, roofs, porches, alcoves, porticoes, and awnings to protect pedestrians from the rain and sun. Awnings and entrances may be designed to be shared between two structures.~~
- ~~C. Traditional Storefront Elements. For buildings designed to house retail, service, or office businesses, traditional storefront elements are required. These elements include:~~
- ~~1. Front and side building walls placed within ten (10) feet of abutting street right-of-way boundaries.~~
 - ~~2. Clearly delineated upper and lower facades.~~
 - ~~3. A lower facade dominated by large display windows and a recessed entry or entries.~~
 - ~~4. Smaller, regularly spaced windows in the upper floor.~~
 - ~~5. Decorative trims, such as window hoods, surrounding upper floor windows.~~
 - ~~6. A decorative cornice near the top of the facade.~~
- ~~D. Change in Relief of Building. Buildings must include changes in relief on ten (10%) percent of their Historic Columbia River Highway facades. Relief changes include cornices, bases, fenestration, fluted masonry, or other treatments for pedestrian interest and scale.~~

~~A.109 Windows.~~

- ~~A. Windows which allow views to the interior activity or display areas are encouraged. Windows shall include sills at the bottom and pediments at the top. Glass curtain walls, reflective glass, and painted or darkly tinted glass shall not be used.~~
- ~~B. Ground Floor Windows. All new buildings must provide ground floor windows along Historic Columbia River Highway.~~
- ~~1. Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows.~~
 - ~~2. Required windows must have a sill no more than four (4) feet above grade. Where interior floor levels prohibit such placement, the sill must be raised to allow it to be no more than two (2) feet above the finished floor level, up to a maximum sill height of six (6) feet above grade.~~
 - ~~3. Glass curtain windows are not permitted fronting Historic Columbia River Highway.~~
 - ~~4. Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows along street facades.~~

- ~~5. Any wall that faces Historic Columbia River Highway must contain at least twenty percent (20%) of the ground floor wall area in display areas, windows, or doorways. Blank walls are prohibited.~~
- ~~6. Ground floor windows are also required on facades facing any public parking lot. The minimum requirement is sixteen (16) square feet per story or six percent (6%) of the facade, whichever is greater.~~

~~C. Upper Floor Window Standards.~~

- ~~1. Glass area dimensions shall not exceed 5'x7'. (The longest dimension may be taken either horizontally or vertically.)~~
- ~~2. Windows must have trim or molding at least two (2) inches wide around their perimeters.~~
- ~~3. At least half of all the window area in upper floors must be made up of glass panes with dimensions no greater than 2'x3'. Windows that have 1'x1' grid inside double-pane glass are appropriate and are encouraged.~~

~~A.110 Landscaping/Streetscape.~~

- ~~A. Benches, outdoor seating, and trash receptacles must complement the existing ornamental street lighting and be in keeping with the overall architectural character of the downtown.~~
- ~~B. Benches and other streetscape items may be placed within the public right-of-way, but must not block free movement of pedestrians. A minimum pedestrian walkway width of five (5) feet must be maintained at all times.~~

~~A.111 Lighting.~~

- ~~A. All building entrances and exits must be well lighted.~~
- ~~B. Exterior lighting must be an integral part of the architectural design, complement the existing ornamental street lighting, and be in keeping with the overall architectural character of the downtown.~~
- ~~C. The minimum lighting level for building entries is four (4) foot-candles. Lighting must be a pedestrian scale and the source light must be shielded to reduce glare.~~

~~A.112 External Storage. The external storage of merchandise and/or materials directly or indirectly related to a business is prohibited.~~

~~A.113 Outdoor Seasonal Displays of Merchandise. Outdoor seasonal displays of merchandise are permitted during business hours only. A minimum pedestrian walkway width of five (5) feet must be maintained at all times.~~

~~A.114 Trash and Recycling Storage.~~

~~A. Each structure shall provide for collection of its trash and recyclable materials within the boundaries of each parcel.~~

~~B. All trash collection areas must be located within the structure, or behind the building in an enclosure, in accordance with the provisions of Chapter 11.015, Garbage and Recycling Container Enclosures, of this Code.~~

~~A.115 Signage.~~

~~A.116 Additional Requirements. The provisions of this appendix to the Troutdale Development Code shall be applicable to any construction or change in use subject to site and design review. The Site and Design Review Committee will evaluate construction for compliance with these provisions and guidelines in the Downtown Concept Plan.~~

Chapter 3 – Zoning Districts

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.

3.000 Zoning District Outline.

<i>SYMBOL</i>	<i>DISTRICT NAME</i>	<i>MINIMUM LOT SIZE</i>
<i>LOW-DENSITY RESIDENTIAL</i>		
R-20	Single-Family Residential	20,000 sq. ft. per dwelling
R-10	Single-Family Residential	10,000 sq. ft. per dwelling
R-7	Single-Family Residential	7,000 sq. ft. per dwelling
<i>MEDIUM-DENSITY RESIDENTIAL</i>		
R-5	Single-Family Residential	5,000 sq. ft. per dwelling
R-4	Attached Residential	4,000 sq. ft. per detached dwelling 3,500 sq. ft. per attached dwelling
<i>HIGH-DENSITY RESIDENTIAL</i>		
A-2	Apartment Residential	2,000 sq. ft. per dwelling unit
<i>COMMERCIAL/INDUSTRIAL</i>		
NC	Neighborhood Commercial	

CC	Community Commercial
GC	General Commercial
CBD	Central Business District
MO/H	Mixed Office/Housing
IP	Industrial Park
LI	Light Industrial
GI	General Industrial
<i>ZONING DISTRICT OVERLAYS</i>	
AR	Aggregate Resource
ALF	Airport Landing Field
CR	Historic Landmark Protection
VECO	Vegetation Corridor and Slope District
PD	Planned Development
FLMA	Flood Management Area
TC	Town Center

3.130 CENTRAL BUSINESS DISTRICT CBD

3.131 Purpose. This district is intended to provide for retail, personal, professional, business and industrial services within the Town Center (TC).

3.132 Permitted Uses. The following uses are permitted in the CBD:

- A. Dwelling units, including mixed use commercial and residential development, subject to the Storefront District Requirements. See Section 3.134.
- B. Museums, theaters, galleries, or studios for art, dance, and photography.
- C. Parking garages or parking lots.
- D. Service uses.
- E. Eating and drinking establishments.
- F. Retail establishments with fifteen thousand (15,000) square feet or less of gross floor area.
- G. Office uses.
- H. Water-oriented recreational facilities.
- I. Utility facilities, minor.

- J. Bed and breakfast inns (but not subject to the provisions of Section 5.500 of this Code).
- K. Hotels and motels
- L. Mobile Food Vendor operating a Food Stand, Food Cart, Food Trailer, or Food Kiosk in accordance with Section 5.200 of this Code.
- M. Food Truck Pod meeting the standards of Section 3.134.E of this Code.
- NM. Other uses similar in nature to those listed above, but not marijuana facilities or processors.

3.133 Conditional Uses. The following uses are permitted as conditional uses in the CBD:

- A. Assembly or limited manufacturing uses.
- B. Community service uses, except that a government building that serves exclusively as an office building shall be considered the same as professional offices and general business offices.
- C. Nursing homes, day care facilities, assisted living facilities and similar uses.
- D. Grocery stores and convenience stores without fueling stations.
- E. Retail stores with more than fifteen thousand (15,000) square feet of gross floor area.
- F. Utility facilities, major.
- G. Other uses similar in nature to those listed above, but not marijuana facilities or processors.

3.134 Storefront District Requirements

- A. Purpose. A subarea of the CBD zone is designated as a Halsey Corridor Storefront District. The purpose of the Storefront District is to promote a concentration of retail and commercial destinations within a pedestrian-friendly environment. The Storefront District concept is applied to multiple areas on Halsey Street across Fairview, Wood Village, and Troutdale. Developments within Storefront Districts are required to include a nonresidential use and meet additional or enhanced design standards.
- B. Applicability. A map of the boundaries of the Storefront District is provided in Figure 1. New developments and alterations to existing developments are subject to the applicable use regulations and design standards as identified in this section.

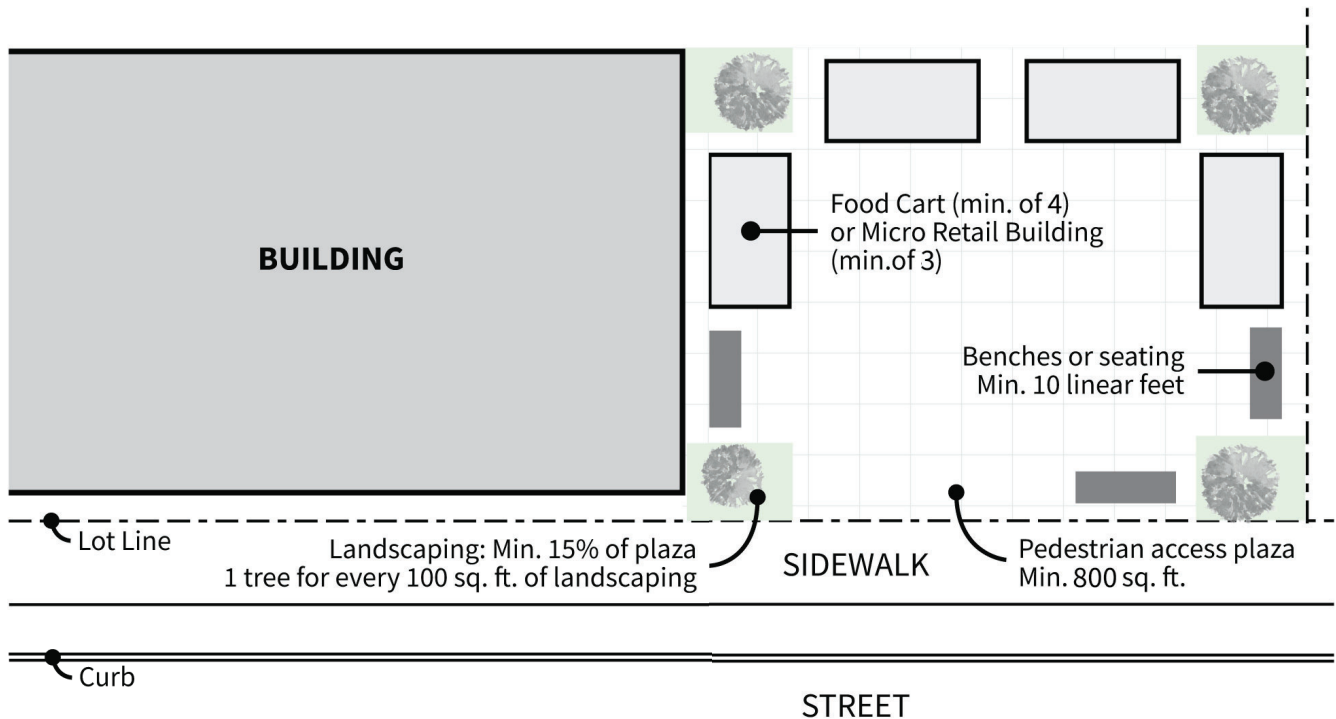
Figure 1 – Storefront District Map



- C. Design Standards. Design standards for sites within a Storefront District differ from sites outside a Storefront District. See Section 3.136.
- D. Limitations on Residential Uses. Residential uses are limited in the Storefront District. All developments that include a residential use must meet the following two standards.
1. Mixed Use Development Requirement. Residential uses shall be permitted only when part of a mixed use development. Both “vertical” mixed use (housing above the ground floor), and “horizontal” mixed use (housing on the ground floor) developments are allowed, subject to subsection (2) below.
 2. Limitation on Street-Level Housing. No more than 50 percent of the frontage on SW Halsey Street or Historic Columbia River Highway in the Storefront District may be occupied by ground floor/street-level residential uses.
- E. Options for Nonresidential Uses in Mixed Use Developments. The following options are available to satisfy the requirement for a nonresidential use in a mixed use development.
1. Conventional Commercial Space. Provide a minimum of 1,000 square feet of conventional, enclosed commercial space meeting all applicable standards of the building code.
 2. Food Truck or Micro Retail Pod. Provide an improved site area for a minimum of four (4) Food Trucks/Trailers or three (3) Micro Retail Buildings, as defined in Section 1.020. A Food Truck Pod or Micro Retail Pod must meet the following minimum standards:

- a. Site Improvements and Amenities (see Figure 2).
 - i. All Food Trucks/Trailers and Micro Retail Buildings and site amenities must be located on a paved surface including but not limited to concrete, asphalt, or pavers.
 - ii. The site must include a pedestrian access plaza which meets standard P1 of the Design Standards (Section 3.136).
 - iii. All Food Trucks/Trailers or Micro Retail Buildings must orient their main entry or service window to the pedestrian access plaza or to a public street.
 - iv. On-site restrooms must be provided for employees and customers and be screened from view.
 - v. Waste and recycling receptacles must be provided for customer and business waste and be screened from view.
 - vi. Lighting must be provided to illuminate the area when retailers operate during hours of darkness. No direct light source shall be visible from the property line. Lighting fixtures shall be oriented and/or shielded to prevent glare on abutting properties.
 - vii. Any accessory structures must be less than 120 square feet in size and 10 feet in height. The structures shall be constructed with high-quality building material that is compatible with other development on the site and within the surrounding neighborhood. Alternatively, the storage structures can be screened from view.
- b. Standards for Individual Food Trucks/Trailers and Micro Retail Buildings
 - i. Each Food Truck/Trailer must meet the development standards that apply to Food Trucks/Trailers identified in Section 5.200 (Mobile Food Vendors).
 - ii. Food Trucks/Trailers sited in a Food Truck Pod that meets the standards of this section are exempt from the limitation on number of days any one Food Truck/Trailer may operate in a given time period.
 - i. Each Food Truck/Trailer or Micro Retail Building must meet the following additional standards:
 - (a) No structure may exceed 600 square feet in floor area.

- (b) No structures may be constructed of standard form concrete block (not including split-faced, colored or other block designs that mimic stone, brick or other similar masonry), corrugated metal or fiberglass, and plastic or vinyl siding.
- (c) Awnings shall have a minimum height clearance of seven (7) feet.
- (d) If the structure is mobile and has wheels, the wheels must remain inflated, and skirting shall be placed around the perimeter of the structure.
- (e) Accessory items not used by consumers, including but not limited to tanks and barrels, shall be fully screened from view from customer areas.
- (f) All structures must meet any applicable building code requirements associated with their intended use and occupancy.

Figure 2 – Food Truck Pod or Micro Retail Pod Standards

3.1345 Dimensional Standards.

A. Lot Area, Lot Width, and Lot Depth.

1. Non-residential and mixed use: No minimum requirement.
2. Residential uses:
 - a. Minimum lot area shall be based on the minimum lot width and minimum lot depth standards. Where there is no minimum lot width or minimum lot depth required, there shall be no minimum lot area requirement.
 - b. Residential uses shall have the following dimensional standards:
 - i. Minimum lot width: Sixteen (16) feet.
 - ii. Minimum lot depth:
 - (a) Seventy (70) feet for residential units with a driveway from the public street or with access from an alley within a separate tract from the lot.
 - (b) Ninety (90) feet for residential units with access from an alley within an easement that is part of the lot.

- (c) There is no minimum lot depth for lots within the area between Historic Columbia River Highway and 2nd Street extended west to its intersection with 257th Avenue from 257th Avenue to the SE Sandy Street right-of-way.
- B. Street Frontage: Minimum of sixteen (16) feet.
- C. Setbacks:
 - 1. Non-residential and mixed uses:
 - a. Minimum Setbacks. No setbacks are required from a public street right-of-way or if abutting another commercial or industrial zoning district. If abutting a residential zoning district, the minimum setback along the abutting property line shall be twenty (20) feet.
 - b. Maximum Setback. A maximum setback applies to sites that abut SW Halsey Street or Historic Columbia River Highway. See Section 3.135.G.
 - 2. Residential uses:
 - a. Front yard setback:
 - i. Without alley access:
 - (a) Minimum of twenty (20) feet to the garage door of residential units with a driveway from the public street.
 - (b) Minimum of fifteen (15) feet to the front façade of a residential unit.
 - (c) Minimum of ten (10) feet to the front porch of a residential unit.
 - ii. With alley access:
 - (a) Minimum of ten (10) feet to the front façade of the residential unit.
 - (b) Minimum of five (5) feet to the front porch of the residential unit.
 - b. Side yard setback:
 - i. Adjoining a non-residential or A-2 zoning district: Minimum of five (5) feet.

- ii. Adjoining a residential zoning district other than A-2:
 - (a) Single-story construction: Minimum of five (5) feet from an adjoining side yard and a minimum of fifteen (15) feet from an adjoining rear yard.
 - (b) Two-story or greater construction: Minimum of seven and one half (7-1/2) feet from an adjoining side yard and a minimum of fifteen (15) feet from an adjoining rear yard.
 - (c) The minimum side yard setback from an adjoining rear yard may be reduced as provided in Section 3.137 of this Chapter.
- iii. No side yard setback for interior side property lines of duplexes, triplexes, and attached dwellings on individual lots.
- c. Street side yard setback: None required unless the street side yard is used for a driveway, in which case the minimum setback shall be eighteen (18) feet to the garage.
- d. Rear yard setback:
 - i. Adjoining a non-residential zoning district:
 - (a) Without an alley: Minimum of ten (10) feet.
 - (b) With an alley that is platted either as an easement or as a separate tract that is at least twenty (20) feet in width: Minimum of five (5) feet from the nearest edge of the alley.
 - ii. Adjoining a residential district:
 - (a) Without an alley:
 - (i) Single-story construction: Minimum of fifteen (15) feet.
 - (ii) Two-story and greater construction: Minimum of twenty (20) feet.
 - (iii) The minimum rear yard setback may be reduced as provided in Section 3.137 of this Chapter.
 - (b) With an alley that is platted either as an easement or a separate tract that is at least twenty (20) feet in width: Minimum of five (5) feet to the nearest edge of the alley, regardless of the number

of stories.

3. Reduced Setback Allowed. The minimum side yard setback for residential uses adjoining a rear yard in a residential zoning district other than A-2, and the minimum rear yard setback (without an alley) adjoining a residential district, may be reduced by as much as five (5) feet based on the following:
 - a. A maximum building height ceiling shall first be determined for the subject property. The maximum building height ceiling is the plane established at the maximum building height as measured at the highest point along the shared property line of the adjoining parcel from which the setback is being measured.
 - b. For each one-foot reduction in the minimum setback, the building height ceiling shall be reduced by two (2) feet. Thus, a building that is set back the maximum five (5) feet closer to the common property line has a building height ceiling that is ten (10) feet lower than the maximum.
 - c. The height of the building may not exceed the maximum building height, nor may it project above the reduced ceiling height.

[Example: A three-story building may be set back as close as fifteen (15) feet to the rear property line if the building does not exceed the maximum thirty-five (35) foot building height and it does not project above the reduced (ten-foot lower) maximum building height ceiling.]

D. Residential Density.

1. Maximum residential density when the dwellings are all on one (1) lot shall be one (1) dwelling unit per one thousand five hundred (1,500) square feet of net land area, otherwise the maximum density shall be determined on the basis of the minimum lot area standards as established in Subsection (A)(2) of this Section.
2. For the area between Historic Columbia River Highway and 2nd Street extended west to its intersection with 257th Avenue from 257th Avenue to the SE Sandy Street right-of-way, the maximum residential density when the dwellings are all on one (1) lot shall be one (1) dwelling unit per 1,000 square feet of net land area. There is no maximum residential density for units on individual lots within this area.
3. For exclusively residential developments, residential development is required to be built at eighty percent (80%) or more of the maximum number of dwelling units per net acre. For purposes of this standard, in computing the maximum number of dwelling units, if the total contains a fraction, then the number shall be rounded down to the next lower whole number. For computing the minimum number of dwelling units, if the total contains a fraction, then the number shall be

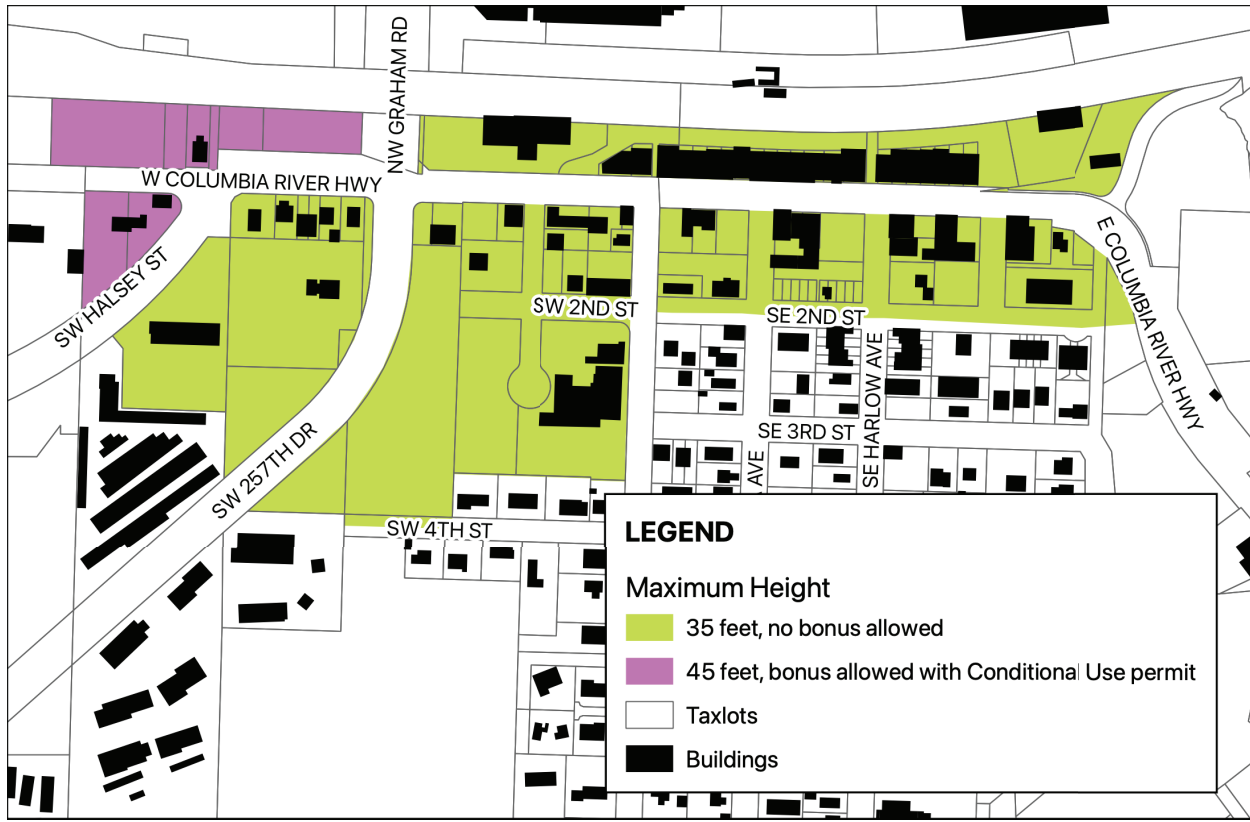
rounded down to the next lower whole number.

[Example: Computing maximum and minimum dwelling units for a 5,000 sq. ft. parcel:

- Allowed density is 1 dwelling per 1,500 square feet.
- A 5,000 square foot parcel yields 3.3 dwelling units; round down to 3 dwelling units for maximum number of units.
- Eighty percent minimum density is 0.8×3 which yields 2.4 dwelling units; rounded down to 2 dwelling unit for minimum number of units.]

4. Apartment units built in conjunction with a commercial use are not subject to the above maximum and minimum density standards.
- E. Height Limitation. ~~The maximum height of a structure shall be thirty-five (35) feet. The~~ base height limit standards for all structures are identified in Figure 3. In areas where the base height limit is 35 feet, no height bonus is allowed. In areas where the base height limit is 45 feet, the height limit may be increased to 55 feet if the development meets the following two conditions:
1. The development satisfies one of the bonus options described in Section 3.138.
 2. The development is approved for a Conditional Use permit through a Type III Review Procedure (see Section 6.300).

Figure 3 – Maximum Building Height Map



G. Building Orientation and Massing

1. Maximum Setback

- a. Purpose. The intent of the maximum setback standard is to promote a comfortable and interesting pedestrian environment by creating visually interesting street frontages and a sense of enclosure on a street when experienced as a pedestrian.
- b. Applicability. The maximum setback standard applies to all development on sites that abut SW Halsey Street or Historic Columbia River Highway as follows:
 - i. Expansions or additions to buildings must not increase the length of street-facing facade that does not conform to the maximum setback standard and must, to the extent feasible, reduce the area dedicated to parking and vehicular circulation between the building and the street.
 - ii. Food Trucks/Trailers, Food Truck Pods, Micro Retail Buildings, and Micro Retail Pods are not subject to the maximum setback standard.

- iii. On corner lots, the maximum setback only applies to the street property line that abuts SW Halsey Street or Historic Columbia River Highway.

c. Standards

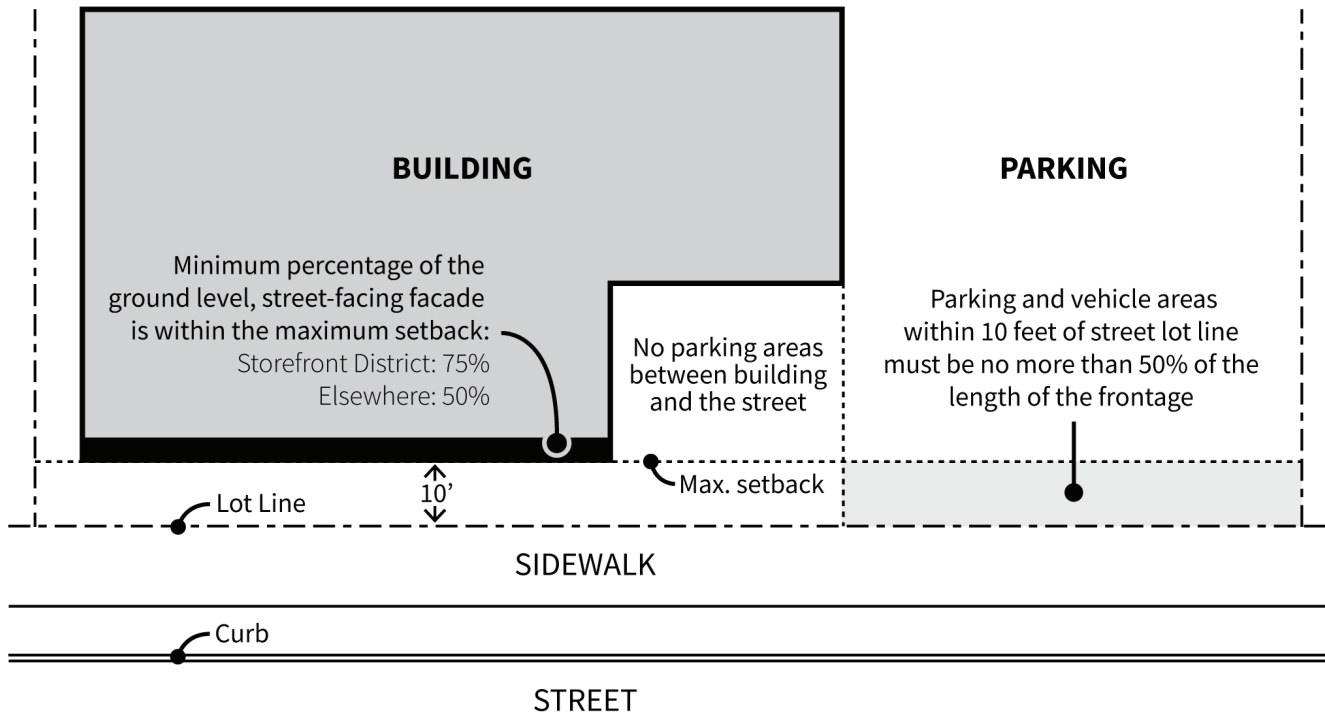
- i. Maximum Setback. The maximum a building can be set back from a street lot line is 10 feet. At least 75 percent of the length of the ground level street-facing facade of the building must meet the maximum setback standard. Eaves, chimneys, bay windows, overhangs, cornices, awnings, canopies, porches, decks, pergolas, and similar architectural features on the façade do not count towards meeting the maximum setback standard. The standard applies to the façade wall.
- ii. Improvements in the Setback Between a Building and a Street Lot Line. The land between any building and a street lot line must be landscaped and/or hard-surfaced for use by pedestrians. This standard does not exempt developments from meeting overall site landscaping or street frontage requirements.
- iii. Location of Parking Areas. Parking and vehicle circulation areas are prohibited in the setback area between the building and the street lot line. Parking and vehicle circulation areas must not be located within 10 feet of the street lot line on more than 50 percent of the length of the street frontage to which the maximum setback standard applies to. Bicycle parking may be located in the area between a building and a street lot line when the area is hard surfaced.

2. Main Entrance

- a. Purpose. These requirements ensure that main entrances are visible and connected to the sidewalk by a pedestrian walkway.
- b. Applicability.
 - i. The main entrance standard applies to all sites with at least one frontage on a street, and where any of the floor area on the site is in nonresidential uses, must meet the following standards. If the site has frontage on more than one street the standards must be met on at least one street.
 - ii. These standards apply to the primary building(s) on a site (e.g., not to accessory structures). The standards do not apply to Food Trucks/Trailers, Food Truck Pods, Micro Retail Buildings, and

Micro Retail Pods.

- c. Standards. For portions of a building within the maximum building setback, at least one main entrance for each nonresidential tenant space on the ground floor must meet the standards of this section.
 - i. Location. The main entrance must be within 25 feet of the street and must face the street or be at an angle of up to 45 degrees from the street, measured from the street property line.
 - ii. Entrance Design. The primary building entrances must be architecturally emphasized through the use of two or more of the following features: recessed doorway(s) at least 2 feet deep; overhangs or canopies at least 3 feet deep; transom windows; ornamental light fixtures; larger, transparent or more prominent doors; or pilasters or columns that frame the principal doorway.
 - iii. Public Access. The primary entrance must remain open to the public during operating hours of the business.
 - iv. Walkway Connection. All primary entrances to a building (e.g., tenant entrance, lobby entrance, breezeway entrance, or courtyard entrance) must be connected to the sidewalk by a direct and continuous walkway.

Figure 4. Building Orientation Standards

3. Maximum Building Length

- a. Purpose. The maximum building length and façade articulation standards, along with the height and setback standards, limit the bulk of buildings close to the street. These standards help ensure that large buildings will be divided into smaller components that add visual interest and variety to the street environment.
- b. Maximum Building Length. The maximum building length for the portion of a building located within 20 feet of a street lot line is 150 feet. The portions of buildings subject to this standard must be separated by a minimum of 20 feet when located on the same site. This standard is met if two buildings are entirely separated, or when one building includes a recess that is at least 20 feet in length and 20 feet in depth (See Figure 5),

4. Façade Articulation.

- a. Applicability. The façade articulation standard applies as follows:
 - a. The standard applies to buildings more than 35 feet high that have facade areas of more than 3,500 square feet that face a street lot line or a lot line that abuts a residential zone.

- b. Portions of building facades that are vertically separated by a gap of at least 10 feet in width extending at least 20 feet in depth from the street property line are considered to be separate facade areas for the purposes of the facade area measurements.
- b. Standard. At least 25 percent of the area of a facade that faces a street lot line or a lot line that abuts a residential zone must be divided into facade planes that either recess by at least 2 feet or project by at least 2 feet from the rest of the facade. Facade area used to meet the facade articulation standard may be recessed behind or project out from the primary facade plane, but projections into street right-of-way do not count toward meeting this standard (See Figure 6).

Figure 5. Maximum Building Length Standard

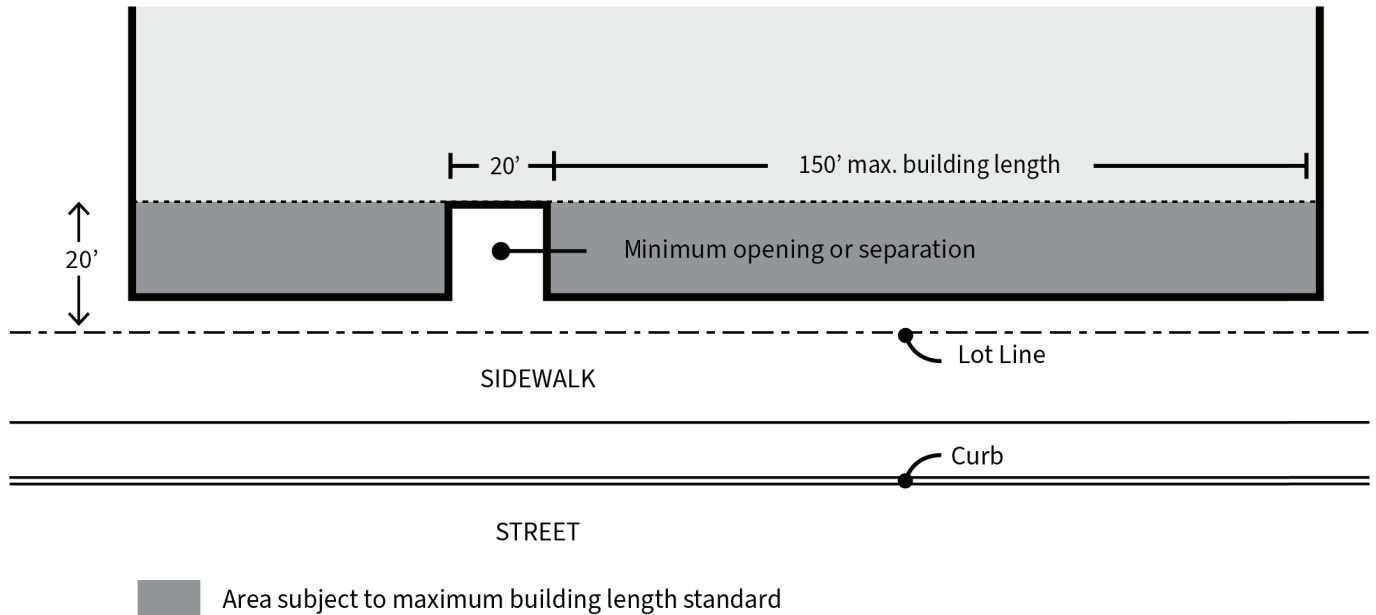
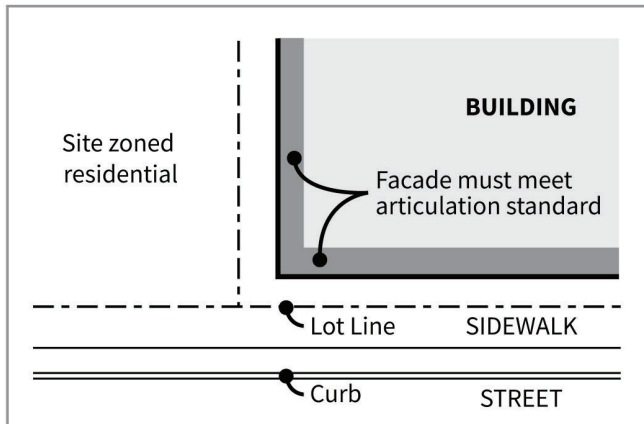
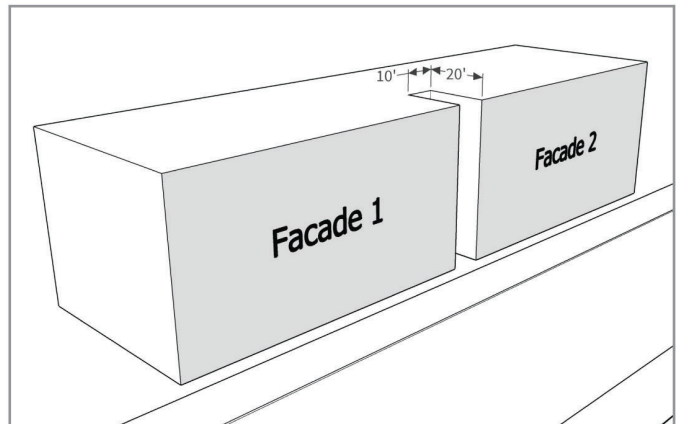
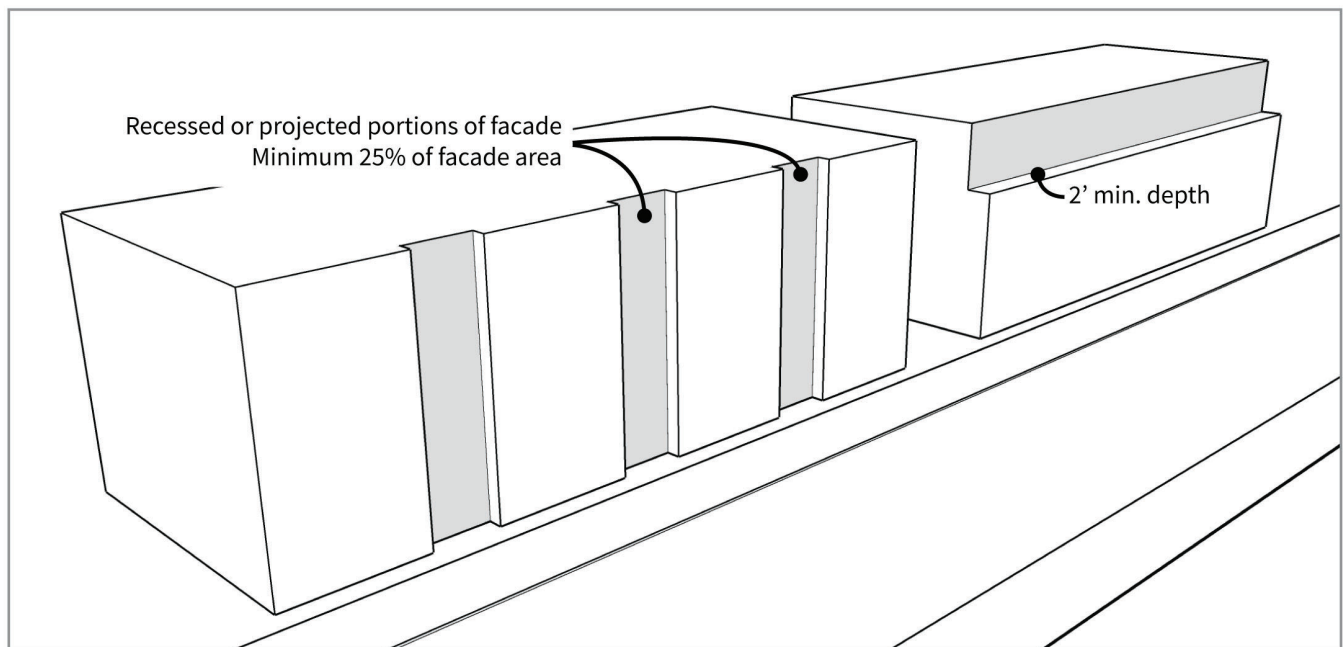


Figure 6. Façade Articulation Standard

Applicability: Standard applies to facades that face a street lot line or lot line that abuts a residential zone



Applicability: Portions of facade separated by a gap at least 10' wide and 20' deep are considered separate facades

**Examples of Facades that Meet the Standard**

3.136 Design Standards.

- A. Purpose. The purpose of these design standards is to guide the design of buildings constructed in the CBD zoning district to ensure that, through appropriate use of facades, windows, building orientation, and architectural details, new structures and alterations of existing structures are physically and visually compatible with other buildings within the downtown business district. Existing buildings in the downtown area reflect architectural styles that were popular during the early to mid-twentieth century. It is the desire of the City to have buildings conform to architectural styles of this era. The design standards are

intended to further define those characteristics that cause buildings to look like they were constructed during this period.

These standards are intended to encourage good quality design in new building construction, enhance street safety, and provide a comfortable street environment by providing features of interest to pedestrians. Good design results in buildings that are in visual harmony with nearby buildings, leading to a central downtown district that is attractive, interesting, active, and safe. These qualities, in turn, contribute to the creation of a downtown core which facilitates easy pedestrian movement and establishment of a rich mixture of uses.

- B. Applicability. The design standards are applicable to any construction or change in use subject to site and design review. Developments must comply with both the design standards (Section 3.136) and the design guidelines (3.137). The Site and Design Review Committee will evaluate construction for compliance with these provisions.
1. Base Requirements. New development must meet all the standards identified in Table 3.136-A as required. Only the standards applicable to the development apply. Alterations to existing development must meet all the standards identified in Table 3.136-A as required. Only the standards applicable to the alteration apply. The standards only apply to the altered portion of the site or structure.
 2. Menu of Options for Additional Requirements. In addition, new development must meet enough of the standards identified in Table 3.136-B to total 10 points for sites in the Storefront District and 7 points in sites elsewhere in the CBD zone, or one point for every 1,000 square feet of site area, whichever is less.

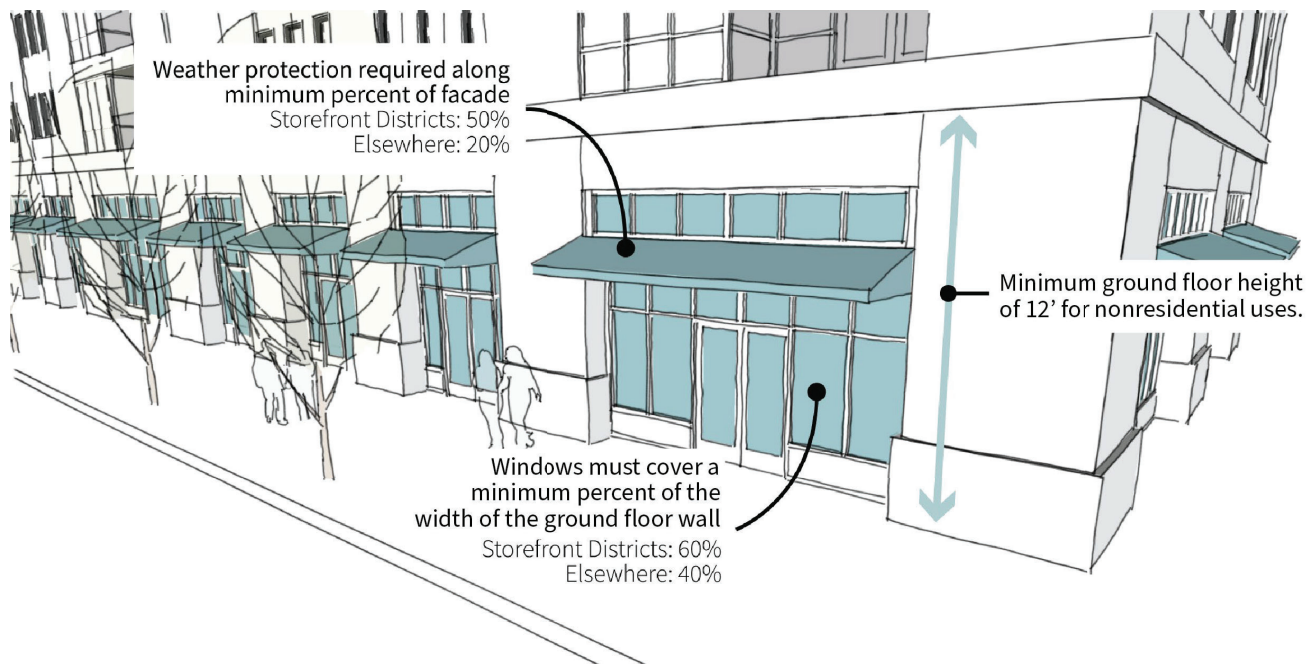
Table 3.136-A. Base Design Requirements

<u>No.</u>	<u>Design Requirement</u>	<u>Required</u>	
		<u>Storefront District</u>	<u>Elsewhere</u>
<u>R1</u>	<u>Ground Floor Height. For ground floor commercial space in new buildings, the distance from the finished floor to the bottom of the ceiling structure above must be at least 12 feet. For ground floor area associated with a residential use, the height is 10 feet. The bottom of the structure includes supporting beams.</u>	<u>X</u>	<u>X</u>
<u>R2</u>	<u>Ground Floor Windows – Nonresidential Uses. The following standards apply to the portions of a ground floor wall of a street-facing facade that are 20 feet or closer to a street lot line or a publicly-accessible plaza and that is not the wall of a dwelling unit:</u> <ul style="list-style-type: none"> <u>Windows must cover at least the minimum percent of the width of the ground floor wall as listed in the required column of this table. To count towards meeting this standard, the bottom sill of a window must</u> 	<u>X – 60%</u>	<u>X – 40%</u>

<u>No.</u>	<u>Design Requirement</u>	<u>Required</u>	
		<u>Storefront District</u>	<u>Elsewhere</u>
	<p><u>be no lower than 2 feet and no higher than 5 feet above sidewalk grade.</u></p> <ul style="list-style-type: none"> <u>Windows into storage areas, vehicle parking areas, mechanical and utility areas, garbage and recycling areas, and display cases attached to outside walls do not qualify.</u> <u>Ground floor street-facing walls of dwelling units must meet standard R3 and R4.</u> 		
<u>R3</u>	<p><u>Ground Floor Residential Facades.</u> <u>The ground floor wall area of street-facing facades of dwelling units that are 20 feet or closer to a street lot line must meet at least one of the following standards:</u></p> <ul style="list-style-type: none"> <u>Flexible ground floor design. The ground floor window standards of R2 must be met, and the ground level of the building must be designed and constructed as follows:</u> <ul style="list-style-type: none"> <u>The distance from the finished floor to the bottom of the ceiling structure above must be at least 12 feet. The bottom of the structure above includes supporting beams;</u> <u>The area meeting this standard must be at least 25 feet deep, measured from the street-facing facade; and</u> <u>Each unit must include a front entrance that is located at the level of the finished grade and can be accessed without steps.</u> <u>Front setback.</u> <ul style="list-style-type: none"> <u>The portions of the building with residential dwelling units on the ground floor must be set back at least 5 feet from the street lot line. The setback must be landscaped to and/or hard-surfaced for use by pedestrians; and</u> <u>Windows must cover at least 25 percent of the ground level wall area of the portion of the building with residential dwelling units on the ground-floor.</u> <u>Raised ground floor.</u> <ul style="list-style-type: none"> <u>The portion of the building with residential dwelling units on the ground floor must have the finished floor of each residential unit at least 2 feet above the grade of the closest adjoining sidewalk.</u> <u>Window must cover at least 25 percent of the ground level wall area of the portion of the building with residential dwelling units on the ground-floor.</u> 	<u>X</u>	<u>X</u>
<u>R3</u>	<p><u>Ground Floor Residential Entrances:</u> <u>At least 50 percent of the dwelling units on the street-facing ground floor of a building must provide a pedestrian access between the main entrance of the dwelling and the street. The entrance must be set back at least 8 feet from the street lot line and have at least two of the following within the setback:</u></p>	<u>X</u>	<u>X</u>

<u>No.</u>	<u>Design Requirement</u>	<u>Required</u>	
		<u>Storefront District</u>	<u>Elsewhere</u>
	<ul style="list-style-type: none"> A wall or fence that is 18 to 36 inches high. Permitted materials include weather-treated wood; untreated cedar and redwood; metal (except not chain link); bricks, stone, masonry block, formed-in-place concrete, or similar masonry; vinyl and composite (e.g., recycled) materials designed for use as fencing; Landscaping that meets the standards of Section 11.010. Private open space of at least 48 square feet and a minimum length or depth of 6 feet, where the floor of the open space is 18 to 36 inches above the grade of the right of way; or A change of grade where the door to the dwelling unit is 18 to 36 inches above the grade of the right of way. 		
<u>R4</u>	<p><u>Weather Protection.</u> For buildings with at least 30 feet of a street-facing facade within 20 feet of SW Halsey Street or Historic Columbia River Highway, weather protection must be provided along the minimum percent of the facade as listed in the required column of this table. All canopies, awnings and other weather protection elements that are provided must meet the following requirements:</p> <ul style="list-style-type: none"> The weather protection structure must project at least four (4) feet from the adjoining building wall facade. The bottom of the weather protection structure must be at least nine (9) feet above grade. Alterations to existing weather protection that does not meet the standard must either meet this standard or come closer to conformance with this standard. 	<u>X – 50%</u>	<u>X – 20%</u>
<u>R5</u>	<p><u>Screening of Utilities and Equipment.</u> New electric meters, gas meters and HVAC equipment must be screened from the street by meeting one of the following standards:</p> <ul style="list-style-type: none"> The utilities or equipment are enclosed by a building; The utilities are screened from the street by a wall that is as tall as the tallest part of the utility; The utilities are mounted to a wall that does not face a street and are set back at least 5-feet from a street lot line; or The utilities are set back at least 20-feet from all street lot lines. 	<u>X</u>	<u>X</u>
<u>R6</u>	<p><u>Corner Features.</u> The following applies to a new building on a site that has frontage on more than one intersecting street. One of the following features must be provided.</p> <ul style="list-style-type: none"> The highest point of the building's street-facing elevations must be within 20 feet of the corner of both intersecting street lot lines. This wall must project 3 feet above an adjacent wall elevation. 	<u>X</u>	<u>X</u>

<u>No.</u>	<u>Design Requirement</u>	<u>Required</u>	
		<u>Storefront District</u>	<u>Elsewhere</u>
	<ul style="list-style-type: none"> The building must include a plaza at the corner of the two intersecting street lot lines. The plaza has a minimum area of 500 square feet, minimum dimensions of 15 feet by 15 feet, and must be hard-surfaced for use by pedestrians or an extension of the sidewalk. The plaza must include benches or seating that provides at least 10 linear feet of seating surface. The seating surface must be at least 15 inches deep, and between 16 and 24 inches above the grade upon which the seating or bench sits. At least one main entrance to a commercial tenant space or a residential lobby must face the plaza. 		
<u>R7</u>	<p><u>Pedestrian Access Plaza.</u> Provide an outdoor plaza that abuts a sidewalk on a public right-of-way. The plaza must be a minimum of 500 square feet with minimum dimensions of 20-feet. 15 percent of the plaza must be landscaped with a tree for each 100 square feet of landscaping. The plaza must include benches or seating that provides at least 10 linear feet of seats. The seating surface should be at least 15 inches deep and between 16 and 24 inches above the grade upon which the seating or bench sits. A plaza provided to meet R6 may count toward meeting this standard.</p>	<u>X</u>	
<u>R8</u>	<p><u>Exterior Lighting.</u> Exterior light fixtures must be provided on street-facing facades within 20 feet of the street as follows:</p> <ul style="list-style-type: none"> The fixtures must be spaced a maximum of 30-feet apart; The bottom of each fixture is a maximum of 15 feet above the adjoining grade or sidewalk; and Lights must not project light upward or to the side of the fixture. 	<u>X</u>	

Figure 7. Ground Floor Design – Nonresidential Uses**Figure 8. Ground Floor Design – Residential Uses**

Ground floor residential entrance must be set back at least 8 feet from the street lot line and have at least two of the following elements within the setback

Raised entry**Raised private open space****Low wall or fence****Landscaping**

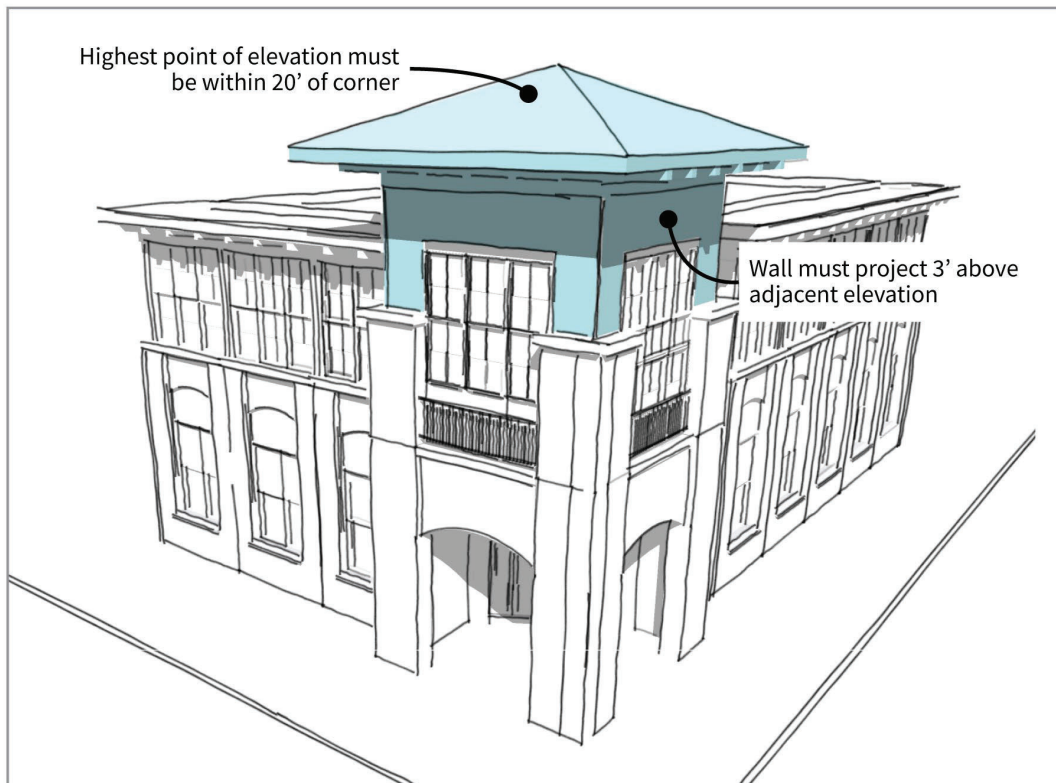
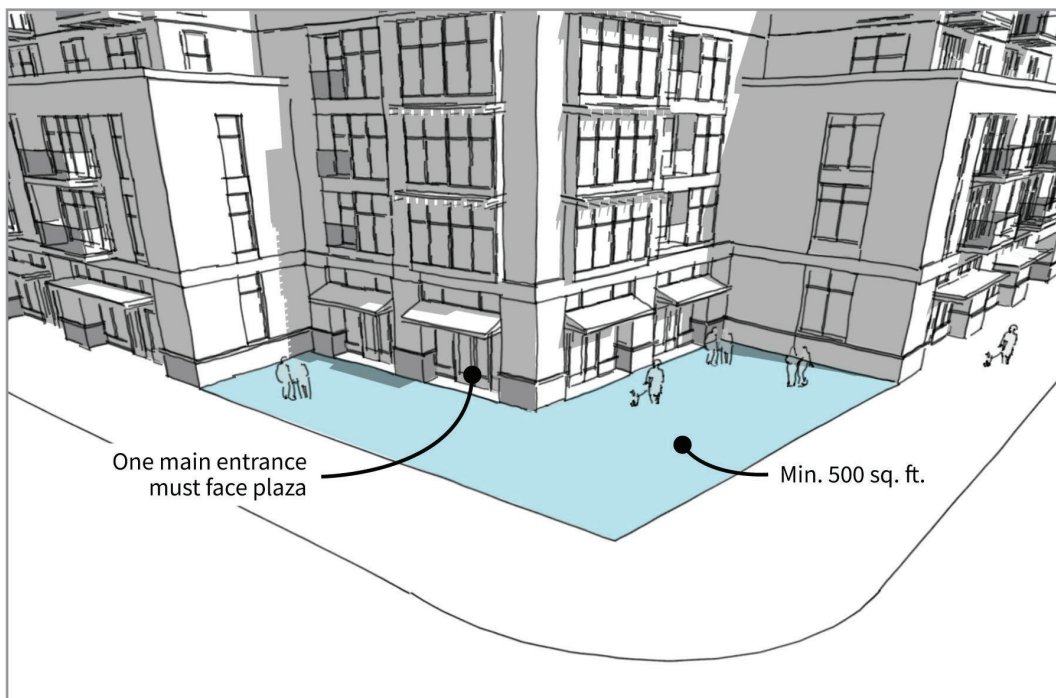
Figure 9. Corner Features Standards**Option 1: Building Height Emphasizes the Corner****Option 2: Corner Plaza**

Table 3.136-B. Menu of Options for Additional Requirements

<u>No.</u>	<u>Design Option</u>	<u>Points</u>
<u>P1</u>	<u>Additional Plaza Area.</u> Provide an outdoor plaza that abuts a sidewalk on a public right-of-way. The plaza must be a minimum of 800 square feet with minimum dimensions of 20-feet. 15 percent of the plaza must be landscaped with a tree for each 100 square feet of landscaping. The plaza must include benches or seating that provides at least 15 linear feet of seats. The seating surface should be at least 15 inches deep and between 16 and 24 inches above the grade upon which the seating or bench sits. The plaza may also count toward meeting standard R7. A plaza provided to meet R6 does not count toward meeting this standard.	<u>3 pts</u>
<u>P2</u>	<u>Outdoor Recreation Area.</u> Provide at least 800 square feet of outdoor common area with a minimum dimension of 20 feet by 20 feet. The outdoor area must meet one of the following: <ul style="list-style-type: none"> • <u>The outdoor area is hard-surfaced, or surfaced with lawn, decking, or sport court paving which allows the area to be used for active or passive recreational use. The outdoor area includes at least 4 linear feet of seating per 100 square feet of area;</u> • <u>The entire outdoor area is a community garden with the area divided into individual raised garden beds. The beds are raised at least 12 inches above grade and can each be between 12 and 50 square feet in area. Individual beds are separated by pathways at least 3 feet in width; or</u> • <u>The entire outdoor area is a children’s play area that includes a play structure at least 100 square feet in area and manufactured to the American Society for Testing and Materials (ASTM) standards for public playground equipment. At least 4 linear feet of seating per 100 square feet of area must be located adjacent to the play structure.</u> <u>Up to 20 percent of the outdoor area may be landscaped.</u>	<u>3 pts</u>
<u>P3</u>	<u>Additional Ground Floor Height.</u> For ground floor commercial space in new buildings, the distance from the finished floor to the bottom of the ceiling structure above must be at least 15 feet. For ground floor area associated with a residential use, the height is 12 feet. The bottom of the structure includes supporting beams.	<u>2 pts</u>
<u>P4</u>	<u>Small Commercial Spaces.</u> Provide at least three (3) separate tenant spaces on the ground floor for commercial use that are a minimum of 300 and a maximum of 800 square feet. Each space must include at least one main entrance that faces the street and is within 5-feet of the street lot line.	<u>2 pts</u>
<u>P5</u>	<u>Original Art Mural.</u> Provide an original art mural that meets the following requirements: <ul style="list-style-type: none"> • <u>The mural is on a wall or structure that is visible from Halsey Street; and</u> • <u>The mural is at least 32 square feet in area.</u> 	<u>1 pts</u>

<u>No.</u>	<u>Design Option</u>	<u>Points</u>
<u>P6</u>	<p>Public Art Installation. Provide an art feature on the site that has been approved by the Town Center Advisory Board and is not a mural. The feature must be set back a maximum of 15 feet Halsey Street. To meet this option, the applicant must provide the following prior to the issuance of the building permit:</p> <ul style="list-style-type: none"> • A letter from the RACC indicating the approval of the art. • A covenant that states the steps to be taken by the property owner and RACC to install and maintain the art installation. 	<u>2 pts</u>
<u>P7</u>	<p>Water Feature: Provide a water feature, such as a fountain, waterfall, or reflecting pool. The feature must be setback a maximum of 20 feet from the Halsey Street. The water feature must have the following:</p> <ul style="list-style-type: none"> • A feature area of at least 6 square feet that contains water year-round; and • A bench or seat with 6 linear feet of seating adjacent to it. <p>The feature can be part of a stormwater facility.</p>	<u>1 pts</u>
<u>P8</u>	<p>Transit Amenities. Any development within four hundred feet (400) feet of an existing transit route and meets the following standards:</p> <ul style="list-style-type: none"> • The development provides a transit stop and related amenities including a public plaza, pedestrian sitting areas, or additional landscaping. • Landscaping must not exceed twenty-five percent (25%) of the total area dedicated for transit amenities. <p>Additionally, required parking spaces may be reduced at a ratio of one (1) parking space for each one hundred (100) square feet of transit amenity space provided above and beyond the minimum required by this Code.</p> <p>This option may not be used if the transit amenities are provided to receive a parking credit under Section 3.138.</p>	<u>2 pts</u>
<u>P9</u>	<p>Additional Ground Floor Windows. Provide ground floor windows as required by standard R4, except the windows cover at least 70 percent of the applicable ground floor wall area(s).</p>	<u>1 pts</u>
<u>P10</u>	<p>Additional Weather Protection. Provide weather protection structures as required by standard R4, except the weather protection is provided along at least 70 percent of the length of the applicable façade(s).</p>	<u>1 pts</u>
<u>P11</u>	<p>Additional Corner Feature. Provide a corner feature meeting one of the two options allowed to satisfy standard R8, except the option for the type of corner feature must not be the same option used to satisfy standard R8.</p>	<u>1 pts</u>
<u>P13</u>	<p>Oversized Opening. Provide an oversized operable door, such as a roll-up door or movable storefront, for at least one ground floor tenant space that faces the street lot line. Buildings with more than one ground floor tenant space that faces the street must provide the door opening for at least 50 percent of the tenant</p>	<u>1 pts</u>

<u>No.</u>	<u>Design Option</u>	<u>Points</u>
	<u>spaces that face the street. The oversized operable door opening must be at least 8 feet wide and cannot open up into utility, garbage , or parking areas.</u>	
<u>P14</u>	<u>Public Seating.</u> <u>Provide at least 10 linear feet of seating or bench within 25 feet of a main entrance. The seating or bench must be accessible to the sidewalk or trail and the access must be open to the public. The seating surface must be at least 15 inches deep and between 16 and 24 inches above the grade upon which the seating or bench sits.</u>	<u>1 pts</u>
<u>P15</u>	<u>Pervious Paving.</u> <u>At least 50 percent of all new vehicle area must be surfaced with pervious pavement approved by the Public Works Department.</u>	<u>1 pts</u>
<u>P16</u>	<u>Additional Landscaping with Native Plants.</u> <u>Provide landscaping on 10 percent of the site. At least 30 percent of the total landscaped area must be planted with native species listed on the Metro Native Plant List, and 80 percent of all trees planted on site must be native trees listed on the Metro Native Plant List.</u>	<u>1 pts</u>

3.137 Design Guidelines.

- A. Purpose. The purpose of the design guidelines are to regulate additional design elements not fully addressed by the design standards. The design guidelines address additional issues not addressed by the design standards, such as compatibility, materials, colors, and architectural detailing.
- B. Applicability. The design guidelines are applicable to any construction or change in use subject to site and design review. Developments must comply with both the design standards (Section 3.136) and the design guidelines (3.137). The Site and Design Review Committee will evaluate construction for compliance with these provisions
- C. Compatibility with Existing Downtown Businesses. The size and shape of proposed construction shall be comparable with the size and shape of nearby traditional storefront buildings. Where building sizes will not be equivalent or comparable, larger building facades shall be broken down into units that resemble the size of existing storefront facades. Likewise, the form of new construction shall complement the general shape of existing, nearby storefront buildings and their features.
- D. Building Materials and Colors.
 - A. — ~~Facades shall be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in facades, floor levels, architectural features, and exterior finishes shall create the appearance of several smaller buildings.~~
 - 1. Exterior building materials shall convey an impression of durability. Materials such as masonry, stone, stucco, and wood are encouraged. Metal is not allowed as the primary exterior building material, but it may be used for accents including

awnings.

2. Where masonry is used for exterior finish, decorative patterns must be incorporated. Examples of these decorative patterns include multicolored masonry units such as brick, stone, or cast stone, in layered or geometric patterns, or split-faced concrete block to simulate a rusticated stone-type construction.
3. Wood siding must be bevel, shingle siding, or channel siding and must not be applied in a diagonal or herringbone pattern. T1-11 style siding is not permitted.
4. Preferred colors for exterior building finishes are earth tones, creams, and pastels of earth tones. High-intensity primary colors, metallic colors, and black may be utilized as trim and detail colors but shall not be used as primary wall colors

E. Roof Materials, Parapets, and Roof Pitch

1. Pitched roof structures shall have a minimum roof pitch of 6:12.
2. Flat roofs are permitted with detailed stepped parapets or detailed brick coursing.
- ~~C. Parapet corners must be stepped or the parapet must be designed to emphasize the center or primary entrance(s), unless the primary entrance is at the corner of the building.~~
3. Visible sloped roofs must be a “non-color”: gray, black, or dark brown.
4. Visible roof materials must be wood or architectural grade composition shingle, or sheet metal with standing or batten seam.
- ~~F. All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, must be screened from public view by parapets, walls, or by other approved means.~~

F. Building Orientation and Entrance Standards

1. Buildings must have an entrance connecting directly between Historic Columbia River Highway and the building interior. The entrance must be open to the public during all business hours
- ~~B. Building entrances must be architecturally emphasized and visible from the street.~~
3. Due to the elevation difference between the Historic Columbia River Highway and the public parking lot, daylight basement type of construction is preferred. This method of construction has the benefit of causing all materials stored below Historic Columbia River Highway to be screened and secured behind sight-obscuring walls, adding to the attractiveness of the downtown area.

G. Building Facades.

1. Ornamental devices, such as molding, entablature, and friezes, are encouraged at the roofline. Where such ornamentation is present in the form of a linear molding or board, the band must be at least eight (8) inches wide.
- ~~B. Alcoves, Porches, Arcades, etc. Buildings must incorporate features such as arcades, roofs, porches, alcoves, porticoes, and awnings to protect pedestrians from the rain and sun. Awnings and entrances may be designed to be shared between two structures.~~
2. Traditional Storefront Elements. For buildings designed to house retail, service, or office businesses, traditional storefront elements are required. These elements include:
 - ~~1. Front and side building walls placed within ten (10) feet of abutting street right-of-way boundaries.~~
 - a. Clearly delineated upper and lower facades.
 - ~~3. A lower facade dominated by large display windows and a recessed entry or entries.~~
 - b. Smaller, regularly spaced windows in the upper floor.
 - c. Decorative trims, such as window hoods, surrounding upper floor windows.
 - d. A decorative cornice near the top of the facade.
- ~~D. Change in Relief of Building. Buildings must include changes in relief on ten (10%) percent of their Historic Columbia River Highway facades. Relief changes include cornices, bases, fenestration, fluted masonry, or other treatments for pedestrian interest and scale.~~

H. Ground Floor Windows. All new buildings must provide ground floor windows along Historic Columbia River Highway

1. Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows.
2. Required windows must have a sill no more than four (4) feet above grade. Where interior floor levels prohibit such placement, the sill must be raised to allow it to be no more than two (2) feet above the finished floor level, up to a maximum sill height of six (6) feet above grade.

3. Glass curtain windows are not permitted fronting Historic Columbia River Highway.
4. Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows along street facades.
5. Any wall that faces Historic Columbia River Highway must contain at least twenty percent (20%) of the ground floor wall area in display areas, windows, or doorways. Blank walls are prohibited.
6. Ground floor windows are also required on facades facing any public parking lot. The minimum requirement is sixteen (16) square feet per story or six percent (6%) of the facade, whichever is greater.

I. Upper Floor Window Standards.

1. Glass area dimensions shall not exceed 5'x7'. (The longest dimension may be taken either horizontally or vertically.)
2. Windows must have trim or molding at least two (2) inches wide around their perimeters.
3. At least half of all the window area in upper floors must be made up of glass panes with dimensions no greater than 2'x3'. Windows that have 1'x1' grid inside double-pane glass are appropriate and are encouraged.

J. Lighting.

- A. All building entrances and exits must be well lighted.
- B. Exterior lighting must be an integral part of the architectural design, complement the existing ornamental street lighting, and be in keeping with the overall architectural character of the downtown.
- C. The minimum lighting level for building entries is four (4) foot-candles. Lighting must be a pedestrian scale and the source light must be shielded to reduce glare.

3.138 Bonuses and Credits.

- A. Purpose. The height bonus and parking credit options allow an increase in building height or a reduction in off-street parking requirements as an incentive for development that provides a public or community benefit.
- B. Applicability. The bonus height or off-street parking credit options are available to any development meeting the criteria of this section. An option may be used to secure both a

- height bonus and parking credit(s) as identified in Table 3.138-A.
- C. Height Bonus Options. Height bonuses are only permitted on certain properties as identified in Section 3.144 (Figure 3). A height bonus of 10 feet in addition to the base height identified in Section 3.144 is allowed as identified in Table 3.138-A. Only one height bonus option may be used.
- D. Parking Credit Options. A percentage reduction in off-street parking requirements for a residential use, including dwelling units in a mixed use development, is allowed as identified in Table 3.138-A. More than one credit may be used; however, in no case shall the credits result in an off-street parking requirement that is less than 0.75 spaces per dwelling unit.

Table 3.138-A. Height Bonus and Off-Street Parking Credit Options

<u>Option</u>	<u>Height Bonus</u>	<u>Parking Credit for Residential Uses</u>
<u>Street Level Commercial Space.</u> A vertical mixed use development that provides housing units above a ground floor commercial space and the ground floor commercial space must occupy a minimum of 50 percent of the width of the total street frontage of the site.	<u>10 ft</u>	<u>20%</u>
<u>Small Scale Commercial Spaces.</u> A vertical mixed use development that provides housing units above a ground floor commercial space and the ground floor commercial space must include a minimum of three (3) tenant spaces that are each no greater than 800 square feet in floor area.	<u>10 ft</u>	<u>20%</u>
<u>Affordable Housing.</u> A development that includes affordable housing units meeting the following standards: <ul style="list-style-type: none"> • <u>10 percent of the total number of dwelling units must be affordable to those earning no more than 60 percent of the area median family income; or</u> • <u>20 percent of the total number of dwelling units in the new building or the alteration must be affordable to those earning no more than 80 percent of the area median family income; and</u> • <u>The property owner must execute a covenant or development agreement with the City that must ensure that the affordable dwelling units will remain affordable to households meeting the income restriction for a minimum of 30 years. The covenant or agreement must be provided prior to issuance of the building permit.</u> 	<u>10 ft</u>	<u>None</u>
<u>High Quality Design.</u> A development that incorporates design elements identified in Table 3.136-B which total five (5) points in addition to the points needed to meet the minimum requirement.	<u>10 ft</u>	<u>20%</u>

<u>Option</u>	<u>Height Bonus</u>	<u>Parking Credit for Residential Uses</u>
<p><u>Transit Amenities.</u> Any development within four hundred feet (400) feet of an existing transit route and meets the following standards:</p> <ul style="list-style-type: none"> • <u>The development provides a transit stop and related amenities including a public plaza, pedestrian sitting areas, or additional landscaping.</u> • <u>Landscaping must not exceed twenty-five percent (25%) of the total area dedicated for transit amenities.</u> • <u>Additionally, required parking spaces may be reduced at a ratio of one (1) parking space for each one hundred (100) square feet of transit amenity space provided above and beyond the minimum required by this Code.</u> 	<u>None</u>	<u>10%</u>

3.1369 Additional Requirements.

- A. Access and Circulation. Adequate provisions for access and internal circulation of vehicles shall be provided for all uses allowed in the CBD in accordance with the requirements of this Code.
- B. External Storage of Merchandise. The external storage of merchandise and/or materials, directly or indirectly related to a business, is hereby prohibited within the CBD.
- C. Outdoor Displays of Merchandise. Outdoor displays of merchandise are permitted during business hours only and shall not exceed ten percent (10%) of the total retail sales area. A minimum pedestrian walkway width of five (5) feet must be maintained at all times.
- D. Off-Street Parking and Loading.
 1. No off-street parking and loading shall be required for non-residential uses. A minimum of two (2) parking spaces per unit is required for residential uses, except that dwelling units in conjunction with commercial uses are required to have a minimum of one (1) parking space per dwelling unit.
 2. The parking credit options allow a reduction in off-street parking requirements as an incentive for developments that provide a public or community benefit. See Section 3.138.
 3. When parking is provided, the parking shall conform to the standards of Chapter 9, Off-Street Parking and Loading, of this Code. When conflicts exist between this Section and Chapter 9, Off-Street Parking and Loading, of this Code, this Section shall apply.
- E. Trash and Recycling Storage.

1. Each structure shall provide for collection of its trash and recyclable materials within the boundaries of each parcel.
 2. All trash collection areas must be located within the structure, or behind the building in an enclosure, in accordance with the provisions of Chapter 11.015, Garbage and Recycling Container Enclosures, of this Code.
- ~~FF.~~ Unless otherwise provided in this Code, compliance with Chapters 8 and 11 relating to design review and landscaping is required. The Design Standards for Central Business District, listed in Appendix A of this Code, shall also apply to the CBD.
- ~~GF.~~ Town Center Overlay District. The applicable provisions of Chapter 4.600, Town Center, of this Code shall apply to the CBD.
- ~~3.137 Reduced Setback Allowed. The minimum side yard setback for residential uses adjoining a rear yard in a residential zoning district other than A-2, and the minimum rear yard setback (without an alley) adjoining a residential district, may be reduced by as much as five (5) feet based on the following:~~
- ~~A. A maximum building height ceiling shall first be determined for the subject property. The maximum building height ceiling is the plane established at the maximum building height as measured at the highest point along the shared property line of the adjoining parcel from which the setback is being measured.~~
 - ~~B. For each one-foot reduction in the minimum setback, the building height ceiling shall be reduced by two (2) feet. Thus, a building that is set back the maximum five (5) feet closer to the common property line has a building height ceiling that is ten (10) feet lower than the maximum.~~
 - ~~C. The height of the building may not exceed the maximum building height, nor may it project above the reduced ceiling height.~~
- ~~[Example: A three-story building may be set back as close as fifteen (15) feet to the rear property line if the building does not exceed the maximum thirty-five (35) foot building height and it does not project above the reduced (ten-foot lower) maximum building height ceiling.]~~

3.140 MIXED OFFICE/HOUSING DISTRICT MO/H

- 3.141 Purpose. This district is intended to provide a compatible mix of office, employment, and housing opportunities in close proximity to the Troutdale Central Business District. The MO/H district is intended to promote a compact development form consistent with the Troutdale Town Center Plan.
- 3.142 Permitted Uses. The following uses and their accessory uses are permitted in the MO/H district provided they are conducted wholly within a completely enclosed building, except off-street parking and loading:
- A. Professional offices.
 - B. Medical or dental clinics or laboratories.
 - C. Personal service uses with a maximum gross floor area of two thousand (2,000) square feet and provided in conjunction with residential development. The maximum square footage shall be considered a use limitation.
 - D. Galleries or studios for art, dance, etc.
 - E. Day care facilities.
 - F. Dwelling Units
 - G. Mixed use commercial and residential development.
 - H. Nursing homes day care facilities, assisted living facilities and similar uses.
 - I. Shared dwellings, in accordance with Section 5.090 of this Code.
 - J. Parks and playgrounds.
 - K. Utility facilities, minor.
 - L. Mobile Food Vendor operating a Food Stand, Food Cart, Food Trailer, or Food Kiosk in accordance with Section 5.200.
 - M. Other uses similar in nature to those listed above, but not marijuana facilities or processors.
- 3.143 Conditional Uses. The following uses and their accessory uses are permitted as conditional uses in the MO/H district:
- A. Personal service uses with a gross floor area greater than two thousand (2,000) square feet or not provided in conjunction with residential development.

- B. Retail uses and restaurants with a maximum gross floor area of fifteen thousand (15,000) square feet, except that retail uses and restaurants located within a building that existed prior to March 10, 1950 shall be subject to a maximum gross floor area of forty thousand (40,000) square feet. The maximum square footage shall be considered a use limitation.
- C. Community service uses.
- D. Utility facilities, major.
- E. Other uses similar in nature to those listed above, but not marijuana facilities or processors.

3.144 Dimensional and Density Standards.

- A. Lot Area, Lot Width, and Lot Depth.
 - 1. Non-residential uses and apartment units in conjunction with a commercial use: No minimum requirement.
 - 2. Exclusively residential uses: Same as the CBD zoning district.
- B. Street Frontage: Minimum of twenty (20) feet, except that for lots specifically created for the construction of individual duplex, triplex, or attached dwelling units, the minimum street frontage shall be sixteen (16) feet.
- C. Setbacks. Same as the CBD zoning district.
- D. Height Limitation. The maximum height of a structure shall be thirty-five (35) feet. Base maximum building heights in the town center commercial district are identified in Figure 1. The base height limits can be increased through options described in Section 3.145.
- E. Height Step Down. In the following situations, the height limit is reduced to 35 feet to create a transition to areas with lower building heights or to preserve views (See Figure 2).
 - a. On the portion of the site within 25 feet of the A-2 zone.
 - b. On the portion of the site within 15 feet of a lot line that is across a local street or alley from the A-2 zone.
 - c. For sites north of SW Halsey Street and south of W Columbia River Highway, the portion of the site within 75 feet of the lot line that abuts SW Halsey Street. See Figure 1. The purpose of this step down is to preserve views of Broughton Bluff from SW Halsey Street.
 - c. Sites with property lines that abut residential zones for less than a 5-foot length

are exempt from standard (a) and (b) of this section.

- FE. Building Size. No building shall have a footprint greater than twenty thousand (20,000) square feet, unless the building was in existence prior to March 10, 1950.
- GF. Maximum and Minimum Density. Maximum and minimum residential density for exclusively residential uses shall be the same as the CBD density standard.
- HG. Attached dwellings approved in a mixed use with commercial use are not subject to the maximum and minimum density standards.

Figure 1– Base Maximum Building Height Map

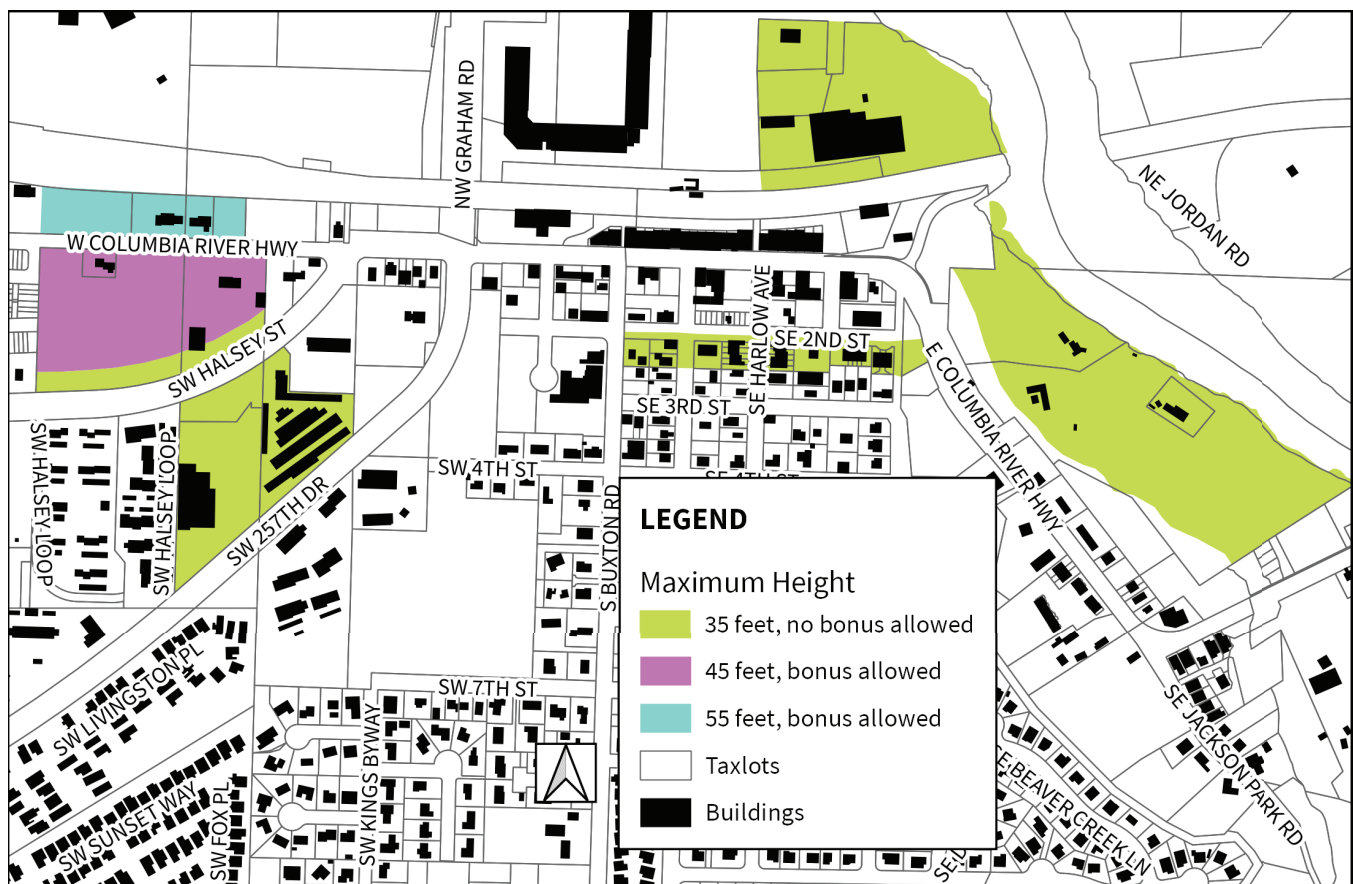
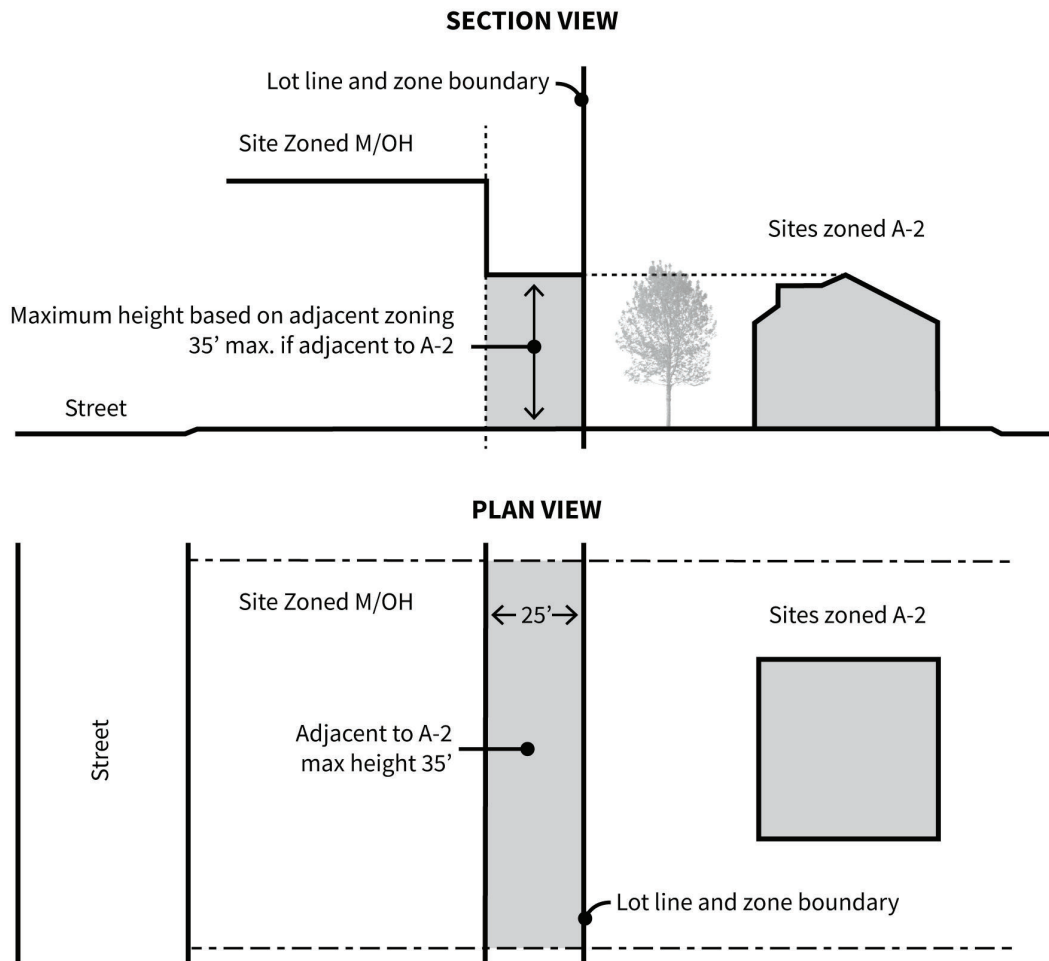


Figure 2 – Height Step Down

3.145 Bonuses and Credits

- A. Purpose. The height bonus and parking credit options allow an increase in building height or a reduction in off-street parking requirements as an incentive for development that provides a public or community benefit.
- B. Applicability. The bonus height or off-street parking credit options are available to any development meeting the criteria of this section. An option may be used to secure both a height bonus and parking credit(s) as identified in Table 3.145-A.
- C. Height Bonus Options. A height bonus of 10 feet in addition to the base height identified in Section 3.144 is allowed as identified in Table 3.145-A. Only one height bonus option may be used.
- D. Parking Credit Options. A percentage reduction in off-street parking requirements is allowed as identified in Table 3.145-A. More than one credit may be used; however, in no case shall the credits result in an off-street parking requirement that is less than 0.75

spaces per dwelling unit or 2 spaces per 1,000 square feet of nonresidential floor area.

Table 3.145-A. Height Bonus and Off-Street Parking Credit Options

<u>Option</u>	<u>Height Bonus</u>	<u>Parking Credit</u>	
		<u>Residential</u>	<u>Nonresidential</u>
<u>Street Level Commercial Space.</u> A vertical mixed use development that provides housing units above a ground floor commercial space and the ground floor commercial space must occupy a minimum of 50 percent of the width of the total street frontage of the site.	<u>10 ft</u>	<u>10%</u>	<u>20%</u>
<u>Small Scale Commercial Spaces.</u> A vertical mixed use development that provides housing units above a ground floor commercial space and the ground floor commercial space must include a minimum of three (3) tenant spaces that are each no greater than 800 square feet in floor area.	<u>10 ft</u>	<u>None</u>	<u>20%</u>
<u>Affordable Housing.</u> A development that includes affordable housing units meeting the following standards: <ul style="list-style-type: none"> • <u>10 percent of the total number of dwelling units must be affordable to those earning no more than 60 percent of the area median family income; or</u> • <u>20 percent of the total number of dwelling units in the new building or the alteration must be affordable to those earning no more than 80 percent of the area median family income; and</u> • <u>The property owner must execute a covenant or development agreement with the City that must ensure that the affordable dwelling units will remain affordable to households meeting the income restriction for a minimum of 30 years. The covenant or agreement must be provided prior to issuance of the building permit.</u> 	<u>10 ft</u>	<u>20%</u>	<u>None</u>
<u>High Quality Design.</u> A development that incorporates design elements identified in Table 3.136-B which total five (5) points in addition to the points needed to meet the minimum requirement.	<u>10 ft</u>	<u>10%</u>	<u>20%</u>
<u>Transit Amenities.</u> Any development within four hundred feet (400) feet of an existing transit route and meets the following standards: <ul style="list-style-type: none"> • <u>The development provides a transit stop and related amenities including a public plaza, pedestrian sitting areas, or additional landscaping.</u> 	<u>None</u>	<u>10%</u>	<u>10%</u>

<u>Option</u>	<u>Height Bonus</u>	<u>Parking Credit</u>	
		<u>Residential</u>	<u>Nonresidential</u>
<ul style="list-style-type: none"> • <u>Landscaping must not exceed twenty-five percent (25%) of the total area dedicated for transit amenities.</u> • <u>Additionally, required parking spaces may be reduced at a ratio of one (1) parking space for each one hundred (100) square feet of transit amenity space provided above and beyond the minimum required by this Code.</u> 			

3.1456 Additional Requirements.

- A. Unless otherwise provided in this Code, compliance with Chapters 8 and 11 relating to design review and landscaping is required.
- B. Landscaping Requirements. In addition to the standards of Chapter 11,
 1. If residential use is provided: Minimum of fifteen percent (15%) of the site area.
 2. If no residential use is provided: Minimum of five percent (5%) of the site area.
- C. Off-Street Parking and Loading.
 1. No off-street parking spaces are required except for residential development. A minimum of two (2) spaces are required for each residential unit, except that attached dwellings in conjunction with commercial uses are required to have a minimum of one (1) parking space per apartment unit.
 2. The parking credit options allow a reduction in off-street parking requirements as an incentive for developments that provide a public or community benefit. See Section 3.145.
 3. Off-street parking shall conform to the off-street parking standards of Chapter 9, Off-Street Parking and Loading, of this Code. When conflicts exist between this Section and Chapter 9, Off-Street Parking and Loading, of this Code, this Section shall apply.
- D. Development shall conform to the TC district design standards. Where a conflict occurs between the standards of the TC district and this district or Chapter 8, the more restrictive shall apply.
- E. Development on certain properties with the MO/H district are subject to the Design Standards for the Central Business District in addition to the standards of the TC district. These properties are identified in Figure 3. See Section 3.136.

Figure 3 – Properties Subject to CBD Design Standards

