

## **RESOLUTION NO. 2604**

### **A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT WITH HOME FORWARD.**

#### **THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:**

1. That the Portland Metropolitan region has a shortfall in housing that is affordable for persons earning at or below 60% of the median income in the area.
2. That Home Forward is an Oregon public body, corporate and politic (the Developer); and has an Intergovernmental Agreement with Multnomah County for the development of multi-family housing on an approximately 3.58-acre property located within the City of Troutdale Town Center District at SW Kendall Court and SW 2nd Street (the Project Property) that will provide housing for certain persons earning at or below 60% of the median income in the area.
3. That Multnomah County owns the Project Property, and Developer and Multnomah County have obtained, or will obtain funding for the contemplated affordable housing.
4. That in 2022, Developer applied for, and which the City of Troutdale denied a development application for the Project Property that would have authorized development of approximately ninety-four (94) residential dwelling units and 119 to 144 parking spaces (“Original Project”). The Original Project was denied in City of Troutdale planning file No. LU-0013-2022 (“File”) by action of the Planning Commission on September 28, 2022.
5. That in 2023, Developer submitted a new development application for the Project Property, modifying the site layout, buildings, and number of parking spaces (“Amended Project”) and the Amended Project application remains pending.
6. That the City of Troutdale is seeking certain improvements to the Amended Project from Developer, and Developer is seeking certain assurances from the City of Troutdale that Developer believes are necessary to ensure timely construction of a multi-family housing project on the Project Property.
7. That the City of Troutdale has authority under its home rule powers to enter into an agreement with Developer, that provides improvements to the Amended Project, and assures timely construction of a modified version of the Amended Project (the “Modified Project”).

8. That The City of Troutdale and Developer desire to enter into a Development Agreement to resolve their concerns about improvements, and to assure timely construction of the Modified Project, as described herein.

9. That completion of the Modified Project would make a significant reduction of the deficit of affordable housing units in the City as required by the State mandated 2020 Housing Needs Analysis adopted via Resolution No. 2503, which will serve a valuable, necessary, and authorized public purpose.

10. That the City will receive 14 public parking spaces and street improvements to be constructed by the Developer on the north side of SW 2nd Street in the right-of-way will serve a valuable, desirable and necessary public purpose, and is for an authorized public purpose supporting economic development in the Town Center District.

11. That the Development Agreement provides for the Developer to construct improvements in City right-of-way on the north side of SW 2nd Street to provide public parking, to which the City has agreed to contribute \$100,000 towards the construction costs for these improvements in the street right-of-way, as part of the street system.

12. That City finds that the proposed parking and associated street improvements to the City right-of-way are eligible and qualified expenditures from the Street Fund in accordance with the requirements of Troutdale Municipal Code 3.07.260, Oregon Revised Statute (ORS) 366.790(1) and ORS 285B.410(13).

13. That the City finds it to be necessary, expedient, beneficial to the community, and in the best interests of the City, to enter into the negotiated Development Agreement with the Developer and that doing so serves a valuable and necessary public purpose and is an authorized public purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:**

Section 1. Based on the above findings incorporated therein, additional findings in the attached Attachment A (“Legal Findings”), and upon the evidence in the whole record, the City Council hereby approves the Development Agreement between the City of Troutdale and Home Forward, as in substantial conformity with Exhibit B of the Staff Report, but with any changes the City Official may determine necessary.

Section 2. The City finds and declares that construction of the Home Forward Modified Project as defined by the Development Agreement will serve a valuable and necessary

public purpose, and is for an authorized public purpose toward the fulfillment of the unmet affordable housing needs of the City.

Section 3. Following submission of complete plans by Home Forward the City does hereby approve and grant, an easement to Home Forward to utilize the Second Street right-of-way for a twenty-six-foot drive aisle and vehicle parking for the Modified Project, and the City Official is authorized and directed to execute any such necessary documents on behalf of the City without further action by the City Council to implement the easement.

Section 4. The City Official is authorized and directed to disburse a contribution to Home Forward in a total amount of One Hundred Thousand Dollars (\$100,000.00) toward the cost of improvements to the north side of SW 2nd Street right-of-way for street, parking and other improvements which is to be paid from the City Street Fund.

Section 5. The City Manager Ray Young, Community Development Director David Berniker, and Finance Director Erich Mueller, (each an "City Official") are designated to act individually and/or jointly, on behalf of and in the best interest of the City and without further action by the City Council, and are hereby, authorized empowered and directed to execute any such necessary documents on behalf of the City to implement the Development Agreement, and any and all other required and necessary documents to implement the intent this resolution.

Section 6. The City Official is hereby authorized to execute, acknowledge and deliver any subsequent addendums, extensions, revisions, modification, or successor documents of the Development Agreement, and any other supporting and implementing documents, and to take any other action as may be advisable, convenient, necessary, or appropriate to give full force and effect to the terms and intent of the Development Agreement and this resolution, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 7. Further, as applicable, to comply with State statutes, administrative rules or local ordinances, and to act in the best interest of the City, and without further action by the City Council, the City Officials are hereby authorized, directed, and responsible for fulfilling the ministerial, intergovernmental, technical, compliance, procedural or promotional functions as required for the effective administration and implementation of the Development Agreement, and to take any other action as may be advisable, convenient, necessary, or appropriate, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 8. That the Finance Director is authorized and directed to disburse funds, subject to annual appropriations, as necessary to fulfill the intent of this resolution and the Development Agreement is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 9. This Resolution shall take effect immediately upon adoption, and is a land use decision, subject to appeal of a land use decision as provided in ORS 94.508(2). Appeal is to the Land Use Board of Appeals as provided in ORS 197.830.

**YEAS: 5**

**NAYS: 2** Councilor White & Councilor Ripma

**ABSTAINED: 0**



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**Randy Lauer, Mayor**

**Date: July 12, 2023**



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**Sarah Skroch, City Recorder**

**Adopted: July 11, 2023**

**LEGAL FINDINGS**

This section provides legal findings in support of the City of Troutdale’s (“City’s”) adoption of the Development Agreement regarding the development of 85-units of affordable housing in three, three-story buildings (the “Project”).

**APPLICABLE REGULATIONS**

The Project application, processed under City File LU-0001-2023 SW Kendall Ct & SW 2nd St, was submitted on March 2, 2023 and deemed complete on April 3, 2023; therefore, the Troutdale Community Development Code (“TDC”) and Oregon state law in effect on March 2, 2023 governs the Project. The Project is within the MU-1 zone and the Town Center overlay.

**APPLICABLE STATE LAW PROVISIONS (Density, Height and Parking)**

The Project utilizes State exemptions from the TDC requirements related to density and height (ORS 197.286-197.314) and minimum parking (OAR Section 660-012-0430) for affordable housing.

- **Climate Friendly and Equitable Communities (CFEC)**  
Rulemaking by the Land Conservation and Development Commission (LCDC) related to the Climate Friendly and Equitable Communities (“CFEC”) went into effect on January 1, 2023. OAR Section 660-012-0430 requires cities to eliminate parking mandates for housing that is affordable at the 80% MFI level. The Project will contain housing units that are affordable to those at the 80% MFI level. The financing secured by Home Forward for the Project is enforced by covenants that will maintain this level of affordability for at least 30 years. Therefore, under the CFEC, the Project is exempt from the City’s minimum parking standards.
- **Senate Bill 8-B**  
ORS 197.286- 197.314 (“SB 8-B”) allows additional height and density for affordable housing projects in areas zoned for residential uses. The proposed housing meets the definition of affordable housing in ORS 197.308 1(a) because all units will be affordable to the 60% AMI level and the Project will be income restricted for a duration no less than 30 years. The proposed site is zoned MU-1, which allows residential housing by right. Affordable housing projects meeting these requirements are allowed to be constructed at up to 150% of the TDC’s maximum density and up to 24 ft of additional height in excess of the TDC’s maximum. The Project is eligible for the additional height and density available to affordable housing under SB 8-B.

**DESIGN ADJUSTMENTS**

The Project meets the relevant design and development standards as discussed further below, with the exception of five standards. The City finds that the Project meets the criteria for adjustments to these standards as follows.

*8.025 Authority to Adjust Standards.*

- A. *Because of the diverse topography, parcel configurations, and site characteristics within the City, it is neither practical nor feasible to uniformly apply these design standards to all*

development projects. The Director may grant adjustments to these design standards upon making the following written findings:

1. *The adjustment is justified due to the unique site conditions.*
2. *The proposal conforms to the extent practicable with these design standards.*
3. *Any impacts from the adjustments are mitigated to the extent practical.*
4. *The decision to adjust a standard is a Type II decision.*

**Findings:**

*Detail regarding unique site conditions applicable to all adjustments:*

The Applicant provided the following explanation of the unique conditions which we adopt and which informs the specific findings below.

As shown on the existing conditions plan, the site has highly varied topography with slopes on the west, southwest, south, and north ends of the site creating complications for access, parking, and building. As a result, multiple retaining walls are proposed to create flat areas for building development, open space, driveways and parking.

In addition to the highly varied topography that result in the center of the site sitting lower in elevation than many of the frontages, the site is irregularly shaped, the remnant of past development of 257<sup>th</sup> and the platting of adjacent properties. Although the site takes frontage on four streets, there is limited access to the site and a limited ability to located on-street parking on these rights-of-way. SW 257<sup>th</sup> Dr does not have street parking or allow access. SW 2<sup>nd</sup> St and SW Kendall Ct are both dead-end streets which limits the ability to provide access and parking. SW 4<sup>th</sup> St is significantly elevated above the south end of the property and public easements and slopes limit access at the southwest corner of the site.

The design of the project has been responsive to community and Staff recommendations regarding the Gorge winds, which can affect the residents and visitors to new housing. The building massing, forms and orientation have responded to mitigate the effects of these winds on private spaces, entrances, community open space, parking areas and walkways.

For the purposes of evaluating the adjustment criteria, it is worth noting that the identification of unique site conditions neither means that this is the only site in which these conditions exist nor that there are not any other sites with more extreme conditions. The Adjustment process is available because uniformly applying these standards across every site is not practical. For the above reasons, this is a site in which seeking adjustments is appropriate.

***Architectural elements and building facades (TDC 8.150.B.4)***

- a) Wall articulation. *TDC 8.150.B.4.a No wall of a residential building shall exceed a length of (50) feet without a foundation offset of at least four feet for a distance of at least (16) feet.*

**Design Explanation:** While the buildings are articulated with entrances, balconies and windows, façades on each of the three buildings exceed the 50' standard or the offset is less than 16'. In most cases, these long facades are at the end of building forms and face side lot lines. Where they face public areas, entrances, articulation in rooflines, balconies, and sequences of windows meet the intent of the standard in avoiding large, blank walls.

- f) Roofline Offsets. *TDC 8.150.B.4.f Roofline offsets shall be provided at intervals of (40) feet or less to create variety in the massing of structures and relieve the effect of a single, long*

*roof. Roofline offsets shall be a minimum (4) foot variation either vertically from the gutter line, or horizontally.*

**Design Explanation:** Similar to the building forms in subsection A above, the roof lines do not meet the numerical standard of offsets every 40' but the rooflines are articulated in a manner that meets the intent of the standard to create variety in the massing of the structure and avoid the effect of a single, long roof.

Approval Criteria for Adjustments to TDC 8.150.B.4.a and f:

1. *The adjustment is justified due to the unique site conditions.*

**Findings:** As discussed above the site has unique topographic conditions that make building design challenging. The topographic changes and inclusion of multiple buildings within the Project introduce variation to the perceived roofline and building facades. Because the topography already contributes perceived offsets to the roofline and facades, adding additional variation as this section requires sacrifices design cohesion. To provide a more cohesive design, this adjustment is appropriate. This criterion is met.

2. *The proposal conforms to the extent practicable with these design standards.*

**Findings:** As noted above, the topography and layout of the site benefit from design choices that limit additional articulation. However, to the extent practicable, articulation has been added to the rooflines and facades of the Project. The simple and repetitive roof forms and building are quiet in the east-west long direction and aligned with the natural contours of the site. The north-south elevations of the buildings have active and repetitive gables that contrast the long quiet gables as they step up the hillside. Additionally, the walls with the long quiet gables exceed the articulation requirements with deep balconies and breezeways. This criterion is met.

3. *Any impacts from the adjustments are mitigated to the extent practical.*

**Findings:** The unique topography of the site screens many of the building facades from view from surrounding properties and rights-of-way. The articulation of the buildings and placement on the oddly-shaped site with four street frontages mitigates the long facades and rooflines to the extent practicable by using additional detailing and architectural elements including recesses, unique entries, balconies, porches, and wide breezeways to break up the building form. This criterion is met.

**Outdoor Private Space.** *Outdoor private space is required for each residential dwelling unit (TDC 8.150.B.6).*

a) *Troutdale Development Code ("TDC") 8.150.B.6.a. Each ground and upper floor level dwelling unit shall have an attached accessible outdoor private space of not less than (60) square feet in area...*

**Design Explanation:** Patios for both upper and ground floor units have been designed to have standardize sizes and railings and are 50 square feet (5'x10'), 10 feet less than the standard requires. Patios are not provided for three studio units.

Approval Criteria for Adjustment to TDC 8.150.B.6.a (ground floor private space):

1. *The adjustment is justified due to the unique site conditions.*

**Findings:** As discussed above the site has unique topography and the Project includes multiple buildings which complicates design. The larger balconies would jut out from the façade by 10 feet, creating a sub-optimal design aesthetic. As explained above, the topographic changes add visual articulation to the Project, such that additional features that further break up the façade planes compromise the streamlined design. Additionally, the site is impacted by the Gorge Winds. By including balconies that are inset and do not jut out from the exterior walls, the Project provides better usable space for residents since these areas are better protected from the wind. The three studio units are along building corners and balconies for these units would have been almost entirely wind-exposed, providing significantly less utility for residents. Instead, these areas will include large windows which provide more usable internal space with natural light.

2. *The proposal conforms to the extent practicable with these design standards.*

**Findings:** The ground floor private spaces will be screened with a 42-inch perforated metal pattern that is 18-inches shorter than the 60-inch standard, but the screens combined with topography and landscaping in front of the units will provide the same level of privacy.

3. *Any impacts from the adjustments are mitigated to the extent practical.*

**Findings:** Due to the topography of the site, the privacy of these spaces will be maintained by the proposed screens and landscaping.

b) *Each upper level unit shall have an attached outdoor private space, such as a balcony, of not less than sixty (60) square feet in area...*

**Design Explanation:** The majority of the units have private outdoor space. There are three studio units that do not have an outdoor balcony. Other balconies are 50 sf, smaller than the 60 sf required by the standard. The project presents a cohesive whole to the community of Troutdale by maintaining a clear design concept. Bolt-on balconies have been added to the studio units located on the north elevation of Bldg. C because it was conceptually consistent and appropriate to add them at these tall elevations. The smaller balconies allow the private space to be protected by the building form from the Gorge winds.

Approval Criteria for Adjustment to TDC 8.150.B.6.a (upper floor private space):

1. *The adjustment is justified due to the unique site conditions.*

**Findings:** As discussed above, the site has unique conditions that provide challenges to meeting the design standards but also provide opportunities to mitigate effects of not meeting them. Design decisions regarding building form reflect a desire to protect public and private spaces from the Gorge winds. The placement of balconies then follows from these design decisions. This criterion is met.

2. *The proposal conforms to the extent practicable with these design standards.*

**Findings:** This allows the balconies to tuck inside of the building form, protecting them from the Gorge winds and maintaining the cohesive design as seen from the public rights-of-way. This criterion is met.

3. *Any impacts from the adjustments are mitigated to the extent practical.*

**Findings:** Abundant interior community space and exterior open spaces are provided that will mitigate for the elimination or reduction in the size of the private balconies. Connecting individuals to the community of residents in these areas outweighs the need for private outdoor space for these studio units. This criterion is met.

**Upper Floor Window Standards. TDC A.109.C**

1. *Glass area dimensions shall not exceed 5'x7'. (The longest dimension may be taken either horizontally or vertically.)*
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'.*

**Design Explanation:** The upper floor windows of the residential units have been provided with large windows to provide more day light and views for residents. The proposed windows are larger than 5'x7' and do not meet the standard of TDC A.109.C (3). These windows will better serve the residential use and will create a better visual rhythm to the building facades.

Approval criteria for Adjustment to TDC A.109.C:

1. *The adjustment is justified due to the unique site conditions.*

**Findings:** The standard requires large windows to be broken into smaller panes and requires 2-inches of trim. Due to the site's topography, the buildings will be set at varying elevations relative to surrounding publicly-accessible places and the building stories will not read consistently as upper-story windows, nor will viewers often see an entire façade at one moment. Including smaller panes and windows as the standard requires would create a disjointed visual for observers due to the topography. This is resolved making upper windows more consistent with lower windows. This criterion is met

2. *The proposal conforms to the extent practicable with these design standards.*

**Findings:** The standard seeks to limit the size of upper-story windows, requires 2-inches of trim, and encourages breaking up large windows into smaller panes. As explained above, the site topography combines with this requirement to produce a design that is not cohesive. The upper floor windows of the residential units are larger than the standard to provide more day light and views for residents which we believe will be necessary to attract and retain tenants. However, the design includes smaller panes to the extent practicable. The proportion of these windows is appropriate for the scale of the buildings and presents an opening and welcome façade to the community. This criterion is met.

3. *Any impacts from the adjustments are mitigated to the extent practical.*

**Findings:** The unique topography of the site screens many of the building facades from view from surrounding properties and rights-of-way. The articulation of the buildings and placement on the oddly-shaped site with four street frontages mitigates the slightly larger windows on upper stories. The window choice is appropriate for the topography and lends itself to a cohesive design. This criterion is met.

## **DEVELOPMENT STANDARDS**

The Project meets the relevant design and development standards as follows:

### **3.100 RESIDENTIAL ZONING DISTRICTS**

#### **3.130. Dimensional Standards for Residential Zoning Districts**

E. Multi-family. The standards within this Subsection shall apply for multi-family residential developments or buildings that do not have a ground-floor commercial component. For vertical-based mixed-use development, dimensional standards for commercial development shall apply unless otherwise referenced within this Code.

6. Maximum Density and Lot Size. Where the number of dwelling units erected on a lot is calculated in accordance with this Section, no greater number of units shall in any event be permitted at any time unless the lot is within the Town Center Overlay District, or except as may be approved under the Planned Development District.

**Findings:** This section requires a proposal with 85 units to have a lot size of 87,000 sf plus 1,500 x (85-38) = 157,500 sf. The site has a lot size of 156,014, which would only allow 84 units based on this calculation. However, the site is within the Town Center Overlay District and is permitted to exceed the maximum number of units. In addition, SB 8-B allows an affordable project to exceed the maximum density by 50%, which would allow a density of 126 housing units on this site. The proposed 85 units is consistent with the Town Center Overlay and within the additional density allowed by SB 8-B.

#### **3.140. Residential Densities**

A. *Minimum density.*

1. *Applicability. Minimum density standards shall apply to all residential development.*
2. *Standard. Residential development is required to be built at eighty percent (80%) or more of the maximum number of dwelling units per net acre unless another standard is explicitly stated within this Code. 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.*

B. *Maximum density.*

2. *Multi-family residential. See Subsection 3.130.E of this Code.*

**Findings:** Maximum residential densities in the MU-1 zone are directed to this section, which in turn directs multi-family development to 3.130.E of this code. Subsection 6 of this section requires a proposal with 85 units to have 157,500 sf of site area, however, the site is within the Town Center Overlay District and is permitted to exceed the maximum number of units.

### **3.200 MIXED-USE ZONING DISTRICTS**

#### **3.210. MU-1 | Downtown Mixed-Use**

*This district is intended to provide and promote a downtown business district that serves as the core of the Town Center district and is primarily oriented towards smaller-scale commercial development along a walkable “main street” setting. Residential uses may be considered in select circumstances. Lots are typically less than one-half acre in size and are dependent on public rights-of-way, publicly owned property, or alleys to handle parking and loading and provide for an attractive streetscape. Specific development and design criteria for development is specified in Section 8.210 of this Code. (Previously CBD)*

3.220. Land Use Table for Mixed-Use Zoning Districts

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

**Findings:** The land use table indicates that “Multi-family (residential units only)” is a permitted use subject to specific standards in section 8.150. “Multi-family (vertical mixed-use)” is also permitted with standards that “(varies, see 8.200)”. As this proposal contains only a single primary use – residential units. All other uses on the site (parking, playground, rental offices, community room) are accessory to the primary residential use. Therefore, the project is not a mixed-use<sup>1</sup> and is permitted as a Multi-family (residential units only) development.

3.230. Dimensional Standards for Mixed-Use Zoning Districts

A. *Non-residential uses (including vertical mixed-use with upper floor residential units):*

B. *Residential uses (excluding vertical mixed-use with upper floor residential units):*

**Findings:** The proposal is subject to dimensional standards of section B as a residential use and meets the standard as shown in the table below and the subsequent code sections:

<b>Dimensional Standard</b>	<b>MU-1</b>	<b>PROPOSAL</b>
<i>Minimum lot size (sq. ft.)</i>	<i>see 3.235.A</i>	156,014 sf
<i>Minimum lot width (ft.)</i>	15	380 ft
<i>Minimum lot depth (ft.)</i>	<i>see 3.235.B</i>	609 ft
<i>Minimum lot frontage (ft.)</i>	15	241 ft (SW 4 <sup>th</sup> St) 432 ft (SW 257 <sup>th</sup> Dr) 210 ft (SW Kendall Ct.) 199 ft (SW 2 <sup>nd</sup> St)
<i>Minimum setbacks (ft.):</i>		
<i>Front yard:</i>		
<i>without alley access</i>		
<i>to the garage door of units with a driveway from street</i>	20	N/A
<i>to the front façade of a residential unit</i>	15	Met
<i>to the front porch of a residential unit</i>	10	Met
<i>Side yard</i>	<i>see 3.235.C.2</i>	Met
<i>Building side</i>	0	Met
<i>Street side yard</i>	0 or 18 <i>see note 1</i>	Met
<i>Rear yard</i>	<i>see 3.235.C.5</i>	N/A
<i>Accessory structures</i>	<i>see 5.010</i>	Met

<sup>1</sup> *Mixed-Use Development. The development of a tract of land, building, or structure with a variety of uses, such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment, in a compact urban form.*

Maximum front yard setback (ft.)	N/A	N/A
Minimum building height (ft.)	N/A	N/A
Maximum building height (ft.)	35	<b>Makes use of SB 8-B</b>
Maximum building footprint size (sq. ft.)	N/A	N/A
Density standards	see 3.140	Set by Town Center Overlay

**Findings:** The height of the buildings exceeds the base zone standards, but SB-8B allows affordable housing projects to exceed maximum height regulations by up to 24 ft, resulting in a total allowable height of 59 ft for the Project. Each of the three buildings is well below 50 ft in height and meets applicable height limit.

3.235. Detailed Dimensional Standards

Listed below are detailed dimensional standards referenced from the tables found in Sections 3.130 and 3.230 of this Code that require additional context or explanation.

- A. Minimum lot size for residential uses. The minimum lot size shall be based on the minimum lot width and minimum lot depth standards.
- B. Minimum lot depth for residential uses.
  1. 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.
  2. Ninety (90) feet for residential units with access from an alley within an easement that is part of the lot.
  3. 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.

**Findings:** As depicted on the Exhibits, this lot exceeds 90 ft in depth and 15 ft in width. This standard is met.

C. Minimum setbacks.

1. Front yard. See table in Section 3.230 of this Code.

**Findings:** The minimum front yard setbacks are 15 ft to the front façade of a residential structure and 10 ft to a residential porch. Building A is the most prominent of the three buildings, occupying the corner of SW Kendall Ct and SW 2<sup>nd</sup> St. SW Kendall Ct. functions as the front lot line for the site and the community room is set back over 17 ft from the right-of-way in the “front yard”. The upper story units extend 5’ 3” beyond the first-floor community space, but these units are accessed internally, and this façade does not constitute the “front façade” of the unit.

2. Side yard.

- a. Abutting a non-residential or HDR zoning district: 5 feet.
- b. Abutting all other residential zoning districts.
  - i. 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.
  - ii. 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.*

- iii. *The minimum side yard setback from an adjoining rear yard may be reduced as provided in Subsection 3.235.C.6 of this Section.*

**Findings:** The relevant side yard setbacks are 5 feet to the non-residential property lines and 7.5 feet and 15 feet to the residential property located at the southwest corner of the site.

- 3. *Building side. See table in Section 3.230 of this Code.*

**Findings:** The building side is 0 ft.

- 4. *Street side yard. See table in Section 3.230 of this Code.*

**Findings:** The required side yard setback is 0 feet, or 18 feet if driveway access is taken from the street side yard. In this case, driveway access is taken from the dead end of SW 2<sup>nd</sup> St turn around where there is no building; therefore, the setback does not apply. Driveway access is taken from SW 4<sup>th</sup> St, where the building is set back greater than 18 ft..

- 5. *Rear yard.*

- a. *Abutting a non-residential zoning district:*

- i. *Without an alley: Ten (10) feet.*
- ii. *With an alley that is platted either as an easement or as a separate tract that is at least twenty (20) feet in width: Five (5) feet from the nearest edge of the alley.*

- b. *Abutting a residential zoning district:*

- i. *Without an alley:*
  - (a) *Single-story construction: Fifteen (15) feet.*
  - (b) *Two-story and greater construction: Twenty (20) feet.*
  - (c) *The minimum rear yard setback may be reduced as provided in Subsection 3.235.C.6 of this Section.*

**Findings:** The relevant rear yard setbacks are 10 feet to the non-residential property lines and 20 feet to the residential property located at the southwest corner of the site; however, the site is a corner lot with two additional non-intersecting frontages. SW Kendall Ct is the front lot line, therefore, the lot line abutting SW 257<sup>th</sup> is the property line directly opposite the front lot line. However, the definition of Rear Lot Line (1.020.80) specially defines it as a line that does not abut a street. Therefore, the site does not have a rear lot line and no rear yard setbacks apply.

- 6. *Reduced setback allowed. The minimum side yard setback for residential uses adjoining a rear yard in a residential zoning district other than HDR, 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.*

**Findings:** The proposal does not utilize these provisions to reduce the minimum side yard setbacks.

#### **4.600 TOWN CENTER TC**

*4.605. Applicability. The regulations and standards of this overlay district apply to land within the boundaries of the Town Center Planning as established in the Town Center Plan except they shall not apply to those properties designated Low-Density Residential/Open Space in the Plan. In the instance of conflicts between the provisions of this Section and provisions found in Chapters 3 or 8 of this Code, the provisions in Chapters 3 or 8 shall govern.*

**Findings:** The site is within the boundaries of the Town Center Plan as shown on the Zoning Map; therefore, the provisions of this section apply.

#### *4.610. Purpose and Intent*

*The purpose of this district is to encourage the downtown Troutdale area to grow as a diverse and viable town center. The Troutdale Town Center is envisioned as the district that provides shopping, employment, cultural, and recreational opportunities that serve the Troutdale area. In addition, the district allows for continued housing opportunities close to commercial activities. The intent of specific design standards for buildings, streetscapes, and parking within the TC district is to achieve development that is consistent with the design concepts outlined in the Town Center Plan. These design concepts include, but are not limited to, attractive pedestrian-oriented streets, providing a complementary mix of commercial and residential development, a connected network of streets and accessways to reduce automobile dependency, and avoiding walled streets.*

**Findings:** The Project will provide housing for tenants at a range of income levels near commercial activities. The Project meets the City’s design requirements or has obtained adjustment where the requirements would not produce the best design for the site. The Project is consistent with purpose and intent for the Town Center overlay.

#### *4.620. Permitted and Conditional Uses*

*Permitted and conditional uses are contained in the land use tables located in Chapter 3 of this Code.*

**Findings:** The proposed multi-family housing development is a permitted use in the land use tables of Chapter 3 as discussed above.

#### *4.630. Town Center Residential Densities.*

*Density standards are contained in provisions located in Chapter 3 of this Code.*

**Findings:** As discussed above, the density standards of Chapter 3 allow the number of multi-family units within the Town Center Overlay to exceed the maximum as determined by lot side. In addition, the provisions of SB 8B allow affordable housing to exceed the maximum density by an additional 50%, resulting in a maximum density of 126. The proposal for 85 units is well under this.

#### *4.640. Dimensional Standards.*

*Dimensional standards shall be the same as those listed in the underlying zone except as follows:*

- A. *Community Commercial (CC).*
- B. *General Commercial (GC).*

**Findings:** This site is zoned MU-1 and the relevant dimensional standards have been discussed above. These standards are met.

4.660. Residential Design Review. All residential development shall be subject to relevant development and design standards specified in Chapter 8 of this Code.

**Findings:** The proposal for residential development is subject to these standards, which are discussed below.

4.680. Street Design and Streetscapes. The following design standards shall apply within the Town Center district:

A. *Blocks and Access*. The perimeter of blocks shall not exceed fifteen hundred (1,500) feet. Blocks along arterial and collector streets shall be designed to allow streets to intersect in a manner that allows the side yards of development to abut the arterial or collector street. In general, development should not be designed with rear yards abutting arterials and collectors.

**Findings:** The site is within a block that exceeds the 1,500-foot standard of 4.680.A; however, there is not an opportunity to increase connectivity through the site given the existing development on the remainder of the block, the topography, and the inability to take gain access to SW 257<sup>th</sup> Dr.

B. *Street Termination*. Unless impractical due to efficiency of street layout and design, topography, or other site constraints of the property being developed, new street sections shall be no longer than twelve hundred (1,200) feet without providing a jog, a deflected view, traffic island, or a point of termination, such as a “T” intersection.

**Findings:** No new street sections are required or proposed; therefore, this standard does not apply.

C. *Streetscapes*. To encourage pedestrian-oriented streetscapes, the following standards shall apply:

1. *Fences and walls greater than three and one half (3 ½) feet in height shall be prohibited in front yards. If fences or walls greater than three and one-half (3 ½) feet in height are provided along street side yards or rear yards abutting streets, the fence shall be buffered from the public right-of-way by a landscaped strip no less than five (5) feet wide.*

**Findings:** No fences or walls are proposed in the front yard of the frontage on SW Kendall Ct. The other frontages on the site function as side lot lines and this limitation on wall height does not apply. This standard is met.

3. *Street trees are required along public streets in accordance with the City’s Tree Ordinance, Troutdale Municipal Code, Chapter 13.10.*

**Findings:** This standard will be met at the time of development.

4. *Local residential streets shall have a pavement width of twenty-eight (28) feet, with sidewalks set back and separated from the street by a planting strip of five (5) feet in width. The street shall provide on-street parking on both sides of the street.*

**Findings:** The site is zoned and surrounding by properties that are zoned Mixed-Use, therefore, the adjacent streets are not local residential streets and these standards do not apply

4.690. Off-Street Parking and Loading.

*Off-street parking and loading shall be provided in accordance with the requirements of the underlying zoning district, Section 8.150, and Chapter 9 of this Code as applicable.*

**Findings:** The Project includes fewer than the minimum off-street parking spaces required by Chapter 9. However, because the Project includes qualified affordable housing the Project is exempt from parking minimums under CFEC as discussed above. The Project has chosen to provide 109 on-site spaces. The other standards of Section 8.150 and Chapter 9 are met.

## **CHAPTER 5 MISCELLANEOUS REGULATIONS**

### **5.010. Accessory Structures**

*Accessory structures are defined in Section 1.020 of this Code and include frame-covered accessory structures. The provisions of this Section apply only to accessory structures affiliated with residential uses.*

- B. Regulatory Requirements.** *No accessory structure, regardless of whether the structure requires a building permit, shall be erected or maintained, and no existing residential accessory structure shall be altered, converted, enlarged, moved, or maintained unless the structure complies with the following:*
1. *Cargo shipping containers are not permitted as accessory structures.*
  2. *No accessory structure shall be located:*
    - a. *Within the front yard setback or between the street and the front building plane of the dwelling;*
    - b. *Less than three (3) feet from the rear property line;*
    - c. *Less than three (3) feet from the side property line;*
  3. *No accessory structure shall exceed:*
    - a. *One thousand (1,000) square feet in floor area for any single accessory structure.*
    - b. *Twenty-five percent (25%) of the gross lot area, or fifty percent (50%) of the area of the required rear yard for all accessory structures cumulatively.*
    - c. *Twenty (20) feet in height.*
    - d. *Ten (10) feet in height or two hundred (200) square feet in size if located within a side or rear yard setback.*

**Findings:** All accessory structures meet these standards as shown on the Civil Plans.

### **5.040 Clear Vision Areas.**

- A. *A clear vision area shall be maintained as provided below.*
- B. *The clear vision area is a triangle that is measured according to the following:*
  1. *A clear vision area at intersections of local streets with local streets shall consist of a triangular area, two (2) sides of which are the curb lines extended in a straight line to a point of intersection and so measured as defined and illustrated in Figure 5.040(A), and the third side of which is a line joining the non-intersecting ends of the other two sides. Where no curb exists, the edge of street pavement shall be used in lieu of the curb line.*
  2. *Driveways and alleys intersecting with local public streets shall have and maintain a clear vision triangle with its base measured along the face of curb parallel to the public way for one hundred ten (110) feet in both directions from the center of the driveway, and the other sides extending toward the apex of the triangle in the center of the driveway fifteen (15) feet from the street curb line (see Figure 5.040(B)). Where no curb exists, the edge of street pavement shall be used in lieu of the curb line.*
  3. *The clear vision area for local streets, alleys, and driveways intersecting with a county or state road shall comply with jurisdictional standards.*

4. *Alternatively, a clear vision triangle may be established by a site- specific analysis conducted by an Oregon Design Professional in accordance with the standards set forth in the most current edition of "A Policy on Geometric Design of Highways and Streets" published by the American Association of State Highway and Transportation Officials.*

**Findings:** The site distances at the intersection and proposed driveways are sufficient as shown on the attached plans.

- C. Except as provided below, within clear vision areas, no vehicle, fence, wall, hedge, or other planting or structure (temporary or permanent) shall be parked, erected, planted, placed, located, or maintained above three (3) feet in height measured from the top of the curb or, where no curb exists, from the established street centerline grade of the intersecting streets and from the driveway centerline at a driveway intersection, except for occasional tree trunks, mail boxes, street sign posts, or utility poles, so as to impede visibility within the clear vision area.

**Findings:** The vision area will remain clear as specified in these standards.

#### 5.050 Fences, Walls and Windscreens.

- A. *Fences and retaining walls on lots zoned residential shall comply with the following:*

1. *The clear vision standards of Section 5.040 of this Code.*
2. *Not exceed four (4) feet in height if located in a required front yard setback, except the height limit shall be six (6) feet for a dwelling that existed prior to June 9, 1987 and which fronts a major arterial.*
3. *Not exceed seven (7) feet in height if located in a required side or rear yard setback area.*
4. *Fences and retaining walls shall be constructed of wood, brick, masonry cement, chain link, plastic, wrought iron or similar residential-type materials. The use of barbed wire, electric fences, sheet metal or other non-residential materials is prohibited.*

**Findings:** The site is not zoned residential; therefore, these standards do not apply. There are several retaining walls proposed for the Project due to the complicated topography of the site. These vary in height, but in most cases are not visible from the public right-of-way or adjacent properties. The site sections show that these walls are outside of the required setbacks.

- B. *Fences, retaining walls on lots zoned commercial or industrial shall comply with the following:*

1. *The clear vision standards of Section 5.040 of this Code.*
2. *Not exceed three and one-half (3 1/2) feet in height if located in a required front yard setback,*
3. *Not exceed six (6) feet in height if located in a required side or rear yard setback area.*

**Findings:** The MU-1 base zone is included in the Mixed-Use Zoning Districts; therefore, these standards do not apply. The clear vision standards of Section 5.040 are met. All retaining walls that exceed six (6) feet in height are placed outside of required side or rear yard setbacks.

#### 5.300. Nonconforming Uses.

**Findings:** The site and project do not include nonconforming elements.

#### 5.700. Stormwater Management

5.730 Applicability. *No land use action shall be approved which does not make adequate provisions for stormwater or floodwater runoff. The stormwater drainage system shall be separate and*

*independent of any sanitary sewer system. Water quality treatment for stormwater is required as indicated in the City's Construction Standards for Public Works Facilities.*

**Findings:** The project civil engineer has developed a preliminary plan to manage stormwater separately from the sanitary sewer system on the development portions of the site.

## **8.000 GENERAL STANDARDS**

### **8.010. Purpose**

*The purpose of this Chapter is to advance all of the following objectives in the public interest:*

- A. *Carry out the development pattern and plan of the City and its comprehensive plan policies through efficient and effective review of site development proposals;*
- B. *Promote the public health, safety and general welfare;*
- C. *Provide adequate light and air, prevent overcrowding of land, and provide for adequate transportation, water supply, sewage, fire protection, pollution control, surface water management, and protection against natural hazards; and*
- D. *Encourage efficient use of land resources and public services, and provision of transportation options.*

### **8.020. Applicability and Exemptions**

- A. *General Standards. Unless otherwise stated, standards in Sections 8.030 to 8.099 of this Division shall apply to all existing uses and development, and to new or expanded uses or development, regardless of zoning district, land use designation, or site development review requirements as described below.*
- B. *Specific Standards. Unless otherwise stated, standards in the following Divisions shall apply to existing uses and development, and to new or expanded uses of development as contained below:*
  - 1. *Residential standards in Division 8.100 of this Chapter shall apply to all residential development and uses in any zoning district, except for those in mixed-use zoning districts.*
  - 2. *Mixed-use standards in Division 8.200 of this Chapter shall apply to all mixed-use development and uses, dependent on the zoning district designation.*
  - 3. *Commercial standards in Division 8.300 of this Chapter shall apply to all commercial development and uses in any zoning district, except for those in mixed-use zoning districts.*
  - 4. *Industrial standards in Division 8.400 of this Chapter shall apply to all industrial development and uses in any zoning district, except for those in mixed-use zoning districts.*
  - 5. *Other standards contained in Division 8.500 of this Chapter shall apply in accordance with applicability standards contained therein.*

**Findings:** The Project consists of residential use in a mixed-use zoning district. Applicable standards and findings are discussed herein.

**8.030 Pedestrian Walkways.** *In addition to the standards above, all industrial parks, commercial developments, and community service uses shall meet the following requirements for pedestrian walkways:*

**Findings:** This proposal is for residential uses only; therefore, these standards do not apply.

**8.040 Transit Facility Design.** *Any Type II land divisions where further divisions are possible, and all Type III land divisions, multiple-family developments, community services uses, and commercial or industrial uses located on an existing or future transit route shall meet the requirements of TriMet for transit facilities. Applicants shall consult with TriMet to determine necessary transit facility*

improvements in conjunction with the proposed development. Proposals shall be consistent with the road crossing improvements that are identified in the City Transportation System Plan on streets with existing or planned transit service.

**Findings:** The applicant has been in consultation with TriMet.

*8.045 Additional Transit Related Design Standards. All commercial and community service development...*

**Finding:** The proposed use is for only residential use; therefore, these design standards do not apply.

**8.060. Landscaping and Screening**

A. *Minimum Basic Improvements. These standards apply to developments other than single-family detached and duplex dwelling units on a single lot.*

1. *The minimum area of a site to be retained in landscaping shall be as follows:*

*MU-1 – Downtown Mixed-Use 5%*

**Findings:** As shown on the landscape plans (L1.00—L1.03), landscaping exceeds the 5% minimum coverage in the zone. This standard is met.

2. *For multi-family residential development and mixed-use development, usable recreation areas shall be provided for development containing more than five (5) dwelling units at the rate of two hundred (200) square feet per dwelling unit. Such areas shall be counted as part of the required landscaping percentage. Examples include, but are not limited to, playgrounds, exercise trails, swimming pools, etc.*

**Findings:** As shown on the landscaping plans (sheets L1.01—L1.03), the required amount of usable recreation area is provided. This standard is met.

3. *Except for portions approved for parking, loading, or traffic maneuvering, a required setback area abutting a public street, and open area between the property line and the roadway in the public street, shall be landscaped. This landscaping shall be counted as part of the required landscaping percentage, except for that portion of the landscaping within the street right-of-way.*

**Findings:** As shown on the landscaping plans and Sheets L1.01—L1.03, the required areas will be landscaped. This standard is met.

4. *Site-obscuring shrubbery or a berm, wall, or fence shall be placed along the boundary of each classification of zone, i.e. residential, commercial or industrial, and around unsightly areas such as a trash or equipment storage area, or an outdoor industrial or commercial activity.*

**Findings:** The southwest corner of the site borders properties residentially-zoned properties that are elevated above the grade of the Project site. The setback area and an additional 8' will be landscaped with sight obscuring plantings behind a fence that will limit the view of the development to only the top floor of the adjacent buildings. Similar plantings will be placed around the trash enclosures. This standard is met.

5. *Landscaping that is required by a land use approval shall be irrigated to ensure the survivability of the landscaping.*

6. *At least seventy-five percent (75%) of the required landscaped area shall be planted with a suitable combination of trees, shrubs, or evergreen groundcover.*

7. *Plant Material:*
8. *Landscaped areas may include architectural features or artificial groundcovers such as sculptures, benches, masonry or stone walls, fences, rock groupings, bark dust (medium coarse), decorative hard paving, and gravel areas, interspersed with planted areas. The exposed area developed with such features shall not exceed twenty-five percent (25%) of the required landscaped area. Artificial plants are prohibited in any required landscaped area.*

**Findings:** These standards will be met at the time of development.

9. *Existing trees with a six (6) inch DBH or greater shall be preserved except when removal is specifically authorized by the Site and Design Review Committee or in the development approval.*

**Findings:** The tree schedule and plans in Sheets L2.01—L2.03 show the trees proposed for removal to allow proposed development or because they are either an invasive species or are dead, dying, or dangerous as determined by the project landscape architect. This standard will be met.

10. *The area of the vegetation corridor on a site being developed counts toward the required landscape area.*

**Findings:** The site does not contain a Vegetation Corridor; therefore, this does not apply.

**B. Garbage and Recycling Container Enclosures.**

*All enclosures used to contain garbage and recycling containers at multiple-family, commercial, industrial, or institutional developments must conform to the following minimum standards:*

1. *Screening. All enclosures for garbage and recycling containers must be screened from public view. Screening shall consist of six (6) foot high walls constructed of any of the following materials:*
  - a. *Cyclone fencing with slats.*
  - b. *Wooden fencing.*
  - c. *Concrete blocks.*
  - d. *Materials other than the above-mentioned as approved on a case-by- case basis.*
2. *Gates. Gates must meet the following requirements:*
  - a. *Must have a latch or some type of device which will keep the gate shut after it is closed. The device can be above or below ground.*
  - b. *Must have a mechanism to keep gates open during trash removal. The device can be above or below ground.*
  - c. *Wheels are not required; however, the hinge must be adequate to support the weight of the gate.*
3. *Base Material/Flooring. The entire base dimension must meet the following requirements:*
  - a. *Must be made out of concrete. Concrete shall have a nominal thickness of four (4) inches. Exceptions to the base materials may be approved by the Director where warranted.*
  - b. *Must be positively sloped to the drainage system.*

**Findings:** The garbage and recycling enclosures meet these specifications including walls that are 6-feet high made of concrete blocks and chain-link with privacy slats, mechanized gates, and concrete floors sloped to the drainage system. These standards are met.

**8.150. Multi-Family Residential Projects and Dwellings**

**B. Design Standards.**

1. *Building Entrances. The primary entrance to buildings that do not have residential units above or below other residential units shall face toward a public or private street, unless the lot configuration, site characteristics, onsite circulation, or other conditions make it impractical to face a building's primary entrance to the street. Exception: A primary entrance is not required to face a street designated as an arterial.*

**Findings:** The three buildings proposed for apartments all have residential units above and below other residential units; therefore, the building entrances standards do not apply.

2. *Building Separation. Multiple residential buildings on a single lot shall be separated at least fifteen (15) feet from one another.*

**Findings:** Building A is located 79"- 8" from Building B, which is at the closest point to Building C, is separated by 16'-8" as shown on Sheet G0.01. This standard is met.

3. *Pedestrian Access and Circulation.*

- a. *Private streets or driveways greater than twenty (20) feet in length and that serve more than one (1) dwelling unit shall have sidewalks on at least one (1) side that connect to the nearest public street.*
- b. *Each primary entrance to a residential building shall be connected to a sidewalk onsite that connects to either a public street, private street, or driveway.*
- c. *Onsite pedestrian circulation shall be continuous and connect streets abutting the site, ground level entrances, common buildings such as laundry and recreation facilities, parking areas, shared open space and play areas, abutting transit stops, and any pedestrian amenities such as plazas, resting areas, and viewpoints. There shall be at least one (1) pedestrian connection to an abutting street frontage for each two hundred (200) linear feet of street frontage.*
- d. *Vehicle/pedestrian conflicts shall be minimized by providing pedestrian routes that are separated from parking lots, including onsite sidewalks that connect to garbage enclosures or recycling areas and mailboxes.*

**Findings:** There is a complete pedestrian network within the Project that serves all buildings, garbage enclosures, mailboxes, and parking areas. The driveways to the site all have at least one sidewalk that connects to the nearest public street and all the building entrances connect to a sidewalk that connects to a street. These standards are met.

4. *Architectural Elements and Building Facades. Residential units shall be designed with vertical and horizontal offsets to break up rooflines, define private outdoor areas, allow greater views, and admit light and air to unit interiors. Large, blank walls shall be avoided. Windows and projecting walls shall be used to break up larger walls in order to establish visual interest.*

- a. *No wall of a residential building shall exceed a length of fifty (50) feet without a foundation offset of at least four (4) feet for a distance of at least sixteen (16) feet.*

**Findings:** Façades on each of the three buildings exceed the 50' standard or include offsets less than 16'. In most cases, these long facades are at the end of building forms and face side lot lines. Where they face public areas, entrances, articulation in rooflines, balconies, and sequences of windows meet the intent of the standard in avoiding large, blank walls. An adjustment is granted to this standard for the reasons discussed above.

- b. *The wall of a building that faces a public street shall incorporate architectural features including, but not limited to, at least three (3) of the following:*
- I. *Porches.*
  - II. *Balconies.*
  - III. *Dormer windows.*
  - IV. *Recesses/alcoves.*
  - V. *Unique entry areas, such as porticos or atriums.*

**Findings:** The building orientations are shown on Sheet A1.00 and elevations are found in Sheets A4.01—A4.04. Perspective views of the facades are provided in Sheets G2.00—G2.02. Each of the facades that faces a street meets the standards.

- c. *The same level of architectural design and quality of materials shall be applied to all sides of the building.*

**Findings:** As seen in the elevations (A4.00-A4.04) and the perspective drawings (G2.00—G2.02), the same level of architectural design and quality of materials has been applied to all sides of the three buildings. This standard is met.

- d. *The following window detail shall be incorporated into the building design:*

- I. *Windows shall account for at least fifteen percent (15%) of any rear or front building elevation no matter what the building's orientation on the lot is.*
- II. *Windows shall account for at least ten percent (10%) of any side building elevation no matter what the building's orientation is.*
- iii. *All windows shall have outer casings or frames.*

**Findings:** As seen in the elevations (A4.00—A4.04) and Window Schedule (A6.00), the standards for the amount of windows and the window details are met on all of the facades.

- e. *Garages, carports, and accessory structures shall maintain the same level of design, aesthetic quality, and architectural compatibility as the residential structure(s).*

**Findings:** The trash enclosures show a similar level of detailing and design as the residential buildings that is appropriate to their utilitarian nature and low visibility on the site.

- f. *Roofline offsets shall be provided at intervals of forty (40) feet or less to create variety in the massing of structures and relieve the effect of a single, long roof. Roofline offsets shall be a minimum four (4) foot variation either vertically from the gutter line, or horizontally.*

**Findings:** Roof lines do not meet the numerical standard of offsets every 40' but the rooflines are articulated in a manner that meets the intent of the standard to create variety in the massing of the structure and avoid the effect of a single, long roof. An adjustment is granted to this standard for the reasons discussed above.

- g. *The rooflines of attached dwellings shall be multi-gabled or have varied parapets over every unit's main entrance.*

**Findings:** This is demonstrated in the elevations (A4.00-A4.04) and the perspective drawings (G2.00—G2.02). This standard is met.

- h. *Rooflines, porches, and doors shall have trim.*

**Findings:** The Door / Window schedules (A6.00) and Exterior Detail Sheets (A8.10,A8.30, A8.02) demonstrate this required detailing. This standard is met.

5. Off-Street Parking, Garages, and Carports. *In addition to the standards of Chapter 9, Off-Street Parking and Loading, off-street parking for attached dwellings on a single lot shall include these design standards:*

a. *Parking lots may not be located between a multiple-family structure and the right-of-way the structure fronts on.*

**Findings:** The parking lots are not located between any of the buildings and the front lot line on SW Kendall Ct. The other lot lines that abut streets function as side lot lines and do not provide frontage. Therefore, all the parking lots are in compliance with this standard. Parking Lot C is located between SW 4<sup>th</sup> St and Building C but it is well below the adjacent sidewalk in grade and landscaping will obscure it from view.

b. *If there is no parking lot or alley access...*

**Findings:** This criterion does not apply since parking lots are provided.

c. *Side and rear yard setbacks for parking lots and/or garages shall be the same as the minimum building setbacks of the underlying zoning district or the same as the minimum building setback of any adjacent residential zoning district, whichever is more restrictive. Side and rear yard setbacks based on building height shall not be applied to parking lots or the access driveways.*

**Findings:** As shown on Sheet A1.00, the parking lots remain outside of the minimum building setbacks as determined by the more restricted adjacent residential zoning. This standard is met.

6. Outdoor Private Space. *Outdoor private space is required for each residential dwelling unit.*

a. *Each ground level dwelling unit shall have an attached accessible outdoor private space of not less than sixty (60) square feet in area. Individual outdoor areas for ground level units must be visually screened from each other by walls, fences, or vegetation screening that is at least six (6) feet high and totally sight-obscuring.*

b. *Each upper level unit shall have an attached outdoor private space, such as a balcony, of not less than sixty (60) square feet in area. The area shall be enclosed, screened, or otherwise designed to provide privacy from adjacent units by walls, building offsets, or similar sight-obscuring screening.*

**Findings:** The ground floor units have 50 sf (5'x10') individual outdoor areas that are delineated by a 42-inch perforated metal screen. Landscape plantings and screens are provided in front for privacy. An adjustment is granted to this standard to allow provision of 60 sf balconies and to eliminated the balconies for three studies for the reasons discussed above.

7. Recreation Areas.

a. *Recreational facilities or open space areas are required for attached dwelling developments that contain six (6) or more dwelling units on one (1) lot. Such recreational facilities and open space areas must be located on the development site or on a lot adjacent to the site. Common recreation areas, whether indoor, outdoor, or both, shall be provided at the rate of at least two hundred (200) square feet per*

*dwelling unit. No more than fifty percent (50%) of the required recreation area may be in passive open space. Recreation facilities may include children's play structures and play equipment and shall be located outside of bioswales, detention ponds, steep slopes, or a vegetation corridor as defined in this Code. More than one (1) recreation area may be developed on the site. Any play structure exceeding ten (10) feet in height must comply with the underlying zoning district setbacks.*

**Findings:** Attached dwelling in the Troutdale Development Code refers narrowly to single-family development with common vertical walls (1.020.46). Multi-family apartments are a separate category. Therefore, this standard does not apply to the proposal. The site does contain abundant recreation and open space areas that account for more than 20,000 sf of area and include playgrounds, active recreational uses, and community gardens.

### **Chapter 9, Off-Street Parking and Loading**

**9.005. Off-Street Parking Required.** *Off-street parking and loading space shall be provided for all developments....*

**Findings:** Multiple-family dwelling (apartments) have a minimum of 2 spaces per dwelling plus one space per three dwelling units for guest parking. There is no maximum.

### **9.010. Residential Off-Street Parking Space Requirements.**

**Findings:** The minimum off-street parking space requirements are as follows: 85 units x 2 spaces = 170. However, as referenced above, the CFEC rules eliminate any minimum parking requirement for affordable housing development.

### **9.030. Off-Street Parking within the Town Center Overlay District.**

A. *No minimum off-street parking spaces are required for non-residential uses in the Central Business District (CBD) or Mixed Office/Housing (MO/H) zoning districts. Within these zones, a minimum of two (2) parking spaces per unit is required for residential uses, except that residential units in conjunction with commercial uses are required to have a minimum of one (1) parking space per residential unit.*

**Findings:** The site is within the Town Center Overlay District; therefore, the minimum parking is two (2) parking spaces per unit for residential uses or one (1) in conjunction with commercial uses. For 85 units, this would result in a minimum required parking of 170 spaces. However, as referenced above, the CFEC rules eliminate any minimum parking requirement for affordable housing development.

B. *Except for residential units on individual lots, no use within the Town Center Overlay District shall be permitted to exceed the required minimum amount of off-street parking by more than ten percent (10%); however, each use shall be allowed at least one (1) parking space in excess of the minimum amount required.*

**Findings:** This proposal does not seek to exceed the minimum. However, if a commercial use was added to the proposal, the required minimum parking would drop to 85 spaces and the number of spaces currently proposed (109) would need to be reduced to meet this standard.

### **9.40. Reduction of Required Parking Spaces.**

A. *Any existing or proposed use subject to minimum off-street parking requirements and located within four hundred feet (400) feet of an existing transit route may reduce the number of required parking spaces by up to ten percent (10%) by providing a transit stop and related amenities including a public plaza, pedestrian sitting areas, or additional landscaping, provided such landscaping does not exceed twenty-five percent (25%) of the total area dedicated for transit-oriented uses.*

- B. *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.*

**Findings:** These provisions provide a reduction in requirement parking for sites with transit access. The site is adjacent to an existing transit route and therefore may reduce the number of required parking spaces if a transit stop is provided.

- C. *Required off-street parking spaces may be reduced by one (1) parking space for every on-street parallel parking space located adjacent to the subject site. For purposes of calculating the amount of adjacent on-street parking spaces, the following applies:*

1. *Adjacent shall mean on the same side and within the same block as the use.*
2. *The minimum length of each on-street, parallel parking space shall be twenty-two (22) feet.*
3. *If a continuous section being measured contains a fractional portion of twenty-two (22) feet, then the number of on-street spaces for that continuous section shall be rounded down to the next lower whole number.*
4. *Breaks in the on-street parking for driveways or similar parking restrictions, such as fire hydrants, shall not be counted.*

**Findings:** This project will provide 145 spaces: 109 on-site spaces, 10 on-street parallel parking spaces, and 26 additional head-in parking spaces on SW 2<sup>nd</sup> St. The 10 on-street parking spaces on SW 4<sup>th</sup> St and SW Kendall Ct meet the above standards, reducing the required parking by an equal amount, resulting in a minimum required on-site parking requirement of 160 parking spaces for 85 multi-family housing units (85 units x 2 spaces per unit -10 on-street, parallel spaces). As referenced above, the CFEC rules eliminate any minimum parking requirement for affordable housing development.

- D. *Uses which are not eligible for these reductions include truck stops, building materials and lumber sales, nurseries, and similar uses not likely to be visited by pedestrians or transit customers.*

**Findings:** As a use likely to be visited by pedestrians and transit customers, the proposed residential use is eligible for these reductions.

9.045. Landscaping and Screening.

- A. *Except for a residential development which has landscaped yards, parking areas containing more than twenty (20) vehicle spaces shall include landscaping to cover not less than ten percent (10%) of the area devoted to parking facilities. The landscaping shall be uniformly distributed throughout the parking area and may consist of trees, shrubs, or groundcover.*

**Finding:** The proposal is for a residential development with extensively landscaped yards; therefore, this standard does not apply.

- B. *Parking areas shall be divided into bays of not more than twenty (20) parking spaces in parking areas with twenty (20) or more spaces. Between, and at the end of each parking bay, there shall be planters which have a minimum width of five (5) feet and be at least seventeen (17) feet in length. Each planter shall contain one major structural tree and groundcover which has been deemed appropriate by the Director. Truck parking and loading areas are exempt from this requirement.*

- C. *Parking area setbacks shall be landscaped with major trees, shrubs, and groundcover as specified in Chapter 11, Landscaping and Screening, of this Code.*

- D. *Wheel stops, bumper guards, or other methods to protect landscaped areas shall be utilized. No vehicles may project over a property line. No vehicle shall overhang a public right-of-way, sidewalk, or landscaped area unless adequate area is provided for safe pedestrian circulation.*  
**Finding:** None of the parking areas have bays that exceed 20 spaces. The landscaping plans, L1.01—L1.03, show the required planters. The necessary wheel stops will be provided. These standards are or will be met.
- E. Fences, walls, or hedges shall not be placed within front or street side setback areas except at the street side edge of parking lots when allowed within setbacks.  
**Findings:** The proposed lots are in compliance with this standard. Lot C has a retaining wall at the street-side edge; however, it is located beyond the required setback and is hidden from street view because the parking lot is below the elevation of the right-of-way.
- F. *Where parking adjoins a residential zoning district, there shall be a sight-obscuring screen which is at least eighty percent (80%) opaque when viewed horizontally from between two (2) and eight (8) feet above average ground level. The screening shall be composed of materials which are an adequate size so as to achieve the required degree of screening within three (3) years after installation.*  
**Finding:** The landscaping plans, L1.01—L1.03, show the required plantings are shown in the setbacks adjoining residentially zoned properties that will meet this standard.

9.050. Paving.

**Findings:** The parking areas and approaches will be paved to City standards. These standards will be met.

9.055 Drainage. *Parking areas, aisles, and turnarounds shall have provisions made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public right-of-ways, and abutting private property*

**Findings:** As shown on the C series Civil Plans (C2.00—C3.00), the proposed grading of the parking lots provides for the collection of drainage waters. Stormwater facilities are detailed in sheets C3.00, C3.02. These standards are met.

9.060 Lighting.

*Artificial lighting shall be provided in all required off-street parking areas. Lighting shall be deflected so as not to shine directly into adjoining dwellings or other types of living units and so as not to create a hazard to the public use of a street. Lighting shall be provided in a bicycle parking area so that all facilities are thoroughly illuminated and visible from adjacent sidewalks or motor vehicle parking lots during all hours of use. Lighting fixtures shall also comply with the requirements of Troutdale Municipal Code, Chapter 8.26.*

**Findings:** Lighting will be provided to illuminate parking areas, bicycle parking and entrances. These lights will be shielded to avoid spill over into other properties. These standards will be met.

9.070. Driveways.

- A. *A driveway to an off-street parking area shall be improved from the public roadway to the parking area a minimum width of twenty (20) feet for a two-way drive or twelve (12) feet for a one-way drive, but in either case not less than the full width of the approach for the first twenty (20) feet of the driveway. The improvement shall be constructed to the standards for private drives.*

**Findings:** There are two access points to the site. Each will be improved to the standards for private drives.

B. *A driveway for a single-family or two-family dwelling shall have a minimum width of ten (10) feet.*

**Findings:** The proposal is for multi-family residential use. This standard does not apply.

C. *Driveways, aisles, turnaround areas, and ramps shall have a minimum vertical clearance of twelve (12) feet for their entire length and width, but such clearance may be reduced in parking structures.*

**Findings:** This vertical clearance standard will be maintained. This standard is met.

D. *Parking lots more than three (3) acres in size intended for use by the general public shall provide street-like features along driveways, including curbs, sidewalks, street trees or planting strips, and bicycle routes.*

**Findings:** The proposal does not include parking lots larger than three acres. This standard does not apply.

#### 9.075 On-Site Circulation.

**Findings:** All parking spaces will be permanently marked, and adequate aisles or turnaround areas provided so that vehicles may enter the street in a forward manner. The on-site circulation standards are met.

9.080 Bicycle Parking Facilities. *Multiple-family developments; industrial, commercial and community service uses; transit transfer stations; and park and ride lots, shall meet the following standards for bicycle parking facilities:*

A. *Number/Type.*

- 1. The required minimum number of short-term bicycle parking spaces (stays of less than four (4) hours) shall be five percent (5%) of the total number of automobile parking spaces provided for the use. In no case shall less than one (1) bicycle parking space be provided even when no automobile parking spaces are being provided.*
- 2. The required number of long-term bicycle parking spaces (stays of more than four (4) hours and all-day/monthly) shall be three percent (3%) of the total number of vehicle parking spaces provided for the use and fractions rounded down.*

**Findings:** Minimum short-term bicycle parking for the proposal is 9 spaces (5% \* 170 required spaces). Minimum long-term bicycle parking is 5 (3% \* 170 required spaces).

B. *Location.*

- 1. Bicycle parking shall be located on-site, convenient to building entrances, and have direct access to both the public right-of-way and to the main entrance of the principal use.*
- 2. For facilities with multiple buildings or parking lots, bicycle parking shall be located in areas of greatest use and convenience to bicyclists.*

C. *Parking Space Dimensions. Each required bicycle parking space shall be at least two and one half (2.5) feet-by-six (6) feet, and when covered, provide vertical clearance of at least seven (7) feet. An access aisle of at least five (5) feet wide shall be provided and maintained beside or between each row of bicycle parking. Vertical or upright bicycle storage structures are exempted from the parking space length standard.*

D. *Parking Facilities. Bicycle parking facilities shall offer security. Long-term bicycle parking shall be in the form of a lockable enclosure, a designated bicycle storage area inside a building on-*

site, a covered rack, or another form of secure parking where the bicycle can be stored, as approved by the Director. Short-term bicycle parking shall be in the form of a stationary object (i.e., a “rack”) or other approved structure, covered or uncovered, to which the bicycle can be locked. Bicycle racks shall be securely anchored to the ground or to a structure and shall be designed to hold bicycles securely by means of the frame. Bicycle parking facilities shall be constructed so as to not obstruct walkways.

- E. *Signing.* Where bicycle parking facilities are not directly visible and obvious from the public right-of-way, entry and directional signs shall be provided to direct bicyclists from the public right-of-way to the bicycle parking facility.

**Findings:** Bicycle parking that meets these standards is shown on Sheet L1.01. Two bicycle racks will be placed at the north end of Building C and 3 will be placed at the frontage on SW Kendall Ct adjacent to the sidewalk, the playground, and the community room. Long-term bicycle parking will be provided in a designated bike storage room in Building C that contains 4 racks. If deemed necessary, signage will be provided. These standards are met.

9.085 Setbacks.

- A. *Parking areas which abut a residential zoning district shall meet the building setback of the most restrictive adjoining residential zoning district.*

**Findings:** The southwest corner of the site abuts R-5 zoning on TL 3100 and TL3200 (201 and 225 SW 4<sup>th</sup> St). In the R-5 zone, the building setback is 10'. Parking Lots B and C are each set back more than 15' from the shared property line (Sheet A1.00). Therefore, these standards are met.

- B. *Required parking shall not be located in a required front or side yard setback area abutting a public street except in industrial districts. For single-family dwellings, required parking may be located in front of a garage.*

- D. *Parking areas shall be set back from a lot line adjoining a street the same distance as required building setbacks. Regardless of other provisions, a minimum setback of ten (10) feet shall be provided along the property fronting on a public street in an industrial district. The setback area shall be landscaped as provided in this Code.*

**Findings:** Parking Lot C is located greater than 10' from the street lot line on SW 4<sup>th</sup> St. The building is setback 84'-3" from SW 4th, and the side yard setback is 23'-6.5" to the east, respectively. Parking Lot B and E take access from the Right of Way parking lot on SW Kendall Ct, but each of the parking areas are set back 10' from the right-of-way. Therefore, these standards are met.

9.110 Design Requirements for Off-Street Parking. The following off-street parking development and maintenance shall apply in all cases:

**Findings:** As shown on Sheet A1.00 and the C series Civil Plans, the proposed layouts of the parking lots meet the dimensional standards of this section.

9.120 Off-Street Parking Plan. A plan drawn to scale, indicating how the off-street parking and loading requirement is to be provided...

**Findings:** As shown on Sheet A1.00 and the C series Civil Plans (C2.00—C3.00), the proposed layouts of the parking lots meet the dimensional standards of this section. Stormwater facilities are detailed in sheet C3.01—C3.02. These standards are met.

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

**Findings:** Per the Town Center Overlay (4.660), the Residential Design Review for multi-family development in the Town Center overlay does not mention compliance with Appendix A, only a Commercial Design Review does (4.650). However, the final provision in the Appendix (A.116) appears to require all development subject to site and design review to be subject to the Appendix. Since the “Central Business District” is a term that is no longer found on the Zoning Map, this Appendix does not apply to this MU-1 site within the Town Center overlay. Therefore, we find that the following standards do not apply. However, if it is determined that these standards are applicable, we find they are met as follows.

*A.101 Purpose.*

- A. The purpose of these design standards is to guide the design of buildings constructed in the MU-1 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 MU-1 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 2<sup>nd</sup> Street extended west to its intersection with 257<sup>th</sup> Avenue from 257<sup>th</sup> Avenue to the SE Sandy Street right-of-way.*

**Findings:** As discussed above, the site meets the dimensional standards of the CBD zoning district, the proposed development meets the setback requirements, and the landscaping exceeds the minimum 5%. These standards are met.

- 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.*

**Findings:** The site does not have frontage on the Historic Columbia River Highway; therefore, this standard does not apply.

*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.*

**Findings:** The buildings are below surrounding grade which presents a constrained scale and bulk when viewed from the street. While located at the corner of SW 2<sup>nd</sup> St and SW Kendall Ct, the primary entrance to Building A will be from the plaza accessed from SW Kendall Ct, which features site furniture, an overhead canopy, and large-format pavers (L1.01). Buildings B and C have individual unit entries, but generous breezeways will function as primary entrances into the complex (L1.00—L1.02). These standards are met.

*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.*

**Findings:** There are a variety of storefront forms and material treatments in the vicinity, but few traditional storefronts directly adjacent to the location of the proposed development. The public facing facades of the proposed Project buildings are articulated into smaller units and scaled to be compatible with the forms of traditional storefronts. The focal point of the development is from the corner of SW Kendall Ct. and SW 2<sup>nd</sup> St and the generous storefront window coverage of the Community Room on the first floor of Building A captures this aesthetic. This standard is met.

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.*

**Findings:** The primary exterior material will be a high-quality, articulated fiber cement board and batten siding. Colors have not been selected but will be chosen from the prescribed list of options. The facades of the three buildings have been articulated to provide visual interest through a varied roof line, building massing that takes advantage of the site's unique topography, and placement of windows, balconies, and breezeways. These standards are met.

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.*

**Findings:** Sheets A4.00—A4.04 show the roof pitches and the roof plans area shown in Sheet A2.03, A2.07, and A2.11 demonstrating that these standards are met.

**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.*

**Findings:** The site does not have frontage on the Historic Columbia River Highway therefore subsections A and C do not apply. The building entrances have been architecturally emphasized, particularly for Building A, which has the highest visibility from the front lot line on SW Kendall Ct. The prominent plaza and community space provide the emphasis directing pedestrians to the public entrance. These standards are met.

**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.*

**Findings:** The site does not have frontage on the Historic Columbia River Highway, therefore subsection D does not apply. Only residential uses are proposed so subsection C also does not apply. As shown on the Sheets A4.00—A4.04, the necessary ornamentation is shown at the roofline and the porches and outside seating areas feature covered areas. These standards are met.

**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.*

**Findings:** The most prominent building element from the public sidewalk is the community room on SW Kendall Ct, which has a storefront window system that allows views into the interior activity. This standard is met.

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.*

**Findings:** The site does not have frontage on the Historic Columbia River Highway; therefore, this standard does not apply.

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.*

**Findings:** The upper floor windows of the residential units have been provided with large windows to provide more day light and views for residents and achieve design coherence. The proposed windows are larger than 5'x7' and do not meet the standard of TDC A.109.C. An adjustment to this standard is approved for the reasons discussed above.

**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.

**Findings:** As shown on Sheets L1.00—L1.03, the project landscape architect has placed ornamental furniture that will complement the architectural character of downtown but has not placed it in the right-of-way. These standards are met.

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.

**Findings:** A lighting plan for the site has been developed that will provide shield lighting of entrances, pathways, and parking lots without intruding on surrounding properties.

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.

**Findings:** As a proposed residential-only use, there is not a business use that would entail exterior storage or display. These standards are met.

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.

**Findings:** The trash and recycling enclosures on the site are located behind the buildings they serve and on the site. As discussed above, the standards of 11.015 are also met.

A.115. Signage.

**Findings:** Proposed signage for the site, including wayfinding will meet these standards at the time of development.

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.

**Findings:** As applicable, the Project meets these criteria as discussed below.

**TMC Chapter 8.26 – Outdoor Lighting**

**8.26.050 - Submission of lighting plans and evidence of compliance for new development.**

*All proposed development, other than a detached single-family dwelling, that includes outdoor light fixtures shall submit a lighting plan in compliance with this chapter as part of any required application for land use approval. The plan shall include, but is not limited to, the following, all or part of which may be in addition to the information required with the application for the land use approval:*

- 1. Plans showing the location on the premises of all outdoor light fixtures and the type of light fixtures, lamps, supports, reflectors and other devices that may be part of or related to any part of an outdoor light fixture.*
  - 2. Descriptions of the light fixtures, lamps, supports, reflectors and other devices. The description may include, but is not limited to, catalog cuts by manufacturers and drawings.*
  - 3. The wattage for each light fixture.*
  - 4. A photometric report containing a numerical grid of light levels, measured in tenths of foot-candles that the fixtures will produce on the ground. For developments subject to the maximum light levels of Section 8.26.045, the numerical grid shall include light level measurements at property lines abutting residentially zoned property.*
  - 5. For light fixtures requiring direct shielding, photometric data, or similar data showing the angle of cut off or line of sight of the fixture's lamp in relation to the property's boundaries.*
- B. Additional Submission. The above required plans, descriptions and data shall be sufficiently complete to enable the director to readily determine compliance with the requirements of this chapter. If the director is unable to determine compliance with the requirements of this chapter from the plans, descriptions and data initially submitted by an applicant as required by this section, the director may require the applicant to submit additional information as is necessary to make such a determination. Additional information may include certified reports of tests performed by a recognized testing laboratory.*

**Findings:** A comprehensive light plan has been developed for the site that meets the intent of these regulations. A light plan demonstrating adherence to the specifics of this section will be submitted during the review. These standards will be met.