



CITY COUNCIL

David Ripma, Mayor

Vacant

Geoffrey Wunn

Jesse Davidson

Carol Allen

Glenn White

John Leamy

Agenda

Tuesday, February 11, 2025

Regular Meeting | 7:00 PM

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

1. Pledge of Allegiance, Roll Call, Agenda Update

2. Public Comment:

Public Comment on non-agenda and consent agenda items is welcome at this time. Public comment on agenda items will be taken at the time the item is considered. Public comments should be directed to the Presiding Officer and limited to matters of community interest or related to matters which may, or could, come before Council. Each speaker shall be limited to 5 minutes for each agenda item unless a different amount of time is allowed by the Presiding Officer, with consent of the Council. The Council and Mayor should avoid immediate or protracted responses to citizen comments.

3. Resolution:

3.1 A resolution selecting a new Councilor to fill a vacancy on the City Council

4. Consent Agenda:

4.1 A resolution recognizing the completion of the Public Improvements associated with the Sweetbriar Hideaway Subdivision and accepting them into the City's fixed asset system.

4.2 A resolution modifying the Ad Hoc Public Safety Services Delivery Working Group

5. Request:

5.1 A request from Mt. Hood Community College for the City of Troutdale to be a sponsor for the 2025 Mt. Hood Jazz Festival. - Dan Davey, MHCC Director of Jazz Studies & Festival Director, Mt. Hood Jazz Festival

6. Presentation:

- 6.1** An update from Mt. Hood Community College on an upcoming bond measure. - John Hamblin, MHCC Vice President for Student Development; Dan Malinaric, MHCC Foundation President; and guest Doug Walker.

7. Ordinances:

- 7.1** An ordinance adopting Text Amendments to Chapter 3 of the Troutdale Development Code (TDC) - Dakota Meyer, Associate Planner

8. Staff Communications

9. Council Communications

10. Adjournment



David Ripma, Mayor
Dated: February 5, 2025

Meeting Participation

The public may attend the meeting in person or via Zoom. Please email info@troutdaleoregon.gov by **5:00pm on Monday, February 10th** to request Zoom meeting access credentials. You may also submit written public comments [via email](mailto:info@troutdaleoregon.gov) to info@troutdaleoregon.gov no later than **5:00pm on Monday, February 10th**. City Council Regular Meetings are broadcast live on Comcast Cable Channel 30 (HD Channel 330) and Frontier Communications Channel 38 and replayed on the weekend following the meeting - Friday at 4:00pm and Sunday at 9:00pm.

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

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

**PLEASE REFER TO THE
FEBRUARY 11, 2025 CITY
COUNCIL WORK SESSION
PACKET TO VIEW COPIES OF THE
APPLICATIONS FOR THE CITY
COUNCIL VACANCY**

RESOLUTION NO.

A RESOLUTION SELECTING A NEW COUNCILOR TO FILL A VACANCY ON THE CITY COUNCIL.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That on January 14th, 2025, a councilor position vacancy occurred due to the resignation of Councilor David Ripma so he could assume the position of Mayor. Pursuant to the Troutdale Municipal Charter, Chapter VII. Vacancies in Office, Section 27.A.4., the Council approved an application process to fill the vacancy.
2. That the applications for the councilor vacancy were received by City Elections Official, City Recorder Sarah Skroch, commencing Wednesday, January 15th, 2025, and concluding Friday, January 31st, 2025.
3. That it is in the best interest of the City to conduct an organized, efficient, and effective process to fill the vacancy in the office of councilor.
4. That the applications received for the councilor vacancy were included in the public meeting packet of the regular City Council Meeting held on February 11th, 2025.
5. That pursuant to the Charter Section 28.A. a vacancy in the office of councilor shall be filled by appointment by a majority of the City Council, and the person selected shall complete the term of Councilor Ripma.
6. That City Council interviewed, deliberated and voted to fill the councilor vacancy through appointment during the public meeting of City Council held on February 11th, 2025.

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

Section 1. In recognition of the above findings a councilor position vacancy currently exists which the City Council has an obligation and responsibility to fill by appointment.

Section 2. The City Council conducted interviews of all applicants in council chambers during the work session meeting of the City Council on February 11th, 2025.

Section 3. Pursuant to Section 28.A. of the Troutdale Municipal Charter, Chapter VII. Vacancies in Office, the Council does hereby appoint _____ to the vacant councilor position.

Section 4. Following the determination of City Elections Official, City Recorder Sarah Skroch, that the appointee fulfills the requirements of Section 13, Qualifications for Elective Office, of the Troutdale Municipal Charter Chapter III. Form of Government, the appointee shall be sworn into office and seated at a regularly scheduled City Council meeting as soon as practical.

Section 5. The councilor position appointed term of office shall run from date of swearing in, and pursuant to the Charter Section 28.A., shall expire upon the swearing in of the newly elected council prior to the first meeting of the City Council, January 12th, 2027.

Section 7. The City Elections Official, or a designee, is hereby authorized, empowered, and directed without further action by the City Council, to take any and all required and necessary actions to implement the intent of this Resolution.

Section 8. This Resolution shall be effective upon adoption.

YEAS:
NAYS:
ABSTAINED:

David Ripma, Mayor
Date:

Sarah Skroch, City Recorder
Adopted:



STAFF REPORT

Subject:	A resolution recognizing the completion of the Public Improvements associated with the Sweetbriar Hideaway Subdivision and accepting them into the City's fixed asset system.
Meeting Date:	February 11, 2025
Department/Affiliation:	Public Works
Meeting Type:	City Council - Regular Meeting
Presenter:	Travis Hultin, Public Works Director
Public Hearing:	No
Action Required:	Resolution (Consent)
Committee/Commission	NA
Recommendation:	
Staff Recommendation:	Approve

Exhibits:

- A. Resolution Accept Sweetbriar Hideaway Improvements
- B. Developer Dedication Letter Sweetbriar Hideaway
- C. Sweetbriar Hideaway Map

Subject Relates to:

Council Goals	Legislative	X	Land Use / Development	Other (describe below)
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Discussion Points:

NA

Background:

The Sweetbriar Hideaway is a 7-lot detached single-family residential subdivision located at 27510 SE Sweetbriar Rd.

As a condition of development of the Sweetbriar Hideaway Subdivision, the developer was required to construct water service laterals, a minor extension of the public sewer main, and a new public fire hydrant, along with other ancillary public water, sanitary sewer, and street systems appurtenances necessary to serve the subdivision.

The required public infrastructure improvements were completed by the developer and found

acceptable and in compliance with the applicable construction standards and the conditions of approval.

Summary:

The developer has offered dedication of the completed water, sanitary sewer, and streets system improvements to the City as public infrastructure.

Pros & Cons:

PROS:

- Adds public water and sanitary sewer improvements, needed to serve the subdivision, to the City’s fixed asset system.
- Provides for the long-term operation and maintenance by the City of public infrastructure needed to serve the Sweetbriar Hideaway Subdivision.

CONS:

- There are routine operation and maintenance burdens associated with the infrastructure assets to be accepted.

Oversight:

<i>Budget Impact:</i>	Yes, current year	X	Yes, future year	N/A
<i>Describe:</i>	Routine operation and maintenance of the new public infrastructure improvements (water, sanitary sewer, and street systems)			
<i>Community Involvement Process:</i>		Yes		N/A X
<i>Describe:</i>				

Approval by City Attorney: No

Approved By the City Manager:



RESOLUTION NO.

A RESOLUTION RECOGNIZING THE COMPLETION OF THE PUBLIC IMPROVEMENTS ASSOCIATED WITH THE SWEETBRIAR HIDEAWAY SUBDIVISION AND ACCEPTING THEM INTO THE CITY'S FIXED ASSET SYSTEM

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The construction of the Public Improvements associated with the Sweetbriar Hideaway residential subdivision was necessary to meet the demands of public health, safety, and welfare.
2. The construction of these public infrastructure improvements has been completed by the developer-owner, Rick Young.
3. The public infrastructure improvements associated with the subdivision have been inspected, found in compliance and conformance with the Construction Standards for Public Works Facilities and the approved plans and specifications, and received a Certificate of Completion on January 24, 2025.
4. The developer-owner has requested to dedicate the public improvements associated with City-operated systems to the City of Troutdale.
5. The developer has provided a deposit to the City warranting the improvements against defects in materials and workmanship for a period of two years following completion.

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

Section 1. The following public infrastructure improvements associated with the Sweetbriar Hideaway residential subdivision are accepted into the City's fixed asset system, valued as follows:

<u>Improvement</u>	<u>Estimated Value</u>
Sanitary sewer system improvements:	\$11,855
• 14 LF of 8" PVC Sanitary Sewer Main	
• 1 EA sanitary sewer manhole drop connection	
• Other minor and ancillary public sanitary sewer system improvements as shown on the project as-built drawings	

Water system improvements:

\$31,813

- 3 EA Double Water Service Laterals w/ Meter Boxes (SE Sweetbriar Road)
- 1 EA Single Water Service Lateral (SE Berryland Circle)
- 1 EA Public Fire Hydrant (SE Sweetbriar Road)
- Other minor and ancillary public water system improvements as shown on the project as-built drawings

TOTAL = \$43,668

Section 2. This Resolution is effective upon adoption.

YEAS:
NAYS:
ABSTAINED:

David Ripma, Mayor

Date:

Sarah Skroch, City Recorder

Adopted:

To The City of Troutdale Oregon

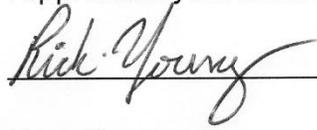
1-27-2025

Name of Development: Sweetbriar Hideaway

Location of Development: 27510 SE Sweetbriar Rd

My subdivision public improvements are completed with and have been found satisfactory regarding public works and the planning division requirements. With a certificate of completion in hand it's time to dedicate all public improvements to the City. I am requesting to dedicate them to the City of Troutdale at this time.

I appreciate your attention to this matter and look forward to your review.



Date 1-28-2025

Many thanks

Developer: Rick Young

503 702 5960

RESOLUTION NO.

A RESOLUTION MODIFYING THE AD HOC PUBLIC SAFETY SERVICES DELIVERY WORKING GROUP

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That the delivery of public safety services, fire and emergency medical services and law enforcement services, is a core responsibility of local government.
2. That fire and emergency medical services have been, and are currently, being delivered by the Gresham Fire and Emergency Services Department through an Intergovernmental Agreement (IGA) with the City of Gresham.
3. That law enforcement services have been, and are currently, being delivered by the Multnomah County Sheriff's Office through an IGA with the Multnomah County.
4. That both of these essential public safety IGA's are of significant annual costs and use of Troutdale citizens taxes, and renegotiation of the IGA's is necessary prior to their scheduled expiration on June 30, 2025.
5. Pursuant to Resolution 2578, passed on September 27th, 2022, the Council created the Public Safety Delivery Working Group (PSDWG) with the responsibility to conduct research of potential options for delivery of these public safety services will serve a valuable, necessary and authorized public purpose, and that doing so is in the best interest of the City.
6. Pursuant to Resolution 2615, passed on January 16th, 2024, the Council extended the mission of the group until July 1st, 2025.
7. Due to the election of Carol Allen, a representative to the group from the Public Safety and Equity Committee, to Council, and Jordan Wittren leaving Council, a Council representative on the group, two positions became vacant.
8. The Council finds that it is in the best interest of the City to alter the makeup of the group and make appointments to fill those two positions.

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

Section 1. The PSDWG shall continue to be composed of 7 members. However, the makeup of the group shall be modified as follows: The Public Safety and Equity Advisory Committee shall have two of its members on the PSDWG, the Budget Committee shall

have two of its members on the PSDWG, and the City Council will have three Council members on the PSDWG.

Section 2. To fill the two Council vacancies on the PSDWG, Councilor Carol Allen and Mayor David Ripma are appointed.

Section 3. All other work and mission of the PSDWG, not altered above, shall continue as previously directed.

Section 4. This Resolution shall take effect immediately upon adoption.

YEAS:
NAYS:
ABSTAINED:

David Ripma, Mayor
Date:

Sarah Skroch, City Recorder
Adopted:



STAFF REPORT

Subject:	An ordinance adopting Text Amendments to Chapter 3 of the Troutdale Development Code (TDC) - <u>Dakota Meyer, Associate Planner</u>
Meeting Date:	February 11, 2025
Department/Affiliation:	Community Development
Meeting Type:	City Council - Regular Meeting
Presenter:	Dakota Meyer, Associate Planner
Public Hearing:	Yes
Action Required:	Ordinance - Introduction
Committee/Commission Recommendation:	Approval - Planning Commission recommended approval with a 6-0 vote on January 8, 2025
Staff Recommendation:	Approval

Exhibits:

- A. Redline Proposed Development Code Amendments
- B. Planning Commission Staff Report 1.8.25
- C. Findings of Fact
- D. Ordinance - TDC 75-17
- E. Attachment A - Clean Proposed Development Code Revisions

Subject Relates to:

Council Goals	X	Legislative	Land Use / Development	Other (describe below)
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Discussion Points:

- Should marijuana facilities be permitted through the conditional use process in General Commercial, Light Industrial, and General Industrial zoned areas.
- Should “Additional Requirements” be expanded to include community college as a public or private school.

Discussion:

This is a proposed Development Code Text Amendment which makes two specific changes. The first amendment follows a previous similar Development Code Text Amendment (75-14) that had been considered and adopted by Council on November 17, 2023. The second is a new proposal by the Planning Commission. Both have been recommended by the Planning Commission.

To allow for marijuana facilities through a conditional use process in the General Commercial, Light Industrial, and General Industrial zones, instead of prohibiting the use outright.

The first change affects the marijuana facilities use in areas zoned for General Commercial, Light Industrial, and General Industrial, 3.320 and 3.420 of the Development Code. (Attached as Ex. A.) The substance of the requested change is to move Marijuana Facilities from the listed not permitted uses to the list of conditionally permitted uses.

On September 10, 2022, city staff initiated a Type IV application proposing Text Amendments to the Troutdale Development Code for Industrial Zone Land Uses (Land Use Case File: 75-12). The Planning Commission held the initial public hearing on September 28, 2022, and recommended approval of the text amendments to the City Council. The City Council held public hearings and deliberations on November 8, 2022, and December 13, 2022. A motion to approve 75-12 failed 4-13 due to concern of the proposed land use regulations' effect on marijuana facilities. The Council did not want to change development code regulations pertaining to marijuana facilities in order for all proposed revisions including amendments to Commercial Zoning districts and remanded the application back to Planning Commission for additional review and refinement.

On March 14, 2023, Council passed Ordinance 882 approving a ban on additional recreational marijuana retailers and referring the ban to the voters.

On May 24, 2023, the Planning Commission held a work session on proposed text amendments pertaining to a ban on Marijuana Facilities in both the Industrial and Commercial Zoning Districts in order for the Development Code to be consistent with Ordinance 822. On November 14, 2023, the City Council adopted Ordinance 887 banning additional Marijuana Facilities within the City of Troutdale.

In November 2024, the issue was referred to voters under local Ballot Measure 26-248: Prohibition of additional recreational marijuana retailers in Troutdale. Troutdale voters did not pass Measure 26-248 on November 5, 2024. The amendments proposed under Land Use Case File. 75-17 Marijuana Facilities will revert the Development Code language back to how it was written prior to the passing of Case File No. 75-14 and bring the Development Code into alignment with local Ballot Measure 26-248, conditionally allowing Marijuana Facilities within the General Commercial, Light Industrial, and General Industrial zones with specific locational requirements.

Change to Section 3.325.A Additional Requirements of the Development Code

The second change is in response to Planning Commission's recommendation to add a sentence to Additional Requirements under Section 3.325.A encompassing community colleges under public or private schools. At the January 8, 2025, public hearing, Planning Commission recommended adding additional language to Section 3.325 to specify community colleges or other institutions where students receive instruction shall be considered public or private schools.

The Planning Commission voted 6-0 to forward a recommendation of approval to City Council.

Pros & Cons:

Pros:

- Brings the Troutdale Development Code into compliance with the electorate voting no on Local Ballot Measure 26-248.
- Conditionally allowing marijuana facilities allows The City to impose specific conditions on location and operations ensuring that marijuana facilities align with community standards.

Cons:

- Changing Marijuana Facilities from a Not Permitted to a Conditional Use may require administrative resources for oversight and potential disputes over rejected applications.

Oversight:

<i>Budget Impact:</i>	Yes, current year	Yes, future year	X	N/A
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Describe:

<i>Community Involvement Process:</i>	X	Yes	N/A
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Describe: A public hearing was held at a regular Planning Commission meeting on January 8th, 2025, and two hearings are scheduled for City Council.

Approval by City Attorney: Yes

Approved By the City Manager:



3.300 COMMERCIAL ZONING DISTRICTS**3.310 General Purpose**

The purpose of commercial zoning districts is to provide dedicated commercial areas in certain areas of the city that are best suited for businesses that typically do not involve an industrial process. The types of districts are distinctive based on the consumer catchment area and the scale and types of businesses that are most appropriate for the setting and its immediate surroundings.

3.311 CC | Community Commercial

This district is intended for the shopping needs of several neighborhoods in locations easily accessible to such neighborhoods. This zoning district is not applicable for areas or lots within the Town Center district.

3.312 GC | General Commercial

This district is intended for more intensive commercial uses in addition to those provided in the Community Commercial (CC) districts.

3.320 Land Use Table for Commercial Zoning Districts

- A. Uses that are permitted are marked with a “P”, with specific standards for the use listed in the far-right column as shown below.
- B. Uses that require conditional use approval in accordance with Section 6.300 of this Code are marked with a “C”, with specific standards for the use listed in the far-right column as shown below.
- C. Uses that are not permitted are marked with a “N”.

Land Use	CC	GC	Specific Standards
<i>Residential Dwellings and Uses</i>			
Residential facilities	P	P	
Other residential uses	N	N	
<i>Mixed-Uses</i>			
Live-Work units (residential/commercial)	P	N	
Live-Make units (residential/industrial)	C	N	
Flex units (commercial/industrial)	C	C	
<i>Commercial Uses</i>			
General retail (up to 60,000 s.f.)	P	P	
General retail (above 60,000 s.f.)	C	P	
Offices (up to 60,000 s.f.)	P	P	
Offices (above 60,000 s.f.)	N	P	
Eating & drinking establishments			
Restaurants & bars (no drive-thru)	P	P	
Restaurants & bars (with drive-thru)	P	P	
Kiosks (drive-thru only)	P	P	5.200
Mobile food vendor (individually placed, in park or right-of-way)	P	P	5.200
Mobile food vendor (individually placed, on privately owned lot)	P	P	5.200
Food cart pod, micro-retail pod, or outdoor market	P	P	5.200
Financial institutions (no drive-thru)	P	P	
Financial institutions (with drive-thru)	P	P	
Personal services	P	P	
Human services	P	P	

(continued on next page)

Land Use	CC	GC	Specific Standards
Vehicular and equipment services			
Fueling stations	C	P	
Repair shops	N	P	
Sales or rentals	C	C	
Lodging facilities	P	P	
Bed & breakfast inns	N	N	
Entertainment facilities (major)	C	C	
Entertainment facilities (minor)	P	P	
Storage facilities	N	N	
Marijuana facilities	N	N C	3.325.A
<i>Industrial Uses</i>			
Warehousing or distribution outlets	N	C	
Marijuana processors	N	N	
LI permitted uses (unless otherwise listed in table)	N	N	
<i>Other Uses</i>			
Agricultural or animal-based uses	N	P	
Community service uses	C	C	
Recreation facilities (active)	C	C	
Recreation facilities (passive)	P	P	
Utility facilities (major)	C	C	
Utility facilities (minor)	P	P	

3.325 Additional Requirements

- A. Marijuana Facilities licensed and authorized under state law, when not located within one thousand (1,000) feet of real property which is the site of a public or private school or a public park. For purposes of this subsection, “within one thousand (1,000) feet” means a straight-line measurement in a radius extending for one thousand (1,000) feet in every direction from any point on the boundary line of the real property comprising an existing public or private school or public park. This buffer shall not apply to new schools or parks located within one thousand (1,000) feet of an existing Marijuana Facility. **For purposes of this Chapter, a public or private school includes a community college or other institution where students under the age of eighteen (18) receive instruction to receive academic credits that apply towards elementary, middle, or high school grades K through twelve (12) and which may also apply towards college advancement credits.**

3.400 INDUSTRIAL ZONING DISTRICTS

3.410 General Purpose

The purpose of industrial zoning districts is to provide dedicated industrial areas in certain areas of the city that are best suited for businesses that involve an industrial process and that may operate in a way that is less desirable for adjacent residential uses and certain commercial uses. These areas are also often considered employment centers and may conduct activities at various hours of the day.

3.411 IP | Industrial Park

This district is intended for a mix of employee-intensive industries, offices, services, and retail commercial uses, which have no off-site impacts in terms of noise, odor, glare, light, vibration, smoke, dust, or other types of off-site impacts. It provides for combining parking, landscaping, and other design features which physically and visually link structures and uses within one (1) development. Offices, services, and retail commercial uses are permitted in compliance with the Troutdale Development Code.

3.412 LI | Light Industrial

This district is primarily intended for light, clean industries usually of a manufacturing or storage nature with little limited outdoor accessory storage. These industries usually do not require rail access and have very little process visibility. They usually create little or no air or water pollution and have few, if any, nuisance factors such as bright yard lights, continuous noise, or objectionable odors, or significant outdoor accessory storage. Professional offices and limited retail sales are permitted in compliance with the Troutdale Development Code. Uses within the LI District may be located adjacent to residential uses with appropriate adequate buffering.

3.413 GI | General Industrial

This district is primarily intended for manufacturing industries, large-scale fabricators, freight and trucking firms, primary metals, and lumber, etc., that usually require highway access and/or rail service. These firms usually have a high degree of process visibility and need outdoor storage of materials and products. These industries are likely to create minor air and water pollution, as well as noise and odor, and the generation of truck, shipping, or rail traffic. Non-industrial uses of a commercial nature are permitted in compliance with the Troutdale Development Code.

3.420 Use Table for Industrial Zoning Districts

- A. Uses that are permitted are marked with a “P”, with specific standards for the use listed in the far-right column as shown below.
- B. Uses that require conditional use approval in accordance with Section 6.300 of this Code are marked with a “C”, with specific standards for the use listed in the far-right column as shown below.
- C. Uses that are not permitted are marked with a “N”.

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

Card-lock fueling stations, truck stops, service stations, tire shops, and oil change facilities.	N	C	P	
Repair and modification shops	N	P	P	
Sales and rentals	N	P	P	3.440.D.1 3.440.D.3
Wholesale trade/retail/discount sales and services	C	P	P	3.440.D.1

Land Use	IP	LI	GI	Specific Standards
<i>Industrial Uses</i>				
Aggregate resource	N	N	P	4.000
Manufacturing, milling, and processing				
Assembly and limited manufacturing	C	P	P	
Concrete and asphalt manufacturing plants	N	N	C	
Electronic and appliance products	N	C	P	
Food and beverage products				
Food processing involving slaughtering, fermentation, or fat rendering	N	N	C	
Beverage processing involving brewing, distilling, roasting, or fermentation	C	P	P	
Other food and beverage products	P	P	P	
Furniture and related products	N	P	P	
Machinery and transportation equipment	N	C	P	
Use and temporary storage in the manufacturing process of toxic or hazardous material by-products	N	N	P	
The manufacturing or storing of toxic or hazardous materials when done in compliance with federal and state regulations	N	N	C	
Marijuana processors	N	N	C	3.440.G
Metal and fabricated metal products				
Primary manufacturing or milling	N	N	P	
Secondary manufacturing or processing	N	P	P	
Nonmetallic mineral products	N	C	P	
Plastic or rubber products	N	C	P	
Printing	C	P	P	
Textile, apparel, and leather products	N	C	P	

Wood or paper products			
Primary manufacturing and milling	N	N	P
Secondary manufacturing and processing	N	C	P
Transportation facilities			
Airports (including heliports)	N	P	P
Heliports (not within an airport)	N	C	P
Marinas	C	P	P
Freight and trucking firm	N	C	P

Land Use	IP	LI	GI	Specific Standards
Warehousing and Storage				
Warehouse	N	P	P	
Accessory storage	P	P	P	
Storage facilities	N	C	N	3.440.J
Junk yard	N	N	C	
Marine industrial or service facilities	N	N	P	
Research, experimental, or testing laboratories	P	P	P	
Sanitary landfills, recycling centers, and transfer stations.	N	N	C	
Trade or commercial schools	P	P	P	
Other Uses				
Agricultural or animal-based uses	N	N	N	
Child-care facilities in conjunction with a permitted use or an approved conditional use	C	C	C	3.440.D.1
Community service uses	C	C	C	
Public Parks, parkways, trails, and related facilities	P	P	P	
Recreation facilities (active)	C	C	C	
Recreation facilities (passive)	P	P	P	
Utility facilities (major)	C	C	P	
Utility facilities (minor)	P	P	P	
Other uses similar to those listed above	P/C	P/C	P/C	

3.430 Dimensional Standards for Industrial Zoning Districts

A. Dimensional Standards Table for Industrial Zoning Districts

Land Use	IP	LI	GI
Lot Size and Coverage			
Minimum lot width	150 ft.	None	None
Maximum lot coverage	60% of the site	None	None
Setbacks			
Front yard setback	20 ft.	20 ft.	20 ft.
Side yard setback	15 ft.	10 ft.	None see 3.430.B.4
Street side yard setback:	15 ft.	10 ft.	None see 3.430.B.4
Rear yard setback	10 ft.	None	None see 3.430.B.4
Setbacks for insufficient right-of-way	see 3.430.B.1	see 3.430.B.1	see 3.430.B.1
Additional setback requirements	None	see 3.430.B.3	see 3.430.B.3
Maximum Height of the Structure	35 ft.	45 ft. see 3.430.B.2	see 3.430.B.2
Lot Area	No minimum	No minimum	see 3.430.B.5

B. Additional Dimensional Standards

1. Setbacks for insufficient right-of-way: The minimum front, side, or other setbacks shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The necessary right-of-way widths, and the additional yard or setback requirements in such cases, shall be determined
2. Unless otherwise limited by the Federal Aviation Administration.
3. Additional setback requirements: If any use in this district abuts or faces any residential zoning district, a setback of fifty (50) feet from the property line or centerline of an intervening public street, on the side abutting or facing the residential zoning district shall be required.
4. No side or rear yard setbacks unless the property abuts a parcel of land in a more restrictive manufacturing or commercial district, in which case the requirements of the abutting zoning district shall apply.
5. Lot Area. Division of lots or parcels are permitted as follows:

- a. Lots or parcels fifty (50) acres or smaller in size may be divided into any number of smaller lots or parcels.
- b. Undeveloped lots, parcels, or tracts larger than fifty (50) acres in size may be divided into smaller lots, parcels, or tracts so long as the resulting land
- c. division yields at least one (1) lot, parcel, or tract of at least fifty (50) acres in size. If a land division results in more than one (1) lot, parcel, or tract of fifty (50) acres or greater in size, only one of those fifty (50) + acre lots, parcels, or tracts, if further divided, must yield a lot, parcel, or tract of at least fifty (50) acres in size.
- d. Developed lots or parcels fifty (50) acres or larger in size may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the City so long as at least forty percent (40%) of the net area of the lot or parcel has already been developed with industrial uses or uses accessory to industrial use, and no portion of the lot has been developed, or is proposed to be developed, with uses regulated by Subsection 3.175(D) of this Code.
- e. Notwithstanding parts (2) and (3) of this Subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:
 - i. To provide public facilities and services;
 - ii. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;
 - iii. To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or
 - iv. To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.

3.440 Additional Requirements

- A. Unless otherwise provided in this Code, compliance with Chapters 8 and 11 relating to design review and landscaping is required.
- B. All lots shall have frontage or approved access to public streets, public water, and public sewer before development is allowed.

- C. Off-street parking spaces shall be provided in accordance with the requirements of Chapter 9, Off-Street Parking and Loading, of this Code.
- D. Commercial uses, as indicated in the specific standards column in TDC 3.420, are subject to the following standards:
1. In order to ensure that certain permitted and conditional non-industrial uses are primarily intended to serve the needs of workers in the immediate area, professional offices; medical and dental clinics; banks; restaurants; and retail, wholesale, and discount sales and service shall not exceed five thousand (5,000) square feet of gross leasable area. If there are multiple businesses within these categories of uses that occur within a single building or within multiple buildings that are part of the same development project, then the cumulative gross leasable area for all these businesses shall not exceed twenty thousand (20,000) square feet.
 2. Drive-thru and drive-up service windows are not permitted in the general industrial zoning district.
- E. Development is subject to compliance with any applicable overlay zoning district standards.
- F. Marijuana Facilities licensed and authorized under state law, when not located within one thousand (1,000) feet of real property which is the site of a public or private school or a public park. For purposes of this subsection, “within one thousand (1,000) feet” means a straight-line measurement in a radius extending for one thousand (1,000) feet in every direction from any point on the boundary line of the real property comprising an existing public or private school or public park. This buffer shall not apply to new schools or parks located within one thousand (1,000) feet of an existing Marijuana Facility.
- G. Marijuana Processors licensed and authorized under state law, when not located within one thousand (1,000) feet of real property which is the site of a public or private school or a public park. For purposes of this subsection, “within one thousand (1,000) feet” means a straight-line measurement in a radius extending for one thousand (1,000) feet in every direction from any point on the boundary line of the real property comprising an existing public or private school or public park. This buffer shall not apply to new schools or parks located within one thousand (1,000) feet of an existing Marijuana Processor.
- H. Eating and drinking establishment, subject to the following requirements:
1. The use is located within a building which houses another permitted use.
 2. No drive-through window is permitted.
 3. Inside seating area shall not exceed fifty percent (50%) of the use’s gross floor area or one hundred fifty (150) square feet, whichever is the lesser.
- I. In the industrial park zoning district, convenience stores, not to exceed thirty-five hundred (3,500) square feet in size.
- J. In the light industrial zoning district, storage facilities are allowed when located within one-quarter mile (1/4 mile) of the eastern overpasses of Interstate 84 at Exit 17. For purposes of this subsection, “within one- quarter mile (1/4 mile)” means a straight line measurement in a radius extending for one thousand three hundred twenty (1,320) feet in every direction from

the point positioned on the centerline of 257th Drive situated exactly in between the eastbound and westbound bridges of Interstate 84 at Exit 17.

- K. In the light industrial and general industrial zoning districts, product sales, service, and/or display accessory to any manufacturing, fabricating, or processing use are allowed provided the sales, service, and/or display area does not exceed fifteen percent (15%) of the gross floor area, or three thousand (3,000) square feet, whichever is less.



STAFF REPORT

CASE FILE: 75-17 Marijuana Facilities Development Code Update

STAFF REPORT DATE: Wednesday, December 31, 2024

INITIAL HEARING DATE: Wednesday, January 8, 2025

STAFF / APPLICANT: Dakota Meyer, Associate planner

SUBJECT: Proposed Text Amendment to the Troutdale Development Code

REQUESTS: 1) Update the Use Tables for the GC, LI, and GI zones to change the Marijuana Facilities use from a “Not Permitted” to “Conditional” use.

Applicable Criteria: Troutdale Development Code (TDC) Sections 2.065 (Type IV Procedures) and 6.1100 (Text Amendment)

Staff Recommendation: Approval (a recommendation to City Council for approval)

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

- TDC Chapter 3 (Zoning Districts)
- TDC 3.320 (Use Table): Change Marijuana Facilities from Not Permitted in the GC zone to Conditional Use.
- TDC 3.420 (Use Table): Change Marijuana Facilities from Not Permitted in the LI and GI zones to Conditional Use.

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

BACKGROUND

This is a new proposed Development Code Text Amendment initiated by the City of Troutdale. This proposed amendment follows a previous similar Development Code Text Amendment (75-14 Marijuana and Psilocybin) that was approved by City Council November 17, 2023.

On September 10, 2022, city staff initiated a Type IV application proposing Text Amendments

to the Troutdale Development Code for Industrial Zone Land Uses (75-12). The Planning Commission held the initial public hearing on September 28, 2022, and recommended approval of the text amendments to the City Council. The City Council held public hearings and deliberations on November 8, 2022, and December 13, 2022. A motion to approve 75-12 failed 4-13 due to concern of the proposed land use regulations' effect on Marijuana Facilities. The City Council did not want to change the code regulations regarding Marijuana Facilities and preferred any revisions to Marijuana Facilities in the Industrial Zone be considered at the same time as revisions to the land use regulation for Marijuana Facilities in the City's commercial zoning districts. City Council remanded the application back to Planning Commission for further refinement.

On March 14, 2023 the City Council passed Ordinance 882 Approving a Ban on additional retailers and referring the ban to the voters.

On May 24, 2023, the Planning Commission held a work session on the proposed text amendments to the Industrial Zoning District as well as consideration of text amendments to the Commercial Zoning Districts for the regulations affecting Marijuana Facilities. The Planning Commission proposed amendments to Marijuana Facilities in several Commercial and Industrial zones in order for the Development Code to be consistent with Ordinance 882.

The proposed amendments were initially heard by Planning Commission on August 2, 2023 under Case File No. 75-13. Upon further review by the City Attorney and City Staff, the decision was made to remove an immediate ban of new retail facilities of marijuana and any regulation of psilocybin from moving forward due to errors in noticing (Measure 56) of the amendment to change use regulations regarding marijuana facilities in the General Commercial, Light Industrial, and General Industrial zones. The amendments proposed under Case File No. 75-14 Marijuana Facilities and Psilocybin were the same text amendments proposed by the Planning Commission at the May 24th work session.

On November 14, 2023, the City Council adopted Ordinance 887 banning additional Marijuana Facilities within the City of Troutdale.

In November 2024, the issue was referred to voters under Measure 26-248: Prohibits additional recreational marijuana retailers in Troutdale. The Measure was voted down by the citizens during the November 5th elections. The amendments proposed under Case File No. 75-17 Marijuana Facilities will revert the Development Code language back to how it was written prior to the passing of Case File No. 75-14 and bring the Development Code into alignment with Measure 26-248, conditionally allowing Marijuana Facilities within the General Commercial, Light Industrial, and General Industrial zones.

REVIEW TIMELINE

The current Troutdale Development Code was adopted in 2017 [Ordinance No. 842]. The most current version of the TDC comes into effect on January 9, 2024 [Ordinance No. 894].

A Post-Acknowledgment Plan Application (PAPA) was submitted to the Oregon Department of Land Conservation and Development on December 17, 2024, to alert the agency of the City's intentions. The initial public hearing was scheduled for Wednesday, January 8, 2025.

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

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

TESTIMONY RECEIVED

No public testimony was received.

PROPOSED TEXT AMENDMENTS

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

- Within “Chapter 3 - Zoning Districts,” edits are proposed to change the Marijuana Facilities use from Not Permitted to Conditional with the intention of bringing the Development Code into alignment with Measure 26-248: Prohibits additional recreational marijuana retailers in Troutdale. The Measure was voted down by the citizens of Troutdale on November 5, 2024.

Staff recommend the following edits.

3.320 Land Use Table for Commercial Zoning Districts

Staff Notes:

- *Change Marijuana Facilities from Not Permitted in the GC zone to Conditional Use.*

3.420 Land Use Table for Industrial Zoning Districts

Staff Notes:

- *Change Marijuana Facilities from Not Permitted in the LI and GI zones to Conditional Use.*

PROPOSED FINDINGS

TDC Section 2.065 specifies that the City Council is the decision-making body for text amendment applications after the Planning Commission forwards a recommendation for their consideration. Planning Commission is charged with making a finding for each applicable criterion point as listed in TDC Section 6.1120. Listed below are draft findings prepared by Staff for Planning Commission to review and amend as needed upon the conclusion of the public hearing portion of the meeting and prior to a vote for recommendation.

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

Marijuana Facilities are not addressed in the comprehensive plan. The revisions to the Land Use Tables for Commercial and Industrial Zoning Districts for Marijuana Facilities are in response to

the electorate voting *no* on Measure 26-248 on November 5, 2024. Measure 26-248 would prohibit additional marijuana retailers within the City of Troutdale. The proposed revisions to the Development Code bring the land uses permitted into alignment with Measure 26-248.

The criterion is met.

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

Marijuana Facilities are not addressed in the Statewide Planning Goals. Goal 9 (Economic Development) speaks to the need for cities to have enough land available to realize economic growth and development opportunities. Allowing retail Marijuana Facilities in the Industrial Zone furthers the goal of maintaining flexibility and diversifying economic opportunities within industrial areas. No changes to the permitted land uses for Marijuana Processors are proposed. The Development Code continues to show Marijuana Processors as Conditional Use in the GI zone. The revisions to the Land Use Tables for Commercial and Industrial Zoning Districts are in response to the electorate voting *no* on Measure 26-248 on November 5, 2024. Measure 26-248 would prohibit additional marijuana retailers within the City of Troutdale. The proposed revisions to the Development Code bring the land uses permitted into alignment with Measure 26-248.

The criterion is met.

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

Chapter 3.07 of the Metro Code contains the Urban Growth Management Functional Plan ("Functional Plan"). Title 4 of the Functional Plan contains standards for "Industrial and Other Employment Area". Title 4 "seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas." The zoning districts that are directly affected by this application are industrial zoning districts in a designated Employment Area according to Metro's 2040 Growth Concept Map.

Marijuana Facilities (retail) are proposed to move from 'Not Permitted' to 'Conditional Use' in the LI and GI zones. This amendment furthers the goals of Title 4 by optimizing industrial land use, fostering employment growth, and supports economic adaptability and is therefore consistent with the UGMFP. The Conditional Use for Marijuana Processors in the GI Zone remains unaltered. Marijuana Processing is an industrial use.

The criterion is met.

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

The revisions to the Land Use Tables for Commercial and Industrial Zoning Districts for Marijuana Facilities are in response to the electorate voting *no* on Measure 26-248 on November 5, 2024. Measure 26-248 would prohibit additional marijuana retailers within the City of Troutdale. The proposed revisions to the Development Code bring the land uses permitted into alignment with Measure 26-248. Since Measure 26-248 was voted down by the community therefore allowing recreational Marijuana Facilities within the City, it can be concluded that the public need is best satisfied by the proposed code revisions.

The criterion is met.

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

The health, safety and welfare of the community were considered by the electorate in voting *no* on Measure 26-248. The proposed amendments regarding Marijuana Facilities brings the Development Code into compliance with the community's decision to allow Marijuana Facilities.

The criterion is met.

STAFF RECOMMENDATIONS

Staff offers the following recommendations for the conduct of the January 8, 2024, public hearing regarding the proposed amendments to the Troutdale Development Code.

- A. Deliberate on policy issues, proposed amendments, and other issues identified by the Commission, Staff, other public entities, or the public.
- B. Recommend approval of the proposed text amendments to the City Council for its consideration at the public hearings. Schedule to be determined.

Attachments

- A. Proposed Development Code Revisions – Redline
- B. Proposed Development Code Revisions – Clean Version

CASE FILE: 75-17 Text Amendments to Chapters 3 of the Troutdale Development Code (TDC)

PREPARED BY: Dakota Meyer, Associate Planner

SUBJECT: Findings of Fact - Proposed Text Amendment to the Troutdale Development Code

REQUESTS: Update the Use Tables for the General Commercial, Light Industrial, and General Industrial zones to change the Marijuana Facilities use from a "Not Permitted" to "Conditional" use. Add clarification to 3.325.A to address community colleges.

Applicable Criteria: Troutdale Development Code (TDC) Sections 2.065 (Type IV Procedures) and 6.1100 (Text Amendment)

RECOMMENDATION OF THE PLANNING COMMISSION

The Planning Commission held a public hearing on January 8, 2025, to consider the proposed code amendments under Case File No. 75-17: Marijuana Facilities. At the public hearing, the Planning Commission considered the proposed amendments and proposed minor modifications to staff's analysis and findings. The Planning Commission added an amendment to Section 3.325.A. After considering the application materials, the proposed amendment, and the amended findings, the Planning Commission voted 6-0 in favor of recommending the proposed text amendment to the City Council.

PROPOSED FINDINGS

TDC Section 2.065 specifies that the City Council is the decision-making body for text amendment applications after the Planning Commission forwards a recommendation for their consideration. City Council is charged with making a finding for each applicable criterion point as listed in TDC Section 6.1120. Listed below are draft findings prepared by Staff for City Council to review and amend as needed upon the conclusion of the public hearing portion of the meeting and prior to a vote on the adoption of the proposed amendments.

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

The proposed change to the Development Code does not conflict with applicable Comprehensive Land Use Plan goals or policies. Marijuana Facilities are not addressed in the comprehensive plan. The revisions to the Land Use Tables for Commercial and Industrial Zoning Districts for Marijuana Facilities are in response to the electorate voting no on Measure 26-248 on November 5, 2024. Approval of Measure 26-248 would have prohibited additional marijuana

retailers within the City of Troutdale. The proposed revisions to the Development Code bring the land uses permitted into alignment with denial of Measure 26-248.

The criterion is met.

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

The proposed change is consistent with the applicable Statewide Planning Goals. Marijuana Facilities are not addressed in the Statewide Planning Goals. Goal 9 (Economic Development) speaks to the need for cities to have enough land available to realize economic growth and development opportunities. Allowing retail Marijuana Facilities in the Industrial Zone furthers the goal of maintaining flexibility and diversifying economic opportunities within industrial areas. No changes to the permitted land uses for Marijuana Processors are proposed. The Development Code continues to show Marijuana Processors as Conditional Use in the GI zone. The revisions to the Land Use Tables for Commercial and Industrial Zoning Districts are in response to the electorate voting no on Measure 26-248 on November 5, 2024. Approval of Measure 26-248 would have prohibited additional marijuana retailers within the City of Troutdale. The proposed revisions to the Development Code bring the land uses permitted into alignment with denial of Measure 26-248.

The criterion is met.

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

The proposed change is consistent with the applicable provisions of Metro Code. Chapter 3.07 of the Metro Code contains the Urban Growth Management Functional Plan ("Functional Plan"). Title 4 of the Functional Plan contains standards for "Industrial and Other Employment Area". Title 4 "seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas." The zoning districts that are directly affected by this application are industrial zoning districts in a designated Employment Area according to Metro's 2040 Growth Concept Map. Marijuana Facilities (retail) are proposed to move from 'Not Permitted' to 'Conditional Use' in the LI and GI zones. This amendment furthers the goals of Title 4 by optimizing industrial land use, fostering employment growth, and supports economic adaptability and is therefore consistent with the UGMFP. The Conditional Use for Marijuana Processors in the GI Zone remains unaltered. Marijuana Processing is an industrial use.

The criterion is met.

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

Public need is best satisfied by this particular change. The revisions to the Land Use Tables for Commercial and Industrial Zoning Districts for Marijuana Facilities are in response to the electorate voting no on Measure 26-248 on November 5, 2024. Approval of Measure 26-248 would have prohibited additional marijuana retailers within the City of Troutdale. The proposed revisions to the Development Code bring the land uses permitted into alignment with denial of Measure 26-248. Since Measure 26-248 was voted down by the community, thereby allowing recreational Marijuana Facilities within the City, it can be concluded that the public need is best satisfied by the proposed code revisions.

The criterion is met.

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

The change will not adversely affect the health, safety, and welfare of the community. The health, safety and welfare of the community were considered by the electorate in voting no on Measure 26-248. The proposed amendments regarding Marijuana Facilities brings the Development Code into compliance with the community's decision to allow recreational Marijuana Facilities. The criterion is met.

The criterion is met.

To the extent the aforementioned criteria apply to TDC 3.320 and 3.420, they are incorporated and are met.

ORDINANCE NO.

AN ORDINANCE ADOPTING TEXT AMENDMENTS TO CHAPTER 3 OF THE TROUTDALE DEVELOPMENT CODE.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The Troutdale Planning Commission held a public hearing on January 8, 2025, to take public testimony and to make a recommendation to the City Council concerning text amendments to Chapter 3 of the Troutdale Development Code.
2. The Troutdale City Council held a public hearing on February 11, 2025, to take public testimony on the amendments recommended by the Planning Commission to consider text amendments to Chapter 3 of the Troutdale Development Code concerning the commercial and industrial zoning districts.
3. To allow for “Marijuana Facilities” through a conditional use process instead of prohibiting the use outright in the General Commercial, Light Industrial, and General Industrial Zoning Districts brings the Troutdale Development Code into conformance with Local Ballot Measure 26-248 that failed November 5, 2024.
4. Notice of the public hearing has been provided in accordance with applicable law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. Chapter 3 shall be amended as set forth in Attachment A.

Section 2. This ordinance shall be effective 30 days after approval.

YEAS:
NAYS:
ABSTAINED:

David Ripma, Mayor
Date:

Sarah Skroch, City Recorder
Adopted:

3.300 COMMERCIAL ZONING DISTRICTS**3.310 General Purpose**

The purpose of commercial zoning districts is to provide dedicated commercial areas in certain areas of the city that are best suited for businesses that typically do not involve an industrial process. The types of districts are distinctive based on the consumer catchment area and the scale and types of businesses that are most appropriate for the setting and its immediate surroundings.

3.311 CC | Community Commercial

This district is intended for the shopping needs of several neighborhoods in locations easily accessible to such neighborhoods. This zoning district is not applicable for areas or lots within the Town Center district.

3.312 GC | General Commercial

This district is intended for more intensive commercial uses in addition to those provided in the Community Commercial (CC) districts.

3.320 Land Use Table for Commercial Zoning Districts

- A. Uses that are permitted are marked with a “P”, with specific standards for the use listed in the far-right column as shown below.
- B. Uses that require conditional use approval in accordance with Section 6.300 of this Code are marked with a “C”, with specific standards for the use listed in the far-right column as shown below.
- C. Uses that are not permitted are marked with a “N”.

Land Use	CC	GC	Specific Standards
<i>Residential Dwellings and Uses</i>			
Residential facilities	P	P	
Other residential uses	N	N	
<i>Mixed-Uses</i>			
Live-Work units (residential/commercial)	P	N	
Live-Make units (residential/industrial)	C	N	
Flex units (commercial/industrial)	C	C	
<i>Commercial Uses</i>			
General retail (up to 60,000 s.f.)	P	P	
General retail (above 60,000 s.f.)	C	P	
Offices (up to 60,000 s.f.)	P	P	
Offices (above 60,000 s.f.)	N	P	
Eating & drinking establishments			
Restaurants & bars (no drive-thru)	P	P	
Restaurants & bars (with drive-thru)	P	P	
Kiosks (drive-thru only)	P	P	5.200
Mobile food vendor (individually placed, in park or right-of-way)	P	P	5.200
Mobile food vendor (individually placed, on privately owned lot)	P	P	5.200
Food cart pod, micro-retail pod, or outdoor market	P	P	5.200
Financial institutions (no drive-thru)	P	P	
Financial institutions (with drive-thru)	P	P	
Personal services	P	P	
Human services	P	P	

(continued on next page)

Land Use	CC	GC	Specific Standards
Vehicular and equipment services			
Fueling stations	C	P	
Repair shops	N	P	
Sales or rentals	C	C	
Lodging facilities	P	P	
Bed & breakfast inns	N	N	
Entertainment facilities (major)	C	C	
Entertainment facilities (minor)	P	P	
Storage facilities	N	N	
Marijuana facilities	N	C	3.325.A
Industrial Uses			
Warehousing or distribution outlets	N	C	
Marijuana processors	N	N	
LI permitted uses (unless otherwise listed in table)	N	N	
Other Uses			
Agricultural or animal-based uses	N	P	
Community service uses	C	C	
Recreation facilities (active)	C	C	
Recreation facilities (passive)	P	P	
Utility facilities (major)	C	C	
Utility facilities (minor)	P	P	

3.325 Additional Requirements

A. Marijuana Facilities licensed and authorized under state law, when not located within one thousand (1,000) feet of real property which is the site of a public or private school or a public park. For purposes of this subsection, “within one thousand (1,000) feet” means a straight-line measurement in a radius extending for one thousand (1,000) feet in every direction from any point on the boundary line of the real property comprising an existing public or private school or public park. This buffer shall not apply to new schools or parks located within one thousand (1,000) feet of an existing Marijuana Facility. For purposes of this Chapter, a public or private school includes a community college or other institution where students under the age of eighteen (18) receive instruction to receive academic credits that apply towards elementary, middle, or high school grades K through twelve (12) and which may also apply towards college advancement credits.

3.330 Dimensional Standards for Commercial Zoning Districts

A. All land uses:

Dimensional Standard	CC	GC
Minimum lot size (sq. ft.)	none	none
Minimum lot width (ft.)	none	none
Minimum lot depth (ft.)	none	none
Minimum lot frontage (ft.)	20	50
Setbacks (ft):		
Front yard	20	20
Side yard		
when abutting a non-residential zoning district	0	0
when abutting a residential zoning district	see note 1	see note 1
Street side yard	10	5
Rear yard		
when abutting a non-residential zoning district	0	0
when abutting a residential zoning district	see note 2	see note 2
In cases of insufficient right-of-way	see note 3	see note 3
Maximum building height (ft.)	45	45
Maximum building size (sq. ft.)	60,000 s.f.	N/A

Table Notes
1. Side yard setback shall be the same side yard setback as required by the abutting zoning district.
2. Rear yard setback shall be the same rear yard setback as required by the abutting zoning district, but in no case shall be less than fifteen (15) feet.
3. The minimum front, side, or other setbacks shall be increased where such yard or setback abuts a street having right-of-way width less than the applicable City or County standard. The necessary right-of-way widths and the additional yard or setback requirements in such cases shall be based upon the Comprehensive Land Use Plan and applicable ordinances and standards.

3.400 INDUSTRIAL ZONING DISTRICTS

3.410 General Purpose

The purpose of industrial zoning districts is to provide dedicated industrial areas in certain areas of the city that are best suited for businesses that involve an industrial process and that may operate in a way that is less desirable for adjacent residential uses and certain commercial uses. These areas are also often considered employment centers and may conduct activities at various hours of the day.

3.411 IP | Industrial Park

This district is intended for a mix of employee-intensive industries, offices, services, and retail commercial uses, which have no off-site impacts in terms of noise, odor, glare, light, vibration, smoke, dust, or other types of off-site impacts. It provides for combining parking, landscaping, and other design features which physically and visually link structures and uses within one (1) development. Offices, services, and retail commercial uses are permitted in compliance with the Troutdale Development Code.

3.412 LI | Light Industrial

This district is primarily intended for light, clean industries usually of a manufacturing or storage nature with little limited outdoor accessory storage. These industries usually do not require rail access and have very little process visibility. They usually create little or no air or water pollution and have few, if any, nuisance factors such as bright yard lights, continuous noise, or objectionable odors, or significant outdoor accessory storage. Professional offices and limited retail sales are permitted in compliance with the Troutdale Development Code. Uses within the LI District may be located adjacent to residential uses with appropriate adequate buffering.

3.413 GI | General Industrial

This district is primarily intended for manufacturing industries, large-scale fabricators, freight and trucking firms, primary metals, and lumber, etc., that usually require highway access and/or rail service. These firms usually have a high degree of process visibility and need outdoor storage of materials and products. These industries are likely to create minor air and water pollution, as well as noise and odor, and the generation of truck, shipping, or rail traffic. Non-industrial uses of a commercial nature are permitted in compliance with the Troutdale Development Code.

3.420 Use Table for Industrial Zoning Districts

- A. Uses that are permitted are marked with a “P”, with specific standards for the use listed in the far-right column as shown below.
- B. Uses that require conditional use approval in accordance with Section 6.300 of this Code are marked with a “C”, with specific standards for the use listed in the far-right column as shown below.
- C. Uses that are not permitted are marked with a “N”.

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

Card-lock fueling stations, truck stops, service stations, tire shops, and oil change facilities.	N	C	P	
Repair and modification shops	N	P	P	
Sales and rentals	N	P	P	3.440.D.1 3.440.D.3
Wholesale trade/retail/discount sales and services	C	P	P	3.440.D.1

Land Use	IP	LI	GI	Specific Standards
Industrial Uses				
Aggregate resource	N	N	P	4.000
Manufacturing, milling, and processing				
Assembly and limited manufacturing	C	P	P	
Concrete and asphalt manufacturing plants	N	N	C	
Electronic and appliance products	N	C	P	
Food and beverage products				
Food processing involving slaughtering, fermentation, or fat rendering	N	N	C	
Beverage processing involving brewing, distilling, roasting, or fermentation	C	P	P	
Other food and beverage products	P	P	P	
Furniture and related products	N	P	P	
Machinery and transportation equipment	N	C	P	
Use and temporary storage in the manufacturing process of toxic or hazardous material by-products	N	N	P	
The manufacturing or storing of toxic or hazardous materials when done in compliance with federal and state regulations	N	N	C	
Marijuana processors	N	N	C	3.440.G
Metal and fabricated metal products				
Primary manufacturing or milling	N	N	P	
Secondary manufacturing or processing	N	P	P	
Nonmetallic mineral products	N	C	P	
Plastic or rubber products	N	C	P	
Printing	C	P	P	
Textile, apparel, and leather products	N	C	P	

Wood or paper products			
Primary manufacturing and milling	N	N	P
Secondary manufacturing and processing	N	C	P
Transportation facilities			
Airports (including heliports)	N	P	P
Heliports (not within an airport)	N	C	P
Marinas	C	P	P
Freight and trucking firm	N	C	P

Land Use	IP	LI	GI	Specific Standards
Warehousing and Storage				
Warehouse	N	P	P	
Accessory storage	P	P	P	
Storage facilities	N	C	N	3.440.J
Junk yard	N	N	C	
Marine industrial or service facilities	N	N	P	
Research, experimental, or testing laboratories	P	P	P	
Sanitary landfills, recycling centers, and transfer stations.	N	N	C	
Trade or commercial schools	P	P	P	
Other Uses				
Agricultural or animal-based uses	N	N	N	
Child-care facilities in conjunction with a permitted use or an approved conditional use	C	C	C	3.440.D.1
Community service uses	C	C	C	
Public Parks, parkways, trails, and related facilities	P	P	P	
Recreation facilities (active)	C	C	C	
Recreation facilities (passive)	P	P	P	
Utility facilities (major)	C	C	P	
Utility facilities (minor)	P	P	P	
Other uses similar to those listed above	P/C	P/C	P/C	

3.430 Dimensional Standards for Industrial Zoning Districts

A. Dimensional Standards Table for Industrial Zoning Districts

Land Use	IP	LI	GI
Lot Size and Coverage			
Minimum lot width	150 ft.	None	None
Maximum lot coverage	60% of the site	None	None
Setbacks			
Front yard setback	20 ft.	20 ft.	20 ft.
Side yard setback	15 ft.	10 ft.	None see 3.430.B.4
Street side yard setback:	15 ft.	10 ft.	None see 3.430.B.4
Rear yard setback	10 ft.	None	None see 3.430.B.4
Setbacks for insufficient right-of-way	see 3.430.B.1	see 3.430.B.1	see 3.430.B.1
Additional setback requirements	None	see 3.430.B.3	see 3.430.B.3
Maximum Height of the Structure	35 ft.	45 ft. see 3.430.B.2	see 3.430.B.2
Lot Area	No minimum	No minimum	see 3.430.B.5

B. Additional Dimensional Standards

1. Setbacks for insufficient right-of-way: The minimum front, side, or other setbacks shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The necessary right-of-way widths, and the additional yard or setback requirements in such cases, shall be determined
2. Unless otherwise limited by the Federal Aviation Administration.
3. Additional setback requirements: If any use in this district abuts or faces any residential zoning district, a setback of fifty (50) feet from the property line or centerline of an intervening public street, on the side abutting or facing the residential zoning district shall be required.
4. No side or rear yard setbacks unless the property abuts a parcel of land in a more restrictive manufacturing or commercial district, in which case the requirements of the abutting zoning district shall apply.
5. Lot Area. Division of lots or parcels are permitted as follows:

- a. Lots or parcels fifty (50) acres or smaller in size may be divided into any number of smaller lots or parcels.
- b. Undeveloped lots, parcels, or tracts larger than fifty (50) acres in size may be divided into smaller lots, parcels, or tracts so long as the resulting land
- c. division yields at least one (1) lot, parcel, or tract of at least fifty (50) acres in size. If a land division results in more than one (1) lot, parcel, or tract of fifty (50) acres or greater in size, only one of those fifty (50) + acre lots, parcels, or tracts, if further divided, must yield a lot, parcel, or tract of at least fifty (50) acres in size.
- d. Developed lots or parcels fifty (50) acres or larger in size may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the City so long as at least forty percent (40%) of the net area of the lot or parcel has already been developed with industrial uses or uses accessory to industrial use, and no portion of the lot has been developed, or is proposed to be developed, with uses regulated by Subsection 3.175(D) of this Code.
- e. Notwithstanding parts (2) and (3) of this Subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:
 - i. To provide public facilities and services;
 - ii. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;
 - iii. To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or
 - iv. To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.

3.440 Additional Requirements

- A. Unless otherwise provided in this Code, compliance with Chapters 8 and 11 relating to design review and landscaping is required.
- B. All lots shall have frontage or approved access to public streets, public water, and public sewer before development is allowed.

- C. Off-street parking spaces shall be provided in accordance with the requirements of Chapter 9, Off-Street Parking and Loading, of this Code.
- D. Commercial uses, as indicated in the specific standards column in TDC 3.420, are subject to the following standards:
 - 1. In order to ensure that certain permitted and conditional non-industrial uses are primarily intended to serve the needs of workers in the immediate area, professional offices; medical and dental clinics; banks; restaurants; and retail, wholesale, and discount sales and service shall not exceed five thousand (5,000) square feet of gross leasable area. If there are multiple businesses within these categories of uses that occur within a single building or within multiple buildings that are part of the same development project, then the cumulative gross leasable area for all these businesses shall not exceed twenty thousand (20,000) square feet.
 - 2. Drive-thru and drive-up service windows are not permitted in the general industrial zoning district.
- E. Development is subject to compliance with any applicable overlay zoning district standards.
- F. Marijuana Facilities licensed and authorized under state law, when not located within one thousand (1,000) feet of real property which is the site of a public or private school or a public park. For purposes of this subsection, “within one thousand (1,000) feet” means a straight-line measurement in a radius extending for one thousand (1,000) feet in every direction from any point on the boundary line of the real property comprising an existing public or private school or public park. This buffer shall not apply to new schools or parks located within one thousand (1,000) feet of an existing Marijuana Facility.
- G. Marijuana Processors licensed and authorized under state law, when not located within one thousand (1,000) feet of real property which is the site of a public or private school or a public park. For purposes of this subsection, “within one thousand (1,000) feet” means a straight-line measurement in a radius extending for one thousand (1,000) feet in every direction from any point on the boundary line of the real property comprising an existing public or private school or public park. This buffer shall not apply to new schools or parks located within one thousand (1,000) feet of an existing Marijuana Processor.
- H. Eating and drinking establishment, subject to the following requirements:
 - 1. The use is located within a building which houses another permitted use.
 - 2. No drive-through window is permitted.
 - 3. Inside seating area shall not exceed fifty percent (50%) of the use’s gross floor area or one hundred fifty (150) square feet, whichever is the lesser.
- I. In the industrial park zoning district, convenience stores, not to exceed thirty-five hundred (3,500) square feet in size.
- J. In the light industrial zoning district, storage facilities are allowed when located within one-quarter mile (1/4 mile) of the eastern overpasses of Interstate 84 at Exit 17. For purposes of this subsection, “within one- quarter mile (1/4 mile)” means a straight line measurement in a radius extending for one thousand three hundred twenty (1,320) feet in every direction from

the point positioned on the centerline of 257th Drive situated exactly in between the eastbound and westbound bridges of Interstate 84 at Exit 17.

- K. In the light industrial and general industrial zoning districts, product sales, service, and/or display accessory to any manufacturing, fabricating, or processing use are allowed provided the sales, service, and/or display area does not exceed fifteen percent (15%) of the gross floor area, or three thousand (3,000) square feet, whichever is less.