



CITY OF TROUTDALE

Planning Commission

MEETING AGENDA

Wednesday, June 17, 2020 | 7:00 p.m.

Troutdale Police Community Center – Kellogg Room

234 SW Kendall Ct – Troutdale, OR 97060

1. **Call to Order, Roll Call, & Pledge of Allegiance**
2. **Public Comment on Non-Agenda Items**
3. **Review & Approval of Minutes**
 - a. May 28, 2020 Meeting Minutes
4. **Public Hearing**
 - a. Hearing Procedure
 - b. Case File # LU-0006-2020 13 Bridges
Conditional Use Permit – Type III Hearing
5. **Discussion Items**
 - a. Town Center Plan project
6. **Department Report**
7. **Commissioner Comments**
8. **Adjourn**

Next Regular Meeting: Wednesday, July 15, 2020 | 7:00 p.m.

Due to COVID-19 health requirements, there will be a limit on public attendance in the Kellogg Room. Please contact Staff for alternate methods of participation.

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



CITY OF TROUTDALE

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MEETING MINUTES

Thursday, May 28, 2020 | 7:00 p.m.

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

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

The meeting was called to order by Chair Staffenson at 7 p.m. The roll was called. The Pledge of Allegiance was tabled because the meeting was mainly held virtually.

- Commissioners Present: Staffenson, Wittren, Woidyla, Prickett, Wilcox, Glantz, and Mammone.
- Commissioners Absent: Allen
- City Staff: Chris Damgen, Community Development Director
Arini Farrell, Associate Planner
- Members of the Public: Melissa Bocarde, transcriptionist
Tracy Brown

2. Public Comment on Non-Agenda Items

Chair Staffenson reminded everyone that public comment is welcome at any time and asked if anyone wished to speak now. There was no public comment.

3. Nominations and Appointment of Vice Chair

Chair Staffenson opened nominations for Vice Chair. Ms. Prickett nominated Marv Woidyla and Ms. Glantz seconded the motion. The motion passed unanimously.

4. Approval of Minutes

The group reviewed and discussed the draft of the April 29, 2020 minutes. Mr. Wilcox noted a spelling correction of Dean Hurford's name on page 14. There were no other changes.

Ms. Prickett moved to accept the minutes as amended and Ms. Glantz seconded the motion. The motion passed unanimously.

5. Discussion Items

a. TDC Amendment Regarding Storage Use in Light Industrial (LI) Zoning District

Mr. Damgen referred to a memo that was distributed to Commissioners prior to the meeting. He noted that originally Staff had anticipated to hold the hearing on June 17, 2020, but given that there was concern about having that discussion prior to it, the hearing will be postponed until July 15. An earlier version of the memo suggested that comments could not be made prior to this date, but he has since learned this is not true.

Mr. Damgen began his presentation by addressing two suggested new definitions and one slightly revised definition of storage. While the word seems self-explanatory, the Development Code doesn't contain a single definition even though "storage" is referenced throughout the Code.

He explained the Staff's working definition of storage as the safekeeping of materials and goods when the principal use of the business is not that of a storage facility, and its presence at a location is considered accessory. If someone has materials on their property that belong to them and the uses are associated with the main use of that property, that is considered storage and it is allowed, provided it is the business owner's own property. The difference when we're talking about storage facilities is that storage space is the principal use of the property and where storage can be rented out for leasable space. And in this particular definition proposal, we are saying that it may be stored by lessees in an outdoor, indoor or portable setting. We go on to say that storage facilities can include residential and non-residential self-storage establishments, so what we have historically called "mini-warehousing" storage facilities of which we currently have three in the City, they would be covered under that definition. That is the type of storage facility we are talking about. It is not warehousing for commercial and industrial purposes.

We always had a definition of warehouse which is a facility designed primarily for the storage of materials or goods for use on the site or later distribution. Warehousing shall not include storage facilities. A warehouse is very much like what is going on with a grocery wholesaler where they take on goods and distribute them at a later date. They are the primary business and their purpose is to store materials but not to rent out smaller storage spaces.

Mr. Damgen stated that this is important because warehousing is currently an allowed use, but looking at the archive of how the City has handled storage facilities, the City has not historically wanted to have these. However, there is currently lots of business interest in this particular land use. We are seeing if it can be introduced without being overwhelmed by previous discussions which have been about the highest and best use of land and storage not providing much new employment. We had industrial land tied at the time, and we really wanted to make sure that what we had designated as a job center and place of industry was allowed to develop. Since the last time the City looked seriously at storage as a use, the City has seen an influx of industrial development that has generated thousands of jobs. Now with the remaining acreage we have left, the question is if it's appropriate to look at storage as a business use again when staff has seen demand for this type of use. This is why staff is bringing it back for this body and ultimately Council's review.

Moving to Chapter 3 of the Code and what we allow as a permitted or conditional use, light industrial is the zone we're talking about. Mr. Damgen stated that on the map, the light industrial properties are the smaller properties immediately proximate to I-84 and adjacent to Troutdale Airport - including the I-84 Corporate Center, which is partially covered by this - as well as properties off Harlow Road where the levy ties in with I-84. It is a very limited geographic scope. It also includes a small area well west of downtown near the animal shelter.

So when we're looking at that zoning district, given that this has been a difficult topic and in light of concerns articulated at the last meeting, we are suggesting that you consider it to be a conditional use where this body would have the ability to review these applications on a case by case basis. Applicants would have to demonstrate that they have met those six criteria in the code that says this use is going to be OK for this specific location. That way you can be more particular and examine the facts of the property as opposed to a permitted use which is a bit more open. This may be a safer way of re-introducing this use. Finally, there is already a storage facility in the City in this zoning district; a self-storage facility at Harlow and Graham which is a non-conforming property and if they wanted to make major changes to the property, they would be prohibited from doing so. Reintroducing storage as a conditional use would allow them the ability to potentially re-develop their operations.

Mr. Damgen asked if there were any questions. Ms. Glantz thanked Mr. Damgen for the redlining. She said she felt they were splitting hairs, especially when considering the definition of "warehouse" as a building designated for storage of materials or goods, but it's not storage facilities. She asked why can't a warehouse be a storage facility? Why is there a need for a separate definition? Mr. Damgen answered that the current distinction is of a warehouse being a larger facility used by one company to distribute goods or materials, and it's not the same as someone not associated with the company seeking to rent partial space. Ms. Glantz commented that in considering Amazon and a warehouse and all of the different vendors that they store materials for, it seems like the definition is carving out a very small piece. Second, she suggested adding the word "accessory" to differentiate between when discussing a "storage accessory" or a "storage facility." Third, on 3-45, she suggested capitalizing the "k" at the top of the page to recognize it is a category rather than a verb.

Mr. Mammone said that he appreciated Staff's efforts. He commented that he agrees with Ms. Glantz that the word "accessory" should be added after "storage" if it is not followed by "facility."

Mr. Wilcox commented that Troutdale Airport storage has added buildings in the past few years and asked Mr. Damgen how this was approved. Mr. Damgen answered it is a private storage facility at the intersection of Harlow Road and Graham that is located in General Industrial and tied to Aviation-related facilities. Mr. Wilcox said that was not his question. His question was that when Mr. Damgen said they were non-conforming, he was pointing out that they had added buildings to their properties over the past few years. Mr. Damgen asked if he was referring to the public storage facility and not the one at the airport. Mr. Wilcox said no, the one at the airport at the corner of

Graham and Harlow. Mr. Damgen answered that that is in the general industrial zoning district and that Staff would need to go back to check how that was determined.

Mr. Wilcox said he was aware of at least one business owner that was warehousing at the corner of Graham and Harlow. He also has some personal experience from when he delivered groceries to a small public storage facility and people who were operating a food buying club from it, resulting in extra traffic.

Mr. Damgen responded that the reason Staff wanted to have this discussion was to see whether the definition of warehousing needed to be expanded, but if not, it would be upending how the Staff historically evaluated those applications. Also, a warehouse can employ dozens or even thousands of people unlike a mini-storage facility that employs 5-10 people. A warehouse has greater potential to have a regional economic impact which is called for in the 2040 Metro Plan.

Mr. Woidyla stated that a warehouse is controlled by a single operator and does not have public access to space within it. Mr. Damgen agreed that Staff could address that within the definition.

Ms. Prickett said that she agreed with Mr. Woidyla and Ms. Glantz about adding another word to always follow "storage." She also liked Mr. Woidyla's definition of it having no public access.

Chair Staffenson said that a warehouse needs to make sure it can logistically move trucks and bodies effectively, and he agrees with Mr. Wilcox that mini-storage is not designed to receive deliveries.

Mr. Wittren said he did not feel that they were splitting hairs and that it's important to have a definition of a warehouse. He also agrees that a warehouse definition should include not having public access to it.

Ms. Farrell said that warehouses are currently permitted so defining things a bit further would be clarifying if they are in the same permitted use as a warehouse. Staff has met with some business owners who would like to rent some of their warehouses to other businesses, like having a shipping container on their lot. As a result, this is a good opportunity to define what warehouse means for us and also so that storage facility and storage accessory do not fall under the same umbrella.

Chair Staffenson said that a warehouse on a dead-end street might be viewed completely differently from a traffic standpoint. Mr. Damgen said that just because a use is permitted doesn't mean it's guaranteed. It still needs to go through design review with the City to ascertain if it can handle that type of traffic. If not, Staff can deny the application.

Chair Staffenson recognized a member of the public to speak. Tracy Brown, resident of 17075 Fir Drive in Sandy, said he is a land use planner working with a business owner with property in the light industrial zone. He said he welcomes clarification. After an initial review of the proposed amendment, he is very supportive. He suggested also considering the scale of the operation since a small warehouse is different from a large business, like Amazon.

There was no other public comment.

Mr. Staffenson asked if Staff would look further at the definitions, and Mr. Damgen said he would do that and bring it back to this body at a hearing for July 15. When dealing with a text amendment that affects a zoning district, Staff has to notify all the properties that are zoned that way.

Ms. Glantz commented that it seemed like it would be difficult to turn down any storage facility and accessory proposals at the moment. She asked if the criteria includes anything about creating jobs. It seems like it's really hard to turn anyone down. Does our criteria include anything like job production? Mr. Damgen offered to pull up the conditional use approval criteria. Upon review, Ms. Glantz noted that there isn't anything about job creation. Mr. Damgen said that criteria F addresses the purposes of each zoning district. For example, the purpose of LI is supposed to have a lighter footprint and impact as compared to others.

Chair Staffenson asked what Staff planned to do with the proposed definition. Mr. Damgen answered that he would add an adjective after each use of storage and then do a word search to replace all of these references across the entire Development Code. Second, Staff would look at expanding the warehouse definition to include the spirit of Mr. Woidyla's suggestions.

b. TDC Amendment Regarding Sign Permitting

Mr. Damgen said this has not been brought up previously. However, Staff finds sign permitting to be extremely cumbersome, difficult and frustrating for applicants. Also, the City now has software that allows for concurrent review which can dramatically increase review speed. However, the Development Code requires the Type I land use review which forces Staff to generate paper and sometimes adds a 30-day decision time to it. Staff proposes uncoupling the Type I land use review procedure without uncoupling the need to get a sign use permit, and we don't change the standards for reviewing a sign. We just take out the land use review requirement for it. That way, Staff can do a concurrent review of the sign permit and the building permit. In situations when a building or electric permit isn't needed, it allows Staff to review it while getting it out the door in a very quick period of time.

Mr. Damgen then addressed the second bullet point that portable signs and temporary signs would be exempted from requiring sign permits but would still have to meet existing siting and design standards. Pre-Covid, there were always many portable signs, A-frames and temporary banners downtown. He asked what the purpose is of requiring a permit for these signs. Staff doesn't want to get rid of the dimensional standards, but there is no need to require a

permit for it because if the sign doesn't meet the standards, Staff can compel the business owner to remove it. The City doesn't require a permit for home occupation, for example, so why for a temporary sign?

The third bullet point is to increase the maximum sign face area from 10 square feet to 12 square feet. This would apply to a double-sided sign that is 2x3 feet, which is the standard size of sandwich board signs. Under the current code, that's 6+6 feet which would be 12 feet and technically require a Type II variance. If there is a problem, the Code Officer will investigate, but overall this will create less of a burden for Staff and business owners. Also, most business owners are not getting portable sign permits anyways.

Chair Staffenson asked Commissioners for comments and questions beginning with Mr. Wittren. He said that if business owners are rarely applying for temporary permits, this wouldn't affect revenue. Mr. Damgen said that was correct and that there is a greater cost in requiring a permit. Also, it is a good will gesture.

Ms. Glantz asked if double-sided political signs count as 4 feet or 8 feet. Ms. Farrell answered that Staff looks at the display area only. Ms. Glantz suggested that instead of changing the sign size limit to 12 feet, Staff could change how it measures an A-frame so that each side is a unique sign. She also has one major concern with not requiring permits for temporary signs and that's knowing how long the signs are kept up. Ms. Farrell answered that Joe conducts a regular audit of all of the temporary signs. Staff can also educate the public about what temporary really means. Mr. Damgen added that signs displayed in a right of way are prohibited and Joe can remove these right away. Ms. Glantz responded that loosening regulations could lead to an over population of signs and this would not be an attractive look for the City. She also asked Mr. Damgen to explain how the permitting software works and the decoupling he proposed. Mr. Damgen explained that originally, Planning would look at the size and dimensions and, in some cases, some signs would also require building permits if they required a foundation or had electrical features like backlighting. What happened previous to the software was that they went through planning and then the building permitting routine because they couldn't be reviewed concurrently. This added delay and frustration. Staff now has the ability to do concurrent review but isn't able to because of the way the Code is written.

Ms. Glantz asked if the change was mainly procedural and Mr. Damgen said that it was. Ms. Farrell added that Staff is already reviewing the Code for discrepancies and there's a misunderstanding that Type I reviews are over the counter permits. The problem with that is that any Type I, II or III are called permits, and we've been referring to sign permits as Type I permits. However, then we are required as planners to do the notice of decision. Staff suggests not submitting businesses to a Type I typology so that they don't need to wait for a completeness review and then a procedure. Ms. Glantz asked if that meant there wouldn't be any notification to Staff about the temporary sign, and Ms. Farrell said that was correct. Chair Staffenson asked if it would be an over the counter decision if the sign meets the standards, and Mr. Damgen said that it would be.

Ms. Farrell said that for example, when Starbucks has a Type I site development review, Staff will notify some of the reviewers of the application. However, for the sign application, we wouldn't notify the reviewers, but they realize Starbucks is opening because there is still notice given to property owners because of the site development review application.

Chair Staffenson asked what would happen if the sign is on an easement. Mr. Damgen answered that it's still reviewed but with quicker turnaround. Chair Staffenson noted that it takes longer to get a sign permit than to get a building permit, and Mr. Damgen said this is true, and he feels it's unacceptable to make someone wait 4-6 weeks when Staff has the technology to get it done faster. He reminded the Commissioners that they are tasked with making the Code more user friendly for the public they serve.

Mr. Mammone commented that he agreed with removing bureaucracy when it's unnecessary, but they need to be sure not to compromise the integrity of the process. He is concerned that portable and temporary signs will be exempted. He asked what the definition is of a temporary sign; does it mean one that isn't bolted to the ground or one that will only be used for a specific amount of time, like a political sign. Mr. Damgen answered that in the case of political and event signs, there is an end date. There is also a definition of portable signs. Mr. Mammone asked if we require a permit for a temporary sign, how will we know if it's temporary or not? Ms. Farrell answered that a lot of the temporary and portable signs are for things like daily restaurant specials or events held at churches for donation drives, and these signs can change information every day, so they really are temporary and need to be up.

Chair Staffenson asked how Staff would ensure that there wouldn't be a sign every 3 feet if there were no permits, and Mr. Damgen said that A-Frames are almost always placed in the right of way and Code enforcement is complaint driven. If there is an issue, Multnomah County will contact Staff. The good thing about portable signs is that they can be removed quickly so it's possible to have them in a right of way. Having the standard in the Code still protects the City legally if it needs something to fall back on, but it's been a custom that Staff doesn't remove signs unless someone complains about it and then they review it. It matters if it went to a court room, we have something to fall back on. But it has been a longtime stance that we don't yank signs until someone complains about it and then we review it. Most complaints are not about how long a sign has been placed but how many signs exist on one property.

Chair Staffenson commented that as a business owner, he has worked with some cities that only allow him to have a sign up for 30 days and the City regulates it. If the City sees the sign up when it's not at its designated time period, they can take action. However, since he has applied for a permit, they are aware of the signs and when it can be there. He commented that this discussion was about the value of livability in Troutdale. Mr. Damgen said that the majority of complaints received are regarding signs placed in right of ways and can be dealt with swiftly. The Code officer informs the business owner of the problem and that you can only have one portable sign. Chair Staffenson asked if this was mainly A-frames and Mr. Damgen said there were also flags, banners and feather signs placed in right of ways. Ms. Prickett commented that Troutdale didn't have a Code Officer until recently and temporary signs

often became permanent. Also, she feels that relying on complaints for enforcement hasn't worked in the past and requiring a permit gives the Staff a way to control things proactively instead of waiting to respond to a complaint.

Mr. Wilcox asked why paragraph A was not struck out entirely, and Mr. Damgen replied that he thought it read easier that way but it could be changed. Mr. Wilcox also asked about the sentence stating that a sign permit is not subject to a land use procedure and asked why the Code should explain something that isn't required. Mr. Damgen said that he wanted to make it abundantly clear that in this particular chapter, the ability of the Staff to handle a sign permit application does not require a land use procedure as outlined in Chapter 2.

Mr. Woidyla commented that most sandwich signs are only placed when the business is open, so this does make them temporary signs.

Mr. Damgen asked if the body wanted to look at a time limit again or a method of limiting temporary signs incorporated into the text amendment and if they wished to have Staff prepare something to return to them to study.

Ms. Glantz answered that she would like to have some sort of permitting process in place so they are aware of what signs exist. Chair Staffenson asked when she thought a sign should come before this body. Ms. Glantz said that this is why she worried about removing it from a Type I. She is willing to try it as long as there is some type of permitting, but she could foresee a sign going up and causing discord because someone's neighbor didn't know it was coming. Chair Staffenson said he worried more about larger signs, and Ms. Glantz said that usually there was warning about those because they were displayed by new businesses who were getting building permits. However, she does worry about discord between neighbors and feels there has to be some sort of permitting process.

Ms. Prickett agreed that business owners need to know if one of their neighbors is going to begin displaying a sign without their knowledge. Chair Staffenson said he agreed with Staff that there are some categories to be looked at such as an A-frame sign or something bigger and more permanent. He feels that a bigger and more public sign could come back to cause problems for them. Mr. Damgen said that the majority of signs are Type I and do not require a neighbor notification anyway. Permanent signs are often tied to a building's setback standards and because of this, the impact on adjoining properties are minimal.

Ms. Farrell stated that it's not the notice of application that's cumbersome but that when it's Type I, Staff has to do a completeness review and issue a completeness letter so there is an additional step. Mr. Damgen said that Staff has seen sign applications that only needed a 5-minute review but hours to generate the necessary paperwork.

Mr. Wittren said that he felt they were making things too difficult for business owners. Mr. Damgen agreed and said that there are people who will bypass getting a permit, so if the sign meets the dimensional standards, does Staff really need to lose sleep over it or should they just let the Code Officer take care of it. Mr. Wittren commented that if

a sign is blocking another business's sign, it's probably not supposed to be there in the first place, and the Code Officer can take care of it. Ms. Farrell agreed that signs need to meet the setback requirements and if planners see that there are missing items, they can require the applicants to resubmit them and it's a quick turnaround.

Mr. Damgen asked the group to consider the questions of what it wants to permit, what it wants to allow and what should be done to enforce? Mr. Woidyla answered that if the sign creates a hazard or obstructs someone's sign, it should be removed. Chair Staffenson said that he believes the good thing about having permits is that the rules are listed in the application. Mr. Wittren asked if everyone followed the rules, what would the City actually look like in terms of signs? Chair Staffenson answered that they don't allow signs in the public right of way and having everything legal would mean allowing them. Mr. Damgen said he mainly sees signs on the historic highway downtown, and only a handful of businesses have the ability to do this because they're set back in alcoves.

Mr. Mammone asked if the rules were applied 100 percent, what would the City look like? He asked if there is a limit to the number of portable signs a business can have so that it's a welcoming look. Mr. Damgen said that a business can have wall signs, projecting signs, and one portable sign per business and one temporary sign is allowed. He also reminded the group that complaints have always been about the number of signs.

Mr. Mammone commented that temporary signs seemed more tied to an engineering requirement more than to a definition of time. On the other hand, the exemption of sign permits could escalate unintended consequences. It might generate an image that is not what the group had in mind.

Mr. Wittren suggested that a business should be able to have one temporary or one portable sign but not one of each. Ms. Glantz suggested putting a time limit on temporary signs. Mr. Damgen said that one of the things Staff sees with temporary signs are banners that are put up by organizations. But to Mr. Woidyla's point, it's temporary because it's put away at night, but it can be used over and over again. Ms. Glantz said she liked the idea of making a distinction between portable signs that are set up every day and temporary signs that are sales driven or event driven. That way they can make sure that the big business blowout sign doesn't stay around for 18 months while still allowing portable signs for the church drop offs etc. that are put away at night. She asked what is considered temporary and if that implies events and sales or it means portable signs.

Mr. Damgen suggested that Staff return in July with a more refined definition that addresses Ms. Glantz's comments such as an A Frame sign having two separate sign faces. Mr. Wittren said that he'd like Staff to consider a text amendment as a Type IV item in July. Ms. Glantz agreed but said she wanted to spend some time on it at tonight's meeting doing a line by line edit to make sure everyone is on the same page before Staff rewrites it. Mr. Mammone agreed. Mr. Wilcox said he was good with July for a Type IV on this issue, and Mr. Woidyla said he agreed. Ms. Prickett agreed as long as they had a chance to get on the same page at tonight's meeting.

Chair Staffenson asked if the group wanted to have the discussion at tonight's meeting. Mr. Damgen said they could always make an amendment or a change to the product that Staff presents.

Chair Staffenson asked Mr. Damgen to review the entire document line by line and Mr. Damgen displayed the power point of the text amendment being considered beginning with 10.015 definitions. He asked if the group wished to propose any changes to the A-frame definition. Continuing on, he reviewed the other category definitions. Ms. Glantz asked him to define a feather sign. Chair Staffenson answered that it typically has a small post and a long mesh banner that unfurls in the wind. They are usually 2 feet wide and 10-12 feet long unfurled. Ms. Glantz asked why there wasn't a separate definition, and Mr. Damgen answered that Staff viewed them as Flag signs and subject to the Director's interpretation. They are also often in a Right of Way. Staff agreed that it would research a definition.

Mr. Damgen noted that a lawn sign is defined by its composition and it is usually a political sign.

Ms. Prickett asked about signs that are air drive that wave their arms to draw attention. She asked under what definition they are. She suggested adding a definition for inflatable signs.

Mr. Damgen asked Ms. Farrell if there have ever been any applications for permanent banner signs, and she did not think so.

Ms. Glantz said she thought the portable sign definition is fine.

Mr. Damgen said that there are legal reasons to not change the sign face area unless they want to draw the ire of the real estate agencies.

Ms. Glantz said she would like to add an example or exhibit of a temporary sign within the definition.

Ms. Farrell said she wanted to capture the time essence of temporary signs for things like grand opening sales or events. Ms. Glantz agreed it should be something that has a timeline. She asked if something is a happy hour sign, would it become an event sign? Chair Staffenson didn't think so.

Mr. Damgen asked about 10.020 and Mr. Wilcox's earlier comments. Chair Staffenson said he agreed with Mr. Wilcox's point that you don't need to explain what someone doesn't need to do. Ms. Glantz asked if we were saying that all signs would no longer be subject to Type I or just some signs? Mr. Damgen answered all signs. However, you are still required to get a sign permit. Say Burger King comes up with a sign that is 36 feet instead of 32 feet, the Staff would have to deny it. If they didn't include the numbers, they would fail the completeness review. After that, Burger King would have to reapply if we found later that the sign's dimensions weren't compliant. However, we are saying Burger King can apply for everything at the same time, and all can coordinate in days if not hours instead of

generating additional documents. So there is still a check and a permit is issued, but it doesn't have to go to Building to wait for their permit. It is a much cleaner process.

Chair Staffenson said he worried that a large business - like Ikea - could come in with a sign and the public wouldn't know about it until it happened. Mr. Damgen answered that if it were a really large sign, they would have to apply for a variance and so the public would be notified since it would require a hearing. Ms. Farrell said Ikea would still be subject to a site development review and it would probably go through a Type II application and require a public review process. Usually these involve elevations and signs, and so no big project can come without the public knowing about it because there's a site development review requirement.

Mr. Damgen said that we haven't discussed the sign dimensions but that was hashed out years before and it would be controversial to bring it up. The Staff has never had a complaint about a dimensional standard. They get complaints about the permitting process. Mr. Woityla agreed. Chair Staffenson said he is being cautious because even though he trusts this Staff, he might not in the future.

Mr. Damgen asked if the group wanted to consider sign locations. Staff reviewed a sign being closer to the road and covered the request with a variance. He suggested maintaining the permit building setback. The group agreed.

Mr. Damgen reviewed sign permit exemptions.

He noted that signs that are painted on the building are still signs like murals. This came up with the Troutdale Storage sign.

Inflated signs (balloons) need to be 5 square feet or less. He noted that this section was written by attorneys.

Mr. Damgen reviewed the two Staff proposals of including Bench signs and Permanent signs.

Ms. Glantz asked to return to the subject of temporary signs and if that is basically saying they no longer need a permit. Mr. Damgen said that if you look at the number of permits, they've issued and how many are displayed downtown, it's clear that most were never given a permit. Ms. Glantz said she didn't feel like this was a reason to justify not having a permit. Mr. Damgen said that's a community value judgement but he wants them to know that this is the reality and that when businesses open, they don't check to see if they need a permit. Staff can articulate that if the Commissioners would like. Ms. Glantz said she didn't want to be strict about it but wants the permit as a backup in case there is an issue. Mr. Damgen responded that when people call to ask about it, Staff will tell them they need to pay \$100 to add a portable sign, and that's an uncomfortable conversation that doesn't give the City a good look and it affects the City's reputation. Chair Staffenson suggested not charging a fee and letting the general fund cover it. Ms. Glantz said she worried that letting go of the permitting was going too far. Mr. Damgen said that the

Staff has had 9 Code complaints about home businesses and in 8 of those cases it was true, but they were called in to Staff because of disruption. Why should the City require a permit for a sign when we receive relatively zero complaints and not require a permit for a home occupation? Ms. Glantz asked if the business license covered it. Mr. Damgen said that his point is that the complaints they have that are related to signs are unrelated to whether they had a permit, but almost always about the number of signs on the properties. In Mr. Damgen's opinion the City has more problems with home occupations than with temporary signs, and why have Staff take time to review a portable sign permit when they're not going to review a home occupation permit. Chair Staffenson said that he thought maybe Staff should review these and Mr. Damgen reminded him that the body had decided not to do that. They are charged with creating a code that can be developer friendly without throwing out all the standards in the book. Chair Staffenson said that he believed this is what they were trying to do. Mr. Damgen said that Staff were spending too much time on minute issues in his opinion. Ms. Glantz answered that many people are very sensitive about signs whether they complain or not.

Mr. Wilcox said he had a hard time understanding how to have a temporary sign definition without a time frame attached to it. Mr. Damgen said that he would bring a proposal to them.

Ms. Glantz said she believes they are being business friendly, but she is hesitant to go too far by not having a permitting process. It doesn't need to be a Type 1 or have a fee. She wants to at least have a permitting process even if they aren't rigidly enforcing it in case something comes up. Pulling out the entire permitting process leaves them very vulnerable.

Mr. Wittren said he is fine with no permits across the board. He fundamentally doesn't agree with partial enforcement and all the time the Staff spends on permitting temporary signs doesn't make sense to him. He agrees that they should have a time constraint and that they should be able to achieve their goals without choking staff with excess paperwork. Mr. Damgen added that there is also the nuisance code at their disposal. Chair Staffenson said they have recently doubled the code enforcement so it's not like they're asking Staff to do more work with less resources.

Mr. Damgen asked if there isn't a fee for a permit, what is the purpose of someone applying for it? Chair Staffenson answered because this way they would understand what the rules are and sign off on them. Mr. Damgen referred back to the home occupation and that they receive something from the City explaining the rules. Businesses with license renewal paperwork can receive a memo explaining what the sign standards are. They already do this with political signs so they can't make excuses when they violate the code. Ms. Glantz answered that if she is a business owner who decides to put out temporary signs, there is no way for her to know the rules. Mr. Damgen said that was true, but the Code Officer would let them know if there is a problem and let them fix it.

Ms. Glantz reiterated that operating only based on complaints means educating people after the fact and after the money is spent on a sign that doesn't meet code. Mr. Mammone agreed. He felt that portable temporary signs need

a permit just as a basic 5 second way of regulating a sign. It doesn't need to be more complicated than that, but to not have anything would mean they weren't being good public servants. He continued that we keep talking about permits, but what do we mean by it, what is a permit?

Mr. Damgen said that a permit is the City's way of approving that something exists. From a Staff perspective, decoupling the permit process from the land use process is a step in the right direction for Staff and the public. However, not charging for a permit would need to be recommended to the City Council as a separate resolution.

Ms. Prickett said she agreed with Mr. Mammone and Ms. Glantz that there needs to be a process besides waiting for complaints.

Mr. Damgen said that Staff would work on a document and bring it back to a hearing on July 15.

c. June 17, 2020 Regular Meeting

Mr. Damgen reported there will be a conditional use hearing at the June 17th meeting.

6. Department Report

Mr. Damgen said that the Town Center Committee will make a presentation to this group in August.

Due to Covid-related closures, the City is trying to help downtown restaurants stay in business by allowing them to set up in Mayor Square. Staff is also looking at the idea of creating temporary seating areas in a few parallel spaces on the Historic Highway. Other downtown businesses have offered patio space for restaurants to use. While the Covid epidemic has been trying, it has definitely increased community spirit.

Ms. Farrell reported that Beth Goodman presented information to the Council about the work done with the Housing Needs Analysis last year and this will continue with another discussion about adopting the facts. Ms. Farrell will keep the commissioners informed.

7. Commissioner Comments

Mr. Wilcox commented that the Eagle Ridge complex has a driveway entrance off 18th Way that wasn't included in the original plan. Mr. Damgen explained that this only appears to be an entrance since the owner hasn't installed the fire gate yet.

Mr. Wilcox asked about the marketing plan for the property at Columbia Ridge and Sturges. He asked if Staff knew if they are selling lots and buildings one house at a time. Mr. Damgen answered that it was purchased by local developers and that 12 or 13 of the 26 lots have been re-sold to a local homebuilder for development. He has

submitted 3 possible prototypes for Staff to review. It will be similar to tract housing. He also has the option to buy the other half of the property.

Chair Staffenson reported that the Council is working on the Housing Needs Analysis and adopting the technical data while continuing to flesh out the strategy behind it. The Town Center Committee is working hard, and he complimented Staff’s presentation at their recent meeting.

He commented that there has been another traffic accident at the east end of the Troutdale Bridge near Paddock. Also, the road there doesn’t seem finished since it is very rough unless you use 4 -wheel drive. Mr. Damgen said that he will check with ODOT and the County about whether it’s still being improved.

8. Adjourn

Mr. Woidyla moved to adjourn the meeting and Ms. Prickett seconded. The motion passed unanimously and the meeting was adjourned at 9:53 p.m.

APPROVAL OF MINUTES

Tanney Staffenson, Chair

Date of Approval

Melissa Sillitoe Bocarde, Attest



Staff Report

Report Date: June 9, 2020
Meeting Date: June 17, 2020

FILE NUMBER / NAME	LU-0006-2020 13 Bridges LLC		
APPLICATION TYPE	Type III Conditional Use Permit		
PROJECT APPLICANT	Tim Messelt, 13 Bridges LLC	PROPERTY OWNER	David Bruce, Troutdale Property LLC
PROJECT LOCATION	1057 NW Corporate Dr	TAX MAP / TAX LOT #	1N3E26A -01311/R412000550
LAND USE MAP	Industrial (I)	LAND USE ACTIVITY	Industrial/offices
ZONING DISTRICT	General Industrial (GI)	OVERLAY DISTRICT	Airport Landing Field (ALF)

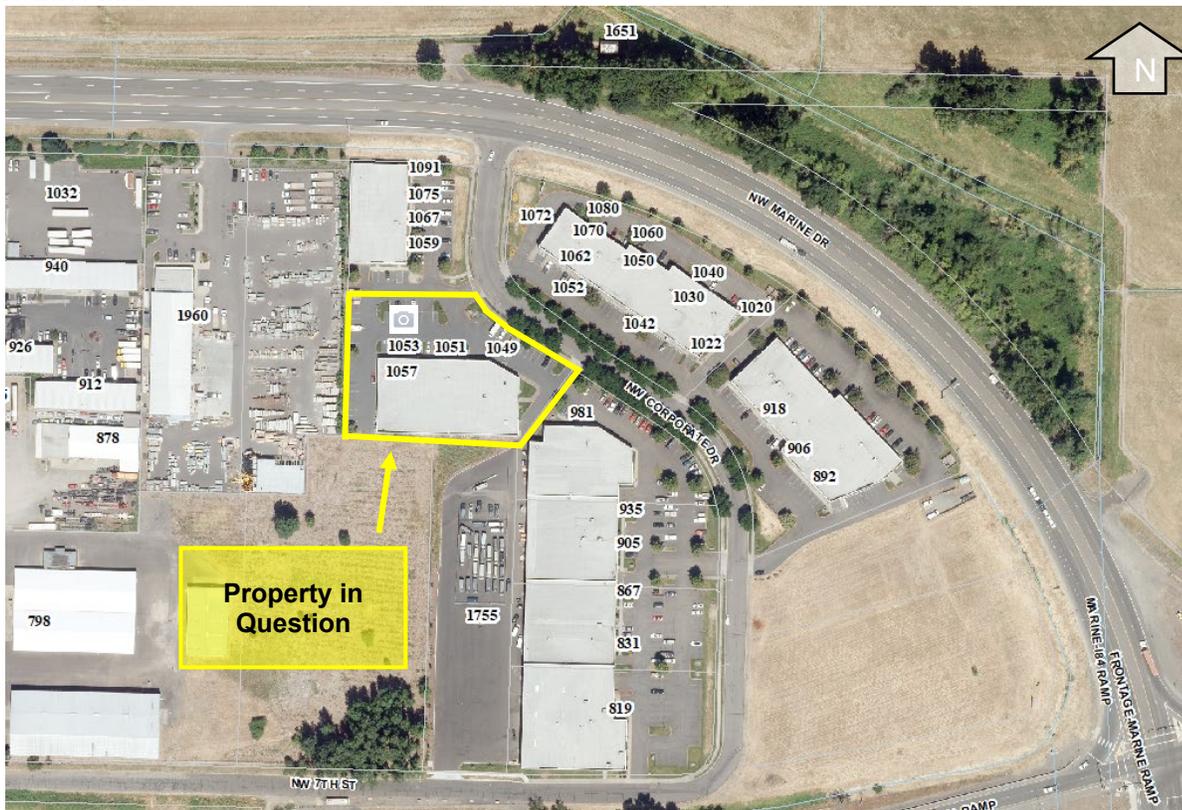
PROPOSAL

The Applicant, 13 Bridges, is requesting a Conditional Use Permit for a cannabis production business. The facility is OLCC licensed and planning to complete tenant improvements inside the building - it has no plans to expand to retail or processing. The business has been in operation since January 2016; however, it never acquired a Conditional Use Permit as required per TDC Section 3.173.O.

APPLICATION HISTORY

No formal pre-application meeting was held for this application, however informal meetings were held. The applicant submitted their application on March 25, 2020 and it was deemed incomplete on April 6, 2020. After additional review, the application was deemed complete May 7, 2020. The public hearing is scheduled for June 17, 2020.

VICINITY MAP



STREET VIEW (Google 2015)



Looking southwest from the parking off of NW Corporate Drive

PROCEDURE

This application is undergoing a Type III quasi-judicial procedure. [TDC 2.060 and 6.300] This procedure requires a Public Hearing and Planning Commission review in order to be adopted. Planning Commission is the decision-making body for this application and may approve, approve with conditions, or deny this application. Nearby property owners, relevant review entities, and other stakeholders have been notified accordingly. [TDC 2.075 - 2.090]

APPLICABLE CRITERIA

- *Troutdale Development Code (TDC):* **Ch. 1** Introductory Provision; **Ch. 2** Procedures for Decision Making; **Sec. 3.170** General Industrial (GI); **Sec. 4.100** Airport Landing Field; **Sec. 5.600** Erosion Control and Water Quality Standards; **Sec. 5.700** Stormwater Management; **Sec 5.1000** Public Improvements; **Sec. 6.300** Conditional Use; **Ch. 9** Off-Street Parking & Loading; **Ch. 11** Landscaping and Screening; **Ch. 17** General Provisions; **Appendix A** Design Standards for Central Business District
- *Troutdale Municipal Code:* 8.26 Outdoor Lighting; 13.10.270 Tree Removal
- *City of Troutdale Comprehensive Land Use Plan*
- *Construction Standards for Public Works Facilities*
- Building and Fire Codes
- Multnomah County Transportation / Road Rules
- Relevant standards in Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR)

REVIEW ENTITY COMMENTS

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

Review Entity	Comments	Review Entity	Comments
Public Works	Attachment 1	Mult. Co. Transportation	Attachment 3
Gresham Fire	Attachment 2	MCDD	None
Building Division	None		

OTHER COMMENTS

As of the date of this Staff Report, no written testimony from other parties or stakeholders have been received.

RECOMMENDATION

For this application, Staff recommends Planning Commission vote for ***approval with conditions***.

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

PROPOSED CONDITIONS OF APPROVAL

City of Troutdale Planning Division

1. Applicant to contact the Building Division to acquire any necessary permits to complete their tenant improvement.

Gresham Fire

1. This is an existing occupancy that is adding a couple of rooms. These comments are not all-inclusive. 2019 OFC
2. This building has a fire sprinkler system. The applicant will need to apply for permits to extend/alter the sprinkler system with this TI. **OFC 903**
3. A fire alarm system may be required to be upgraded. If compressed gas is being used, it may also require a permit. **OFC 907**
4. Per discussion in prior meeting, we understand that security is important. However, door hardware must meet the requirements of the 2019 OSSC and the 2019 OFC. Burglar bars and theft deterrent mechanisms will not be allowed. **OFC 1001**

GENERAL INQUIRIES

For more information, please contact Arini Farrell at arini.farrell@troutdaleoregon.gov or at (503) 674-7230.



CITY OF TROUTDALE

MEMO – Public Works \ Engineering Division

Date: May 26, 2020

From: Travis Hultin, Deputy PW Director/Chief Engineer

To: Planning

CC: File

Fred Ostler, Public Works Director

David Schaffer, Water & Streets Superintendent

Shawn Anderson, Wastewater Superintendent

Ryan Largura, Environmental Specialist



RE: Type III Conditional Use Application Review, 13 Bridges LLC (File No. LU-0006-2020)

The Public Works Department has reviewed the Type III Conditional Use application submittal for the 13 Bridges LLC cannabis production facility. These comments are divided into two categories: general comments and proposed conditions. General comments are informational points to guide the applicant in the proper planning of public works infrastructure for this project, to inform the applicant of possible extraordinary issues and/or to provide the basis for findings. Proposed conditions are requirements that Public Works recommends be formally imposed on the developer in the final order. Note that references to the “City Standards” herein refer to the *Construction Standards for Public Works Facilities*.

General Comments/Findings

1. Any and all utility and transportation plans submitted with this application have been reviewed for the purpose of determining the feasibility of providing utility and transportation facilities for the project in accordance with City Standards. This land use approval does not constitute final approval of details, including but not limited to alignments, materials and points of access, connection or discharge, that are depicted or suggested in the application. The applicant is required to submit detailed construction drawings and/or plat drawings for the project, as applicable. The City of Troutdale Public Works Department will review plans, in detail, when they are submitted and approve, reject or require modifications to the plans or drawings based upon conformance with City Standards, the TDC and the professional engineering judgment of the Chief Engineer.
2. It is the opinion of the Public Works Department that the proposed cannabis production facility can be developed in accordance with the requirements of the Troutdale Development Code (as it pertains to Public Works requirements) and Construction Standards, provided it fully addresses the comments and conditions contained herein, and can be approved.

3. The property and building are served by an existing metered water service. No modifications to the water service are proposed or required. Backflow protection requirements for this use were addressed when the facility was originally established.
4. The property and building are served by an existing sanitary sewer service lateral. No changes to the sanitary sewer service lateral connection are proposed or required. Sanitary sewer pretreatment requirements were evaluated and addressed when the facility was originally established, including a site visit and process tour by Public Works staff at that time. However, Public Works will require an updated Industrial User Wastewater Survey with the Tenant Improvement building permit applications to assess any changes that may have occurred to the facility's processes that could affect the facility's sanitary sewer discharge profile. A site visit and process tour may additionally be required.
5. The property and building already have a storm drainage system. No changes to the existing storm drainage systems are proposed by the applicant, and all proposed tenant improvement appear to be interior only.
6. There are no changes proposed to the property or building's impervious area. Therefore, stormwater quality facilities will not be required, and a Stormwater Management Report will not be required.
7. All proposed improvements are interior only. Therefore, an erosion control permit will not be required.
8. The applicant has provided a preliminary peak-hour trip generation estimate for the facility based on the Institute of Transportation Engineers standard trip generation rates indicating that the trip generation for the facility is anticipated to be relatively low. Public Works does not find any extraordinary traffic impact on City-owned streets, nor any need for improvements to City streets to mitigate the anticipated traffic generated by the facility. The applicant will be required to cure any existing defects in the public sidewalk on the street frontage(s) of the property as a condition of the Tenant Improvement building permits.

Proposed Conditions

1. None

Troutdale PROJECT #: 20-006

13 Bridges

1057 NW Corporate Dr

FROM: Shawn Durham - GFES

DATE: 5/16/20

FIRE COMMENTS:

1. This is an existing occupancy that is adding a couple of rooms. These comments are not all-inclusive. 2019 OFC
2. This building has a fire sprinkler system. The applicant will need to apply for permits to extend/alter the sprinkler system with this TI. **OFC 903**
3. A fire alarm system may be required to be upgraded. If compressed gas is being used, it may also require a permit. **OFC 907**
4. Per discussion in prior meeting, we understand that security is important. However, door hardware must meet the requirements of the 2019 OSSC and the 2019 OFC. Burglar bars and theft deterrent mechanisms will not be allowed.
OFC 1001

Arini Farrell

From: Jessica Berry <jessica.berry@multco.us>
Sent: Tuesday, June 9, 2020 8:05 PM
To: Arini Farrell; Right of Way Permits
Cc: Graham Martin; Natalie Warner
Subject: Re: FW: LU-0006-2020 Notice of Hearing comments reminder
Attachments: P2015-10 EP-2015-4468 Multco Comments.pdf

Hi Arini,

Thanks for the reminder and sorry we didn't get anything to you by the deadline. I see that you sent us the application documents on May 12 and that they are consistent with what you shared via email on May 6. Given the trip generation rates and the fact that the location does not directly front onto a County facility, we can accept the use without additional mitigation requirements as it does not appear to warrant off site improvements.

Thanks,
Jessica

Jessica Berry, AICP
Transportation Planning and Development Manager
Multnomah County Department of Community Services
Transportation Division - Planning and Development
1600 SE 190th Avenue, Portland, OR 97233
[C] 503.319.3061 [P] 503.988.3897
Email: jessica.berry@multco.us

Preferred pronouns: (she / her / hers)

On Tue, Jun 9, 2020 at 6:42 PM Arini Farrell <arini.farrell@troutdaleoregon.gov> wrote:



Hi guys,

Were you able to review the attached project? This was the project which didn't include the traffic impact statement, but their application stated that it meets the requirements. Let me know if you would like for the applicant to contact your department directly as a condition of approval, if you have no comments then feel free to disregard this email!

Thank you,

Arini

From: Arini Farrell
Sent: Monday, June 8, 2020 2:23 PM

**City of Troutdale
Conditional Use Request
(Type III Procedure)**

Corporate Drive Cannabis Facility



Site Address

1057 NW Corporate Dr.
Troutdale, OR 97060

City of Troutdale Zoning Designation

Zoned GI - General Industrial

Proposed Use Request

13 Bridges LLC is requesting a Conditional Use approval from the City of Troutdale to allow the tenant improvement of the existing OLCC licensed business. Located at 1057 NW Corporate Dr. Troutdale, OR 97060, The use of this business is cannabis production, with no plans to include retail or processing. We are in good standing with the OLCC and the city of Troutdale. We have been operating in the city of Troutdale in this location since receiving our certificate of occupancy on January 28, 2016.

Security:

13 Bridges LLC located at 1057 NW Corporate Dr is in full compliance with all the the OLCC licensing requirements for an OLCC Tier 1 Producer.

Video surveillance will monitor each individual room where cannabis is being produced or stored. All employees, visitors and contractors will be the subject of constant surveillance throughout the site including the entrance and exit of the building.

Surveillance footage will be stored on-site for not less than ninety days in a dedicated surveillance room, per OLCC requirements. The camera system monitors the exterior and interior of the facility. As an additional safeguard, a secondary back-up system that will monitor the surveillance room will simultaneously record surveillance video off site for 30 day period.

In addition to video surveillance, 1057 NW Corporate Dr currently uses a third-party security system with intrusion detection, interior motion detection, and panic-button alarms. These third-party systems will alert the tenants of 1057 NW Corporate Dr of any intrusion that occurs after business hours.

Approval Criteria:

The following are the sections of the Troutdale Development Code (TDC) that apply to this request and how this request meets the criteria.

Section 3.173: Conditional Uses. The following uses and their accessory uses are permitted as conditional uses within the GI district:

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.

This requirement is met. This facility is currently licensed by the OLCC as a tier 1 producer. There are no public or private schools or public parks located within 1000 feet of 1057 NW Corporate Dr.

Section 6.320 Approval Criteria:

6.320 Approval Criteria. The Planning Commission may approve an application, approve with modifications, or deny an application for a conditional use. The applicant must submit evidence substantiating that all requirements of this Code relative to the proposed use are satisfied and demonstrate that the proposed use also satisfies the following criteria:

- A. The use is listed as a conditional use in the underlying district, or approved by the Planning Commission as similar to conditional uses listed in the underlying district.

This requirement is met. Per sections 3.173(N), "Marijuana Facilities" is listed as a Conditional Use in the General Industrial (GI) Zone

- B. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements, and natural features

This requirement is met. The building at 1057 NW Corporate Dr. is existing and all of the proposed improvements will be within the current building

- C. All transportation systems, public facilities, and public services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.

This requirement is met. The building located at 1057 NW Corporate Dr. is improved as an industrial area with systems, facilities, and services to support this use.

- D. The proposed use will provide adequate open space, landscaping, and aesthetic design to mitigate any possible adverse effect on surrounding properties and uses.

This requirement is met. The I-84 Corporate Center has existing open space and landscaping. The current tenants pay maintenance through common area maintenance payments.

- E. The proposed use, as conditioned, will not cause or not result in the creation of a public nuisance including, but not limited to, air, land, or water degradation, noise, glare, heat, vibration, or other impacts that may be injurious to public health, safety, and welfare.

This requirement is met. Since receiving our certificate of occupancy we have no history of being a public nuisance and have not had any other negative impacts on the community.

Air conditioning, dehumidification and circulation fans will be used to ensure proper air circulation and ventilation.

No extreme amounts of heat, vibration or lighting will be emitted outside the suites because all cannabis cultivation will be indoors.

- F. The proposal satisfies the applicable provisions of this Code.

This requirement is met. All other applicable provisions of the code are satisfied and have been addressed.

Chapter 2: Procedures

This requirement is Met. Trip Generation Estimate

We have consulted with a traffic engineering professional regarding a trip generation estimate. We are providing our trip generation estimate below. As requested, here is a a raw calculation, and also a calculation based on the Institute of Transportation Engineers Common Trip Generation Rated Manual, 9th Edition.

<http://www.ci.troutdale.or.us/publicworks/documents/itelanduselist.pdf>

Raw Generation:

The business will have seven full time employees. With hours from 8am-5:30pm Monday – Friday. In addition to our seven full time employees, we anticipate that the 2 business partners will also be at the facility twice a week which will likely not be during peak hours. We will also be receiving one delivery a week (5 per month). There are no other trips anticipated.

AM Peak Hour Trips to Facility: 12

AM Peak Hour Trips from Facility: 7

PM Peak Hour Trips to Facility: 7

PM Peak Hour Trips from Facility: 12

Standard Reference Manual Generation per

<http://www.ci.troutdale.or.us/publicworks/documents/itelanduselist.pdf>

Industrial Manufacturing

Building Square Feet: 6893

Unit of Measure: 1000 SF

Trips Per Unit: 0.73

Trip Generation Estimate: 5.03



Findings of Fact & Final Order

HEARING DATE: June 17, 2020

EFFECTIVE DATE: June 27, 2020

FILE NUMBER / NAME	LU-0006-2020 13 Bridges LLC		
APPLICATION TYPE	Type III Conditional Use Permit		
PROJECT APPLICANT	Tim Messelt, 13 Bridges LLC	PROPERTY OWNER	David Bruce, Troutdale Property LLC
PROJECT LOCATION	1057 NW Corporate Dr	TAX MAP / TAX LOT #	1N3E26A -01311/R412000550
LAND USE MAP	Industrial (I)	LAND USE ACTIVITY	Industrial/offices
ZONING DISTRICT	General Industrial (GI)	OVERLAY DISTRICT	Airport Landing Field (ALF)

PROPOSAL

The Applicant, 13 Bridges, is requesting a Conditional Use Permit for a cannabis production business. The facility is OLCC licensed and planning to complete tenant improvements inside the building - it has no plans to expand to retail or processing. The business has been in operation since January 2016; however, it never acquired a Conditional Use Permit as required per TDC Section 3.173.O.

PROCEDURE

This application is undergoing a Type III quasi-judicial procedure. [TDC 2.060 and 6.300] This procedure requires a Public Hearing and Planning Commission review in order to be adopted. Planning Commission is the decision-making body for this application and may approve, approve with conditions, or deny this application. Nearby property owners, relevant review entities, and other stakeholders have been notified accordingly. [TDC 2.075 - 2.090]

APPLICABLE CRITERIA

- *Troutdale Development Code (TDC): Ch. 1* Introductory Provision; **Ch. 2** Procedures for Decision Making; **Sec. 3.170** General Industrial (GI); **Sec. 4.100** Airport Landing Field; **Sec. 5.600** Erosion Control and Water Quality Standards; **Sec. 5.700** Stormwater Management; **Sec 5.1000** Public Improvements; **Sec. 6.300** Conditional Use; **Ch. 9** Off-Street Parking & Loading; **Ch. 11** Landscaping and Screening; **Ch. 17** General Provisions;
- *Troutdale Municipal Code:* 8.26 Outdoor Lighting; 13.10.270 Tree Removal
- *City of Troutdale Comprehensive Land Use Plan*
- *Construction Standards for Public Works Facilities*
- Building and Fire Codes
- Multnomah County Transportation / Road Rules
- Relevant standards in Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR)

FINDINGS OF FACT

- Planning Commission received public testimony from Staff, the Applicant, and members of the public at the June 17, 2020 hearing
- The Findings of Fact contained herein are derived from the specific decision criteria outlined in Section 6.320 of the Troutdale Development Code and are hereby adopted as the Findings of Fact in this matter.
- The Final Order has been reached and approval of the application has been issued.

FINDINGS OF FACT – CONDITIONAL USE APPROVAL CRITERIA [TDC 6.320]

- A. The use is listed as a conditional use in the underlying district, or approved by the Planning Commission as similar to conditional uses listed in the underlying district.**

FINDING: Marijuana Facilities licensed and authorized under state law, when not located within 1,000 feet of real property which is the site of a public or private school or a public park are considered a Conditional Use within the General Industrial (GI) zoning district (TDC 3.170.N). 1057 NW Corporate Dr. is zoned General Industrial and not located within 1,000 feet of any schools or parks. As such, **the criterion is met.**

- B. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements, and natural features.**

FINDING: 1057 NW Corporate Dr. is a developed industrial parcel in a paved parking area, all of the proposed improvements that accompanies their tenant improvement application will be within the existing building. As such, **the criterion is met.**

- C. All transportation systems, public facilities, and public services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.**

FINDING: The applicant provided traffic generation estimates which illustrate that it meets the capacity required for the site. In addition, the applicant received comments from Multnomah County Transportation and determined that no additional mitigation is required. As such, **the criterion is conditionally met.**

- D. The proposed use will provide adequate open space, landscaping, and aesthetic design to mitigate any possible adverse effect on surrounding properties and uses.**

FINDING: The property is already developed and meets the parking and landscaping requirements. The site has been maintained regularly. As such, **the criterion is met.**

- E. The proposed use, as conditioned, will not cause or not result in the creation of a public nuisance including, but not limited to, air, land, or water degradation, noise, glare, heat, vibration, or other impacts that may be injurious to public health, safety, and welfare.**

FINDING: The property is surrounded by industrial uses and no residential uses are located nearby. This use will not cause a public nuisance any greater than the other industrial uses on the surrounding properties. All cannabis cultivation will be indoors. As such, **the criterion is met.**

- F. The proposal satisfies the applicable provisions of this Code.**

FINDING: Staff has reviewed the application's narrative and intent and believes the applicant has satisfied the review criteria within the Troutdale Development Code. Assuming satisfaction of any Conditions of Approval tied to this application, it is assumed that **the criterion is met.**

FINAL ORDER, DECISION, AND CONDITIONS OF APPROVAL

FINAL ORDER

Based upon the foregoing Findings of Fact, the Troutdale Planning Commission **approves** the Conditional Use Permit for Case File LU-0006-2020 on the count of all decision criteria being met, **subject to the conditions of approval** as stated herein.

DECISION

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

YEAS:

NAYS:

ABSTAINED:

ABSENT:

Tanney Staffenson, Planning Commission Chair

Date

CONDITIONS OF APPROVAL

City of Troutdale Planning Division

1. Applicant to contact the Building Division to acquire any necessary permits to complete their tenant improvement.

Gresham Fire

1. This is an existing occupancy that is adding a couple of rooms. These comments are not all-inclusive. 2019 OFC
2. This building has a fire sprinkler system. The applicant will need to apply for permits to extend/alter the sprinkler system with this TI. **OFC 903**
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4. Per discussion in prior meeting, we understand that security is important. However, door hardware must meet the requirements of the 2019 OSSC and the 2019 OFC. Burglar bars and theft deterrent mechanisms will not be allowed. **OFC 1001**



Date: June 17, 2020
From: Chris Damgen, Community Development Director
To: Troutdale Planning Commission
CC: Other Interested Parties

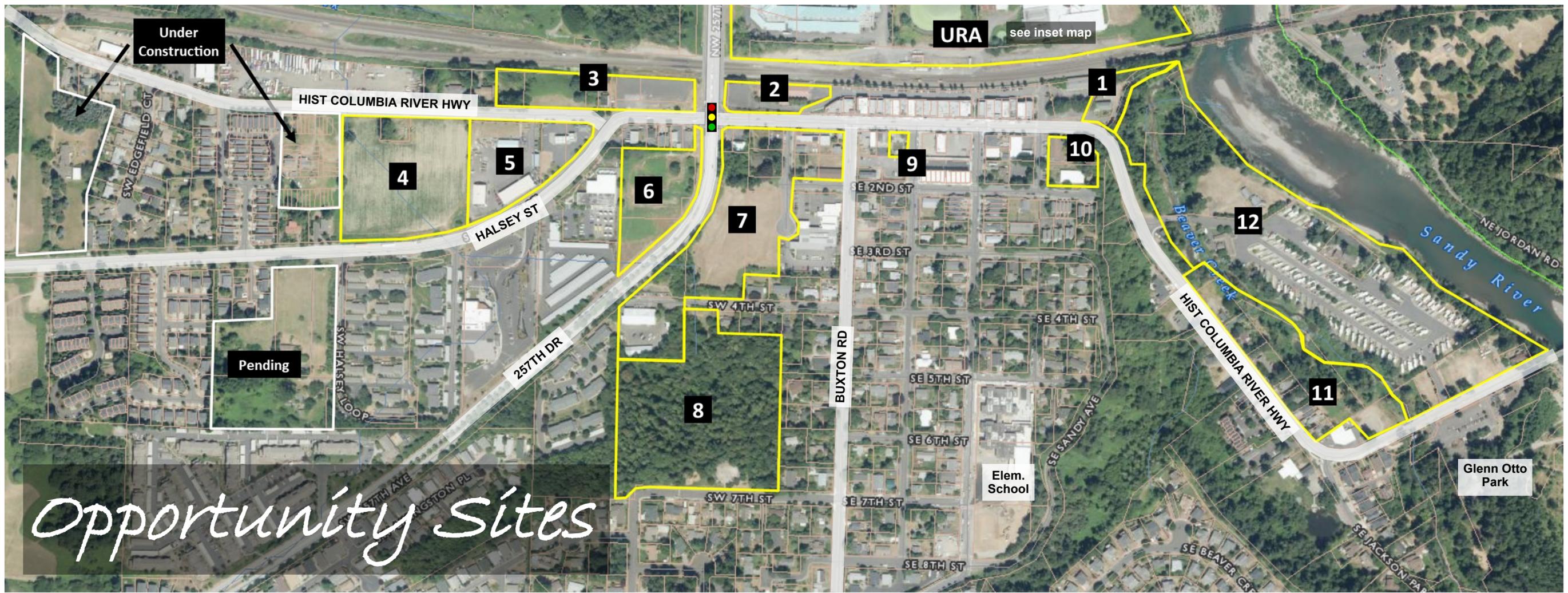
Subject: Discussion of Town Center Plan

The City of Troutdale will soon be wrapping up its three year effort to update the Troutdale Town Center Plan. Tonight's discussion will provide a brief overview of the planning effort, which has included parallel projects and initiatives that will begin to take place in 2020. More specifically, the discussion for the Commission will focus on the following topics, which will likely involve the Commission's participation and review in the near future.

- Opportunity Sites – properties/tracts within the Town Center whose future development, redevelopment, or investment will likely have transformative impact for the Town Center and Troutdale as a whole
- Opportunity Corridors – expected improvements to City and County-owned streets that coincide with the 2040 Town Center vision.
- Urban Renewal Area – how the plan will impact the most critical site in the Town Center
- Shifting roles – how the City will designate its staff to fulfill the action items from the Plan
- Future amendments – how the Town Center Plan may spur changes to the Comprehensive Land Use Plan, Development Code, and regulatory maps
- Future long-range planning efforts – how the Town Center Plan interfaces with current and future long-range planning documents, including but not limited to:
 - Capital Improvement Plan (last amended 2016)
 - Transportation System Plan (last amended 2014)
 - Parks Master Plan (last amended 2006, to be amended in 2021)

Attachments:

- Opportunity Sites & Corridors Map
- Opportunity Sites article (from the Nov/Dec 2019 Troutdale Champion)



The Opportunity Sites

These sites in the Town Center have been identified for significant development and investment. There are 16 sites in total, of which two are already under construction and a third is in a pending status. As for the rest, listed below are brief descriptions of the opportunities and issues for each site.

1. Depot Park

This park will be the future home of our visitors center and Gorge bike hub. It has great visibility right next to downtown and will connect with the URA, but has environmental restrictions due to Beaver Creek's steep hillside.

2. GMB Tract

This tract has off-street parking and a large building that could be used or repurposed for a variety of uses, though there has been no recent interest to consider future uses. The access off Historic Columbia River Hwy is tricky.

3. Hurford Tract

This tract has exceptional visibility and a long street frontage. Although a bit narrow, it is generally flat and can extend the downtown streetscape, but being next to the railroad may not be desirable for residential development.

4. Cerruti Tract West

This tract is generally flat and has two street frontages that can make access very easy for future development. The site was identified years ago as a good tract, but there has been minimal interest to consider future development.

5. Cerruti Tract East

Like the west tract, the east tract has dual street frontages with a prominent corner location. Unlike the west tract, this would be a redevelopment project, as a fuel station and ODOT facility are currently on the site.

6. Foursquare Tract

This tract is both blessed and cursed by location. It has good visibility on 257th Drive and not as sloped as other hillside opportunity sites. However, it would be tough to obtain full turning access on/off 257th for most land uses.

7. Overlook Tract

A mix of green-field development and redevelopment potential at the south-east corner of 257th Drive and Historic Columbia River Hwy. The site has great visibility, but there are concerns that development proposals may be too intense and risk the small town feel in a prominent location.

8. Helen Althaus Park

A sizable public owned property adds a dose of greenspace to the Town Center, but also is limited for any type of future development or expansion of recreational amenities due to steep slopes.

9. Mayors Square

The core plaza in downtown, it has lovely features but is considered by many to be underutilized and not achieving its potential. What types of investments can be made to make it a more engaging spot?

10. Block 4 Tract

This block contains the old City Hall. The results of the bond proposal will determine the future use of this tract. No matter one's stance on the city hall issue, there is no debating its value. Steep slopes are a major constraint.

11. West Beaver Creek Area

This assembly of properties includes developed and vacant lands. The idea is to improve the connections and general visibility between downtown and the cultural and recreational sites along this stretch, despite floodplain concerns.

12. Peninsula Tract

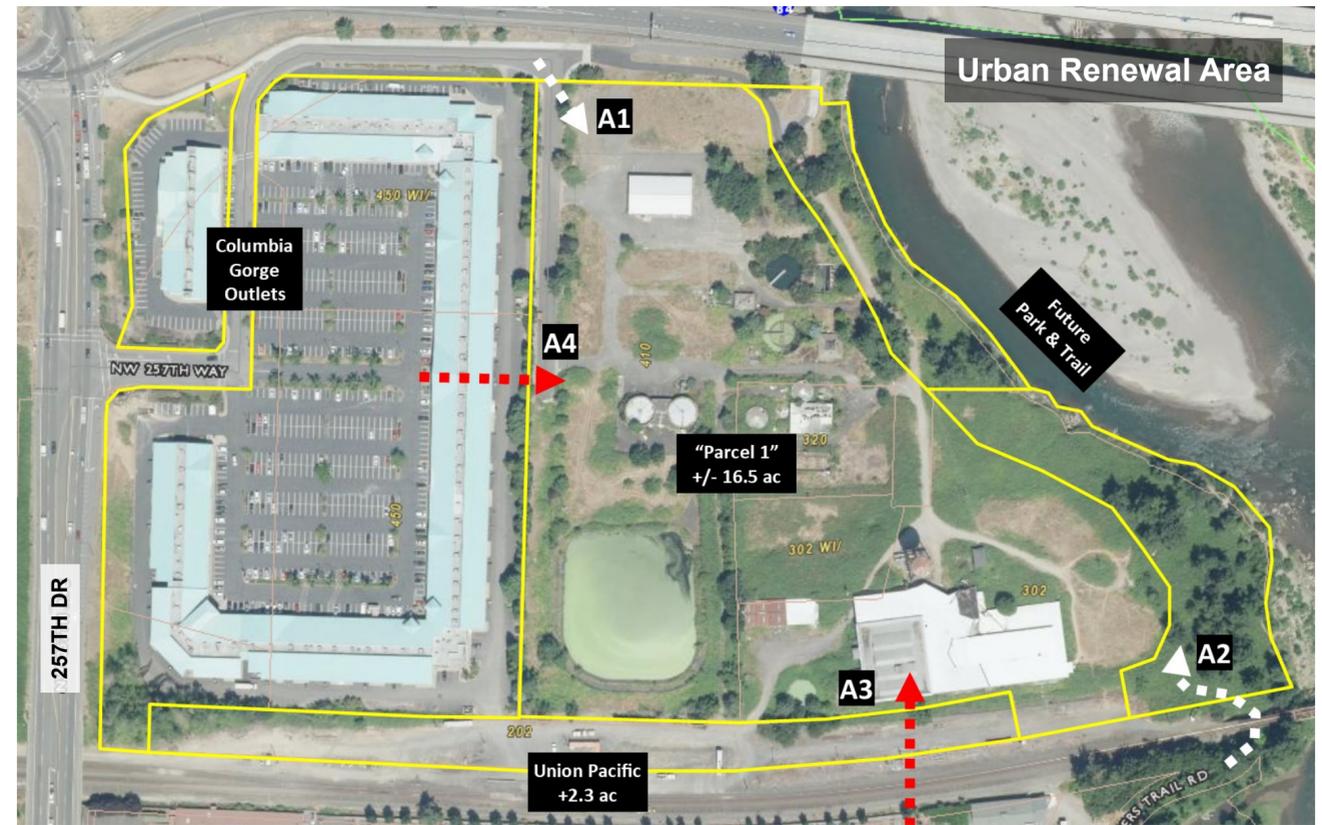
A beautiful stretch in between the Sandy River and Beaver Creek. The long-term concern is potential changes to floodplain standards which may make future development difficult or prohibitive. What will it look like in 20 years?

URA - Urban Renewal Area (image on the right)

The largest redevelopment site in the Town Center, the URA will contain a 3.5 acre public park and trail along the Sandy River. The clean-up efforts that have taken the better part of the year are soon ending, so it's time to plan.

A major benefit of the site is a lower elevation from the downtown area. As a result, structures can go nearly double as tall as the current height allowances allow without the negative visual impact in the downtown. This allowance makes high-value, mixed use development opportunities more attractive.

The site may also be attractive for other land uses, including corporate office space, added recreational areas, or other residential development. The biggest challenge of the site is access. While access is currently possible through the outlets and will be possible via the riverfront trail, there should be consideration of future routes. See the image on the right for details.



CURRENT AND FUTURE ACCESS POINTS IN URBAN RENEWAL AREA

A1 - Existing Access (257th Way)

A2 - Future Riverfront Trail

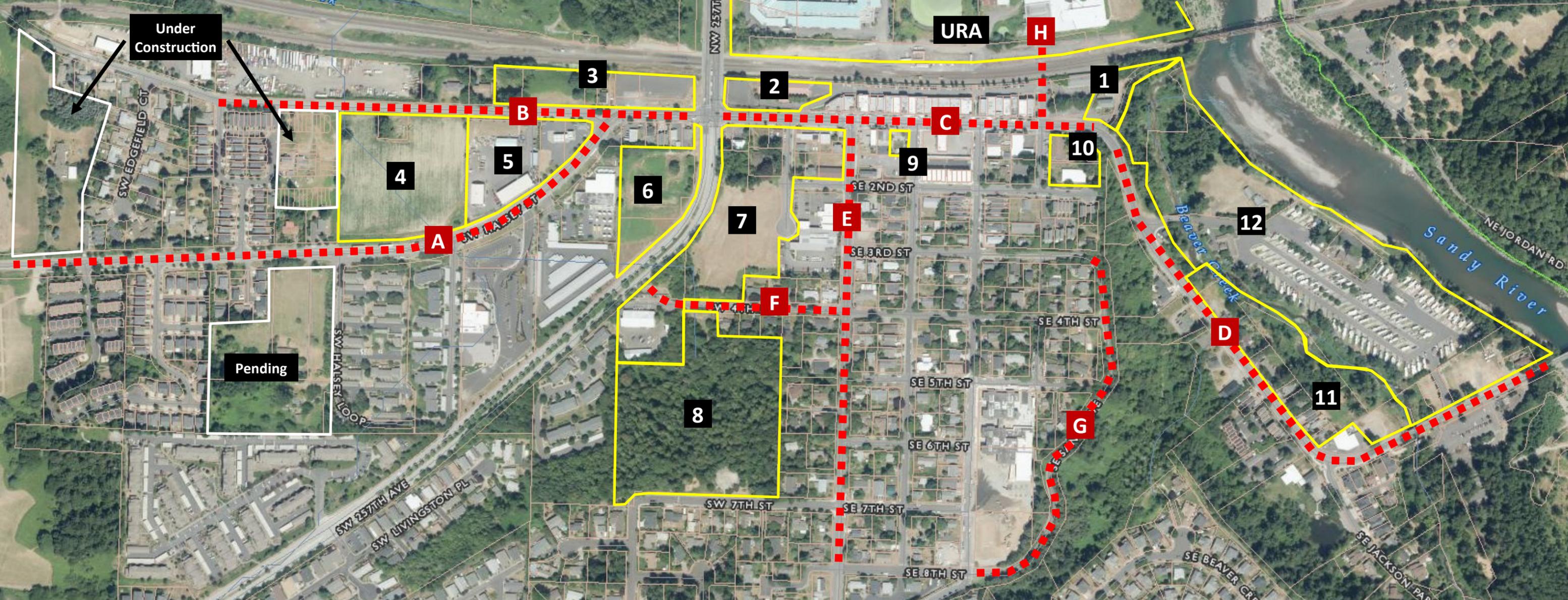
Connects with downtown under the railroad tracts through Depot Park

A3 - Extension of Harlow Ave

Connects URA with downtown with an at-grade crossing over railroad tracks

A4 - Access Road Through Outlets

Would require acquisition, partial demolition, and redesign of outlets, with the cooperation of the property's ownership



OPPORTUNITY SITES

Properties / Tracts

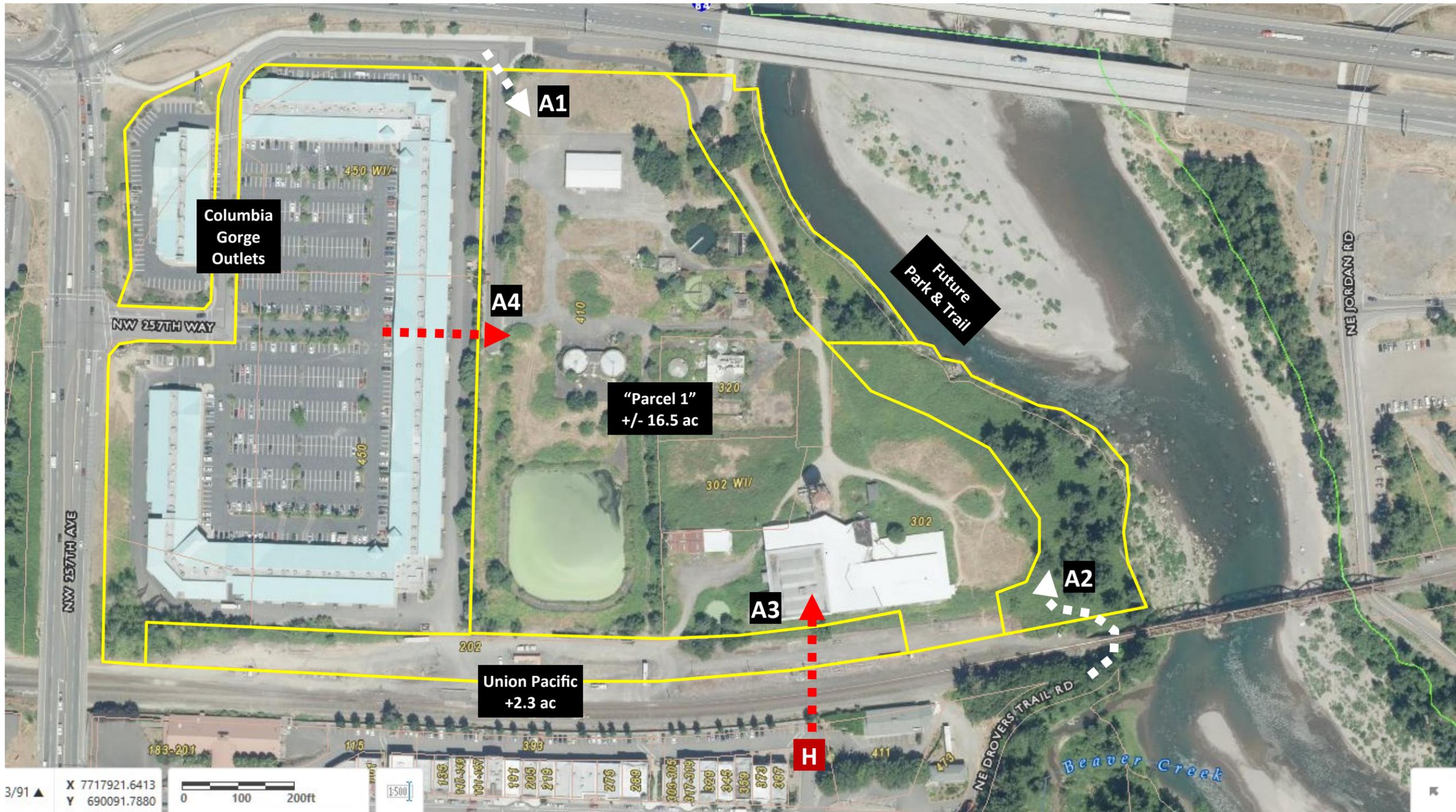
- | | |
|----------------------|------------------------------|
| 1 Depot Park | 7 Overlook Tract |
| 2 GMB Tract | 8 Helen Althaus Park |
| 3 Hurford Tract | 9 Mayors Square |
| 4 Cerruti Tract | 10 Block 4 Tract (City Hall) |
| 5 ODOT/Cerruti Tract | 11 West Beaver Creek Area |
| 6 Foresquare Tract | 12 Peninsula Tract |

Corridors

- | | |
|--|----------------------------------|
| A SW Halsey Street from Edgfield to HCRH | G SE Sandy Avenue |
| B HCRH west of 257th Dr | H NE Kibling Ave / URA Connector |
| C HCRH between 257th Dr and Depot Park | |
| D HCRH between Depot Park and Bridge | |
| E Buxton Road | |
| F SW 4th Street | |

URA = Urban Renewal Area

1 acre



Urban Renewal Area Access Points

- A1 NW 257th Way (existing)
- A2 Future Trail (planned)
- A3 NE Kibling St Extension (hypothetical)
- A4 NW 257th Way Re-Route (hypothetical)

