



CITY OF TROUTDALE

Planning Commission

MEETING AGENDA

Wednesday, July 15, 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. June 17, 2020 Meeting Minutes
4. **Public Hearing**
 - a. Hearing Procedure
 - b. Case File 75-04 Text Amendment – Storage Facilities
Development Code Text Amendment – Type IV Hearing
5. **Discussion Items**
 - a. Sign Standards
6. **Department Report**
7. **Commissioner Comments**
8. **Adjourn**

Next Regular Meeting: Wednesday, August 19, 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

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

Chair Staffenson called the meeting to order at 7 p.m. and Roll Call and the Pledge of Allegiance was said. The meeting was held in the Kellogg Room and via Zoom.

- Commissioners Present: Staffenson, Wittren, Woidyla, Prickett, Wilcox, Glantz, and Mammone.
- Commissioners Absent: None
- City Staff:
Chris Damgen, Community Development Director
Arini Farrell, Associate Planner
- Members of the Public:
Melissa Bocarde, transcriptionist
Matt Schneider
Tim Messelt
Rich Allen

2. Public Comment on Non-Agenda Items

Chair Staffenson stated that public comment was welcome at any time. There was no public comment and no members of the public in the Kellogg Room.

3. Approval of Minutes

The May 28, 2020 minutes were reviewed. Ms. Glantz found a typo in the 4th paragraph of page 5 which should state "if" the criteria were met, not "it" the criteria were met. Mr. Wilcox pointed out that Mr. Allen did not need to be listed as absent since he is an alternate and not required to attend.

Ms. Prickett moved to approve the May 28, 2020 Planning Commission minutes as amended and Ms. Glantz seconded. The minutes were approved unanimously.

4. Public Hearing

a. Hearing Procedure

Chair Staffenson explained the Type III meeting protocols for the record. 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]

He asked if anyone wished to declare any *ex parte* contact, bias, or conflict of interest other than drive by the site. No one did. He opened the public hearing.

b. Case File # LU-0006-2020 13 Bridges Conditional Use Permit – Type III Hearing

Staff Presentation

Ms. Farrell facilitated the Staff's PowerPoint presentation about its findings. She asked the Commissioners to save questions until the end of her presentation.

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. The applicant is not requesting any zoning changes or exterior additions or expansions.

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.

The applicable criteria are as follows:

- *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)

Staff notified review entities of the application and received comments from Public Works, Gresham Fire, and Multnomah County Transportation. No comments were received from MCDD, or Building. As of the date of the Staff Report, no written testimony from other parties or stakeholders had been received.

In regards to security, 13 Bridges LLC located at 1057 NW Corporate Dr is in full compliance with all 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 a 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.

Ms. Farrell introduced the 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.

Criterion: 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 Drive.

Section 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:

Criterion: 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.

Criterion: 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.

Criterion: 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.

Criterion: 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.

Criterion: 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. The property is surrounded by industrial uses – there are no residential uses nearby. The use will not cause any additional public nuisance. The Community Development Department has not heard of any code complaints for this use. All of the cannabis cultivation at this site will be indoors.

Criterion: 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.

Ms. Farrell asked if there were any questions. Ms. Prickett asked how many other marijuana production facilities there are north of the freeway. Ms. Farrell said she believed one was approved last year. Mr. Damgen answered there is one other from before 2015.

Returning to the Approval Criteria PowerPoint, Ms. Farrell stated that the information in the packet might state that the approval criteria for Point C was conditionally met. In fact, it was met, and the packet may not have been edited in time.

She stated in response to an earlier question that the project would not involve additional employees.

Regarding Point E, all of the cultivation will be indoors.

In conclusion, Staff recommends approval with conditions outlined in the findings of fact. Also, for this application, Staff recommends the 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.

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
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*

Other Testimony

Ms. Farrell asked if there were any questions. Ms. Glantz asked what was located there before the current business. Ms. Farrell answered that she wasn't sure but that it had been a marijuana production facility since 2016. Ms. Glantz asked how many people were employed and Ms. Farrell said she would defer that question to the applicants. Mr. Mammone asked Ms. Farrell what type of business activities take place at a marijuana production facility. Also, are there customers entering and leaving? Second, he asked why the business use was not deemed as commercial rather than GI.

Ms. Farrell answered that the only business activity was indoor cultivation of marijuana at the facility, and the tenant is seeking to make building improvements at the existing facility. Second, it is located within GI zoning and this business use is allowed under a conditional use permit.

Mr. Wittren asked if there were any plans to expand into retail or processing, and if they decided to change the property, would they need to return to the Planning Commission for permission. Ms. Farrell answered yes, they would.

Mr. Wilcox noted that in the Public Works report page 2, item 8, it states that “the applicant will be required to cure any existing defects.” He asked if the landlord should be responsible instead of the applicant. Ms. Farrell stated that is a condition they will put forward to the building permit department, and Staff will defer that until then. Chair Staffenson commented that the property owner and tenant are both tied to this application.

Chair Staffenson asked the approval conditions from Gresham Fire and that the door must meet the requirements of 2019 OFC burglar bars and trip mechanisms will not be allowed. He asked if that is typical. Mr. Damgen answered that the OLCC may have standards as well and this may turn out not to be applicable. Chair Staffenson said that he was concerned that this was cutting a wide swathe and that this won’t be allowed. Mr. Damgen told him the Commissioners could strike this if they wished, but it might change after review by the OLCC.

Chair Staffenson recognized the applicants to speak beginning with Tim Messelt, 3213 SE 64th Avenue Portland, OR 97206. He has owned the existing business since 2016, and there have been many business ups and downs, but they have been able to continue and are now ready to expand the business. They hope to stay in their present space. He said that there are 2 full-time employees, 2 owners performing 1-2 check-ins per week, 6 employees that work one week each per month. He intends to add one more part-time or full-time staff with this tenant improvement. He said that the business activities are limited to farming plants indoors, from propagation to full maturity to drying them to processing them to take to State licensed retail centers. There is no processing or retail, and there won’t be any additional traffic.

Mr. Mammone asked what type of property improvement was necessary. Mr. Messelt said they had moved into an open warehouse and built two 20x30 feet rooms with the first permit with partition walls from floor to ceiling. He intends to add a second level within the building, adding two more 20x30 feet rooms with storage on top and another space within one of the rooms to put a second level in that as well.

Mr. Mammone asked if with all this improvement they would need a building permit, or is this only a land use application. Mr. Damgen answered that in order for Planning staff to sign off on their building permit application, they needed to get this approval first.

There were no other questions for the applicant.

Chair Staffenson asked for comment from proponents, opponents, or neutral parties and there was none.

Ms. Glantz moved to close the hearing and Ms. Prickett seconded. The motion passed unanimously.

Discussion and Voting

Mr. Woidyla asked regarding Paragraph C if the criterion is met or conditionally met. Ms. Farrell said it is met. Staff had thought the County would add a condition but they did not. She said she would send a modified copy.

Mr. Allen said that he favors the permit even though he isn't able to vote. He said that the business owner handles his business well.

Mr. Woidyla moved to approve the findings of fact with the word "conditionally" removed from paragraph C. Ms. Glantz seconded. A roll call vote was held:

Ayes: Prickett, Wittren, Mammone, Glantz, Wilcox, Woidyla, and Staffenson.

Nays: None.

Abstentions: None.

The motion passed unanimously.

Mr. Woidyla made a motion for approval of the final order and conditions. Ms. Prickett seconded. A roll call vote was held:

Ayes: Prickett, Wittren, Mammone, Glantz, Wilcox, Woidyla, and Staffenson.

Nays: None.

Abstentions: None.

The motion passed unanimously.

5. Discussion Items

a. Town Center Plan Project

Mr. Damgen explained that 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. These are:

- 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 Town Center committee presented draft vision statements for the Town Center Plan, based on feedback received at the first two open houses and through survey responses. The draft vision statements are: "By 2040, the Troutdale Town Center will preserve its small town feel, while becoming the most vibrant, scenic and historic hub in the region where families thrive, businesses prosper, and visitors return" and "By 2040, the Troutdale Town Center will be the most vibrant, scenic and historic hub in the region where families thrive in our small town setting, businesses prosper, and visitors returns."

Since that public input, the Town Center Committee has been working on what will be the details of the plan. The plan's basic outline is shown below:

- The Past & Present: takes inventory of what's here and getting feedback
- The Future: sets a vision and discusses a variety of topics
 - Socio-economic element: topics & trends that factor into the plan
 - Physical element: land uses, transportation, and natural resources
 - Branding and marketing: creating a sense of place and pride

- Implementation: lists who does what (& when) to put the plan in action. It's expected that in early fall a draft plan will be ready for presentation, and adoption by City Council shortly thereafter.

The Opportunity Sites

These sites in the Town Center have been identified for significant development and investment. Mr. Damgen discussed each of the opportunity sites in his slide presentation. The information was also shared with City Council last night. This is of concern to the Planning Commission because it may inspire future amendments and long-range plans. There are 3 categories. Town centers are like Troutdale or Sherwood or Gladstone and smaller suburban areas including Portland neighborhoods like St. John's and Hollywood. A Town Center is not the same as downtown because it includes residential areas that serve downtown. Corridors are main streets within the town center with a commercial identify on a small scale and a strong sense of neighborhood.

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 visitor's 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 re-purposed 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

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.

The upshot of this is to proactively protect your larger development investment while alleviating some of the pressure for redevelopment or inappropriate development, such as may be seen from the prospect of HB 2001. In so doing, it helps the City reframe its public investments for the next 20 years with proactively planning instead of scattershot responses.

Mr. Damgen said that as they're working through these opportunity sites on the slides, he doesn't wish to overengineer but show what could be possible. He showed the Depot park site which could contain a Visitor Center and Bike Hub Project where the trail and Sandy River will connect. He also showed a slide of the Tract 3 Northwest Corridor and Historical Highway with a 4-story hotel with trees behind it.

Mr. Damgen asked for questions. Ms. Glantz asked why it was named "Confluence" and Mr. Damgen said it was chosen during a branding exercise. Chair Staffenson added that the Town Center Committee felt a name other than "Urban Renewal" would help with marketing. "Confluence" suggests rivers coming together and lots of activity.

Mr. Damgen then explained the Urban Renewal Area Confluence, the critical piece of the next 20 years of development of the community. He showed the image of it on the PowerPoint slide. The City purchased 20 acres of property in 2018, and they've undergone demolition and cleaning efforts. They are fulfilling the requirements to have public property ownership which included easements, plats, an entitlement process, and surveying. Basically, there will be 16 acres remaining for private development. He and Ms. Farrell are also working on parks and trails development and hope to obtain Metro funding.

He said the two topics he wished to discuss tonight more in length were the opportunity analysis and the confluence concept and further study.

First, why do a confluence concept? It can help confirm (or compel) an adjustment on what a community is comfortable with while learning if it can be supported financially. It does not tell developers what exactly to build, but it helps to relay what the community's expectation would be.

Why do a concept now?

- Generates a test case market analysis similar to Hurford Tract
- Offers direction for a framework plan and future zoning standards
- Provides prospective developers with a starting point that has already been vetted by the community
- Allows the public to understand scale and visual impact

- Helps plan for the carrying capacity of the site
- Assists with trail and park planning efforts
- Engages the outlet's ownership and management

Basic Assumptions

- 4 acres for park and open space (trail)
- 16 acres reserved for private development
 - 13 acres for multi-story mixed use development
 - 3 acres reserved to Outlet Mall ownership in exchange for access through outlets
- Streets
 - To be publicly dedicated after private construction
 - Reflect the grid pattern of downtown and highlights "terminal vistas"
- Connections
 - Primary road through the outlets
 - At-grade railroad crossing (extension of Kirby Avenue)
 - Riverfront trail
 - Pedestrian bridge between parking garage and downtown (Harlow Avenue)

The Confluence Concept

- 400 condos and apartment units within 4 main buildings, including 350 market rate units and 50 subsidized units so that developers can enjoy tax advantages. That will also eliminate the need to subsidize housing in other parts of the City where it's less appropriate.
- 150 room hotel with a 1500 square foot conference center
- 24,000 square feet for commercial service with 12,000 square feet for flexible/micro-retail Parkin use
- Parking will include a 350-space parking garage, including subterranean, street parking and surface level parking.
- This would also include perhaps controversially a maximum building height of 75 feet.

To illustrate the height, Mr. Damgen showed an image of a water tower, and the second rung was at 70-75 feet. It would be less disconcerting because planners would be able to use the terrain to their advantage. They know that the community doesn't want to mess with height limits downtown. Happily, this plan would allow building at a lower level property so the visual impact to that area is minimized. Also, there won't be a shadow effect. A person on the street will not be able to see a taller building unless they're standing at the break in the buildings.

So in short, this would be maintaining the small-town feel while providing a level of density from a housing perspective to help buttress and support the existing and new businesses that can come to downtown and to the Confluence site.

He then showed the concept from a top-down view, showing what the grid backbone could look like. Next, Mr. Damgen showed an image of what this would look like from a top down view by showing different possible additions, beginning with the planned trail and park design. Also, in terms of better access to connect 257th, and that this is where the swap of 3 acres of property comes into play. Mr. Damgen showed a slide of the hypothetical hotel and conference center and creating end caps for the outlets. It would also create a centralized parking solution that can accommodate all of the properties. It benefits visitors to the town and the outlet stores because they will have to go through the outlets to reach the parking spaces. Also, the town's history can be incorporated when naming the new streets in creative ways.

He then showed a slide about establishing basic expectations that were agreed upon last week by the Town Center Committee. These were:

- Street grid carried over from downtown
- Maintaining the water tower as an iconic feature
- Allowing for exchange of properties to gain access to outlets which can have a huge impact on the value of the property
- Establishing a parking garage
- Having direct pedestrian connection with downtown via a bridge
- Having direct vehicular connection with downtown which will take some time. Previous iterations showed a bridge.
- Having a specific architectural style (small town charm)

Mr. Damgen presented his final slide of "Next Steps: Action Planning Process"

- Work with Cascadia Partners to test out this concept and other ones that could be considered instead of just having pie in the sky concepts. This will include:
 - Interviews with six developers experienced in this type of scale and development
 - Continued involvement of Abe Farkas, the strategic partner at the firm
 - Generate economic data and initial rates of return
 - Two future meetings with URA Board for initial feedback and results presentation.
 - This will synchronize design processes with economic reality
 - Similar work is being done on the Hurford Tract by the same firm

Mr. Damgen presented another slide of "Next Steps: Creation of Framework Plan."

- The results of the Action Plan provide base level concepts and expectations
- The plan will include recommended zoning changes, which will be of interest to this body
- A plat will be established, they will finalize a survey, there will be a branding and marketing package and an updated appraisal. This will include engagement with Columbia Gorge River Outlets ownership, engagement

with the Governor's Railroad Solutions Team to help solve the problem of the railroad crossings. As they finalize these documents, they will take this effort to the market.

He then talked specifically about the role of the Planning Commission. They will need to look at the Comprehensive Land Use Plan, the Development Code, Map Amendments, and Historic Landmarks (HLC actions.)

There will also be future long-range planning actions. These include:

- Main Streets on Halsey
 - Code Audit Project – suggested text amendments
 - Changes to street design profile that could shape opportunity corridor investments
- Capital Improvement Plan
 - Opportunity corridor investments and improvements
 - Parking and Loading Study
 - Autonomous vehicles
 - Rail Service tourism – addressing Gorge transportation issues
 - Golf Cart Zone Study

Mr. Damgen explained that creating a Golf Cart Zone is well worth considering, and it's already being developed in other suburban communities as a way for people to travel easily to get what they need and get around town. For example, someone could buy a condo and get a free golf cart. Metro likes the idea because it would mean lower cost and also lower speed limits. Also, they're electric. And in post-Covid when there are fewer passengers on buses, people will still be able to get around independently and with much more localized transportation.

Mr. Damgen asked for questions. Ms. Glantz asked if instead of golf carts, there could be leasable electric scooters. Mr. Damgen said yes, but they are seen as disposable and chucked in the river.

Mr. Allen said he appreciated the thought put into this presentation and would like to encourage it to continue. Chair Staffenson agreed that it had been quite a project and that he wanted to acknowledge Mr. Damgen's excellent leadership skills and effort he's put into the Town Center Committee to get things to this point. This property has been a problem for a long time, and he is excited to see progress being made. For example, Metro wants to float a \$7 billion transportation package, but this more creative proposal is about buying people golf carts. He is very supportive of doing some economic analysis in order to not end up with a project like the Columbia River Crossing that was expensive and ultimately couldn't be built. He is also excited about partnering with the Outlet Mall. Some of this has already been shown to the development community and think there are opportunities. Mr. Damgen agreed that while it's been challenging at times, he is proud that there are people who never spoke to each other before who have come together to create this plan.

Mr. Mammone asked if the City owns the Columbia Gorge Outlet Site. Chair Staffenson answered that it does not, but the City does have access to the north side of the Mall.

6. Department Report

Mr. Damgen said that the next regularly scheduled meeting is July 15, and they will have a hearing including one for the storage facilities and another for the signs. Mr. Damgen said that at the last meeting, they discussed definition changes but didn't cover how they wanted to handle setbacks for monument signs. The Commission has had two variance applications from people wanting to place signs closer so they are more easily seen. This could be an opportunity to allow signs within that setback that wouldn't affect clear vision. Chair Staffenson asked if Mr. Damgen meant placing the sign in the setback, and not in the right of way, and Mr. Damgen answered yes, and can you allow the sign to be "x" number of feet but still within that prime yardage. Ms. Glantz asked if you have that setback, why not let them place the sign right up to the edge. Chair Staffenson commented that there is a clear vision standard that must be met. A sign can't be placed in an area where it blocks someone's view from any direction. It can't impede the ability to see going in or out of traffic. Mr. Damgen said that placement is also affected by many of Troutdale's street frontages that have 5-8 feet utility uses on the private property that creates artificial setbacks. Chair Staffenson added that you can also put it in the easement but be liable for replacing it. Mr. Damgen said that the Staff would explain its rationale and other options in its report.

There has been a request from the Main Streets on Halsey group for a three-city Planning Commission workshop, and Mr. Damgen recommends attending if possible, in order to see the consultants offer an economic analysis and gain a sneak preview of suggested code. The reason for the 3-city approach is that all get the same level of technical analysis, so it makes sense to share the cost. Chair Staffenson commented that he thinks they should look at changes to our code and Wood Village and Fairview and then say, based on your code we're thinking of doing this. Mr. Damgen said Staff will present its Code audit for consideration. Chair Staffenson asked if this will be a work session for the three planning commissions. Mr. Damgen said yes, but there isn't a quorum requirement. People are encouraged to attend if possible.

Regarding Covid, Multnomah County will enter Phase 1 on Friday. Staff has already been open and serving the public in its office.

The Town Center Committee meeting will be next Wednesday. Please let Staff know if you'd like to join and want credentials.

7. Commissioner Comments

Ms. Glantz asked if there had been any Black Lives Matters protests in Troutdale. Mr. Damgen replied there was one a few weeks ago at Mayor Square, and it was very peaceful. Mr. Wittren commented that he wouldn't be at the

upcoming workshop because he would be on vacation. Mr. Allen commented that the Council was discussing cutting down on sign pollution and improving the aesthetics of the City.

8. Adjourn

Ms. Prickett moved to adjourn the meeting and Ms. Glantz seconded. The motion passed unanimously and the meeting was adjourned at 8:56 p.m.

APPROVAL OF MINUTES

Tanney Staffenson, Chair

Date of Approval

Melissa Sillitoe Bocarde, Attest

STAFF REPORT – PLANNING COMMISSION HEARING

CASE FILE:	75-04 Storage Facilities
STAFF REPORT DATE:	Wednesday, July 1, 2020
HEARING DATE:	Wednesday, July 15, 2020
STAFF / APPLICANT:	Chris Damgen, Community Development Director
SUBJECT:	Proposed Text Amendment to the Troutdale Development Code
REQUESTS:	Establish “storage facility” and “storage, accessory” as land use definitions; allow storage facilities as a conditional use in the Light Industrial (LI) zoning district; modify definition of “warehouse”; provide clarity and context for the aforementioned definitions in other sections of the Code (TDC)
APPLICABLE CRITERIA:	TDC Sections 2.065 and 6.1100
STAFF RECOMMENDATION:	Approval (a recommendation to City Council for approval)

1. BACKGROUND

The City of Troutdale has received several inquiries that relate to the concept of storage facilities. At present, the Troutdale Development Code (TDC) has ambiguous standards that relate to this type of land use, which as proposed would provide “leasable space to the public where materials and goods may be stored by lessees in an outdoor, indoor, or portable setting.” Historically, there have been concerns about allowing for this type of land use, though a recent uptick in demand warrant a fresh review on the matter.

The most obvious type of storage facility is commercial self-storage or mini-storage facilities. At present, there are three such establishments that exist in Troutdale, though all three were established prior to the current development code, which has effectively prohibited these types of uses based on Council direction and Staff interpretation. Other types of storage facilities could include shipping container and boat/RV storage that is unaffiliated with sales or service.

The primary motive of this application is to define “storage facility” and provide the consideration of the land use through a conditional use in the Light Industrial zoning district. The application would provide clear differentiation between a storage facility, a warehouse, and basic storage that is associated with a primary land use but is incidental (proposed as accessory storage). Lastly, the application would provide additional details on “storage” in other TDC sections.

2. REVIEW TIMELINE

The current Troutdale Development Code was adopted in 2017 [Ordinance No. 842]. The most current version of the TDC into effect on January 17, 2019 [Ordinance No. 851]. The Troutdale Planning Commission held a discussion item on this matter at its April 29, 2019 special meeting. A Post-Acknowledgment Plan Application (PAPA) was submitted to the Oregon Department of Land Conservation and Development on Wednesday, May 13, 2020 to alert the agency of the City's intentions. The initial public hearing was originally scheduled for Wednesday, June 16, 2020 but was postponed to Wednesday, July 15, 2020 to accommodate a Planning Commission work session on Thursday, May 28, 2020. The proposed amendments were thus drafted to meet required timeframes for review, thus requiring the delay. It is anticipated the City Council hearing dates will be Tuesday, August 25, 2020 for the first reading and Tuesday, September 8, 2020 for the second reading and potential approval and adoption of a correlating ordinance.

3. PROPOSED TEXT AMENDMENTS

Sections that are to be affected by the proposed amendments are included as Attachment A of this report. The following text is a summary of the proposed amendments:

CHAPTER 1 - DEFINITIONS

There is one (1) section amendment proposed for this chapter. Due to these added definitions, a renumbering of definitions within this section will also be required.

Section 1.020 General Definitions

Staff is proposing **add and amend the following definitions** in order to provide clear definitions and distinctions on storage facilities (amended language in **bold**):

***(NEW)** .126 Storage, Accessory. The safekeeping of materials and goods at a location of which the principal use is not a storage facility and its presence at a location is considered incidental to the principal use.*

***(NEW)** .127 Storage Facility. An establishment of which the principal use is providing leasable space to the public where materials and goods may be stored by lessees in an outdoor, indoor, or portable setting. Storage facilities include self-storage establishments that cater to residential and non-residential clientele but shall not include commercial or industrial warehouses (See Warehouse).*

(AMENDED)** ~~.138~~ .140 Warehouse. A building used primarily for the storage of materials or goods for use on the site or later distribution **that is controlled by a single operator with public access restrictions. Warehouses shall not include storage facilities (See Storage Facility).

CHAPTER 3 – ZONING DISTRICTS

There are four (4) section amendments proposed for this chapter:

3.122 Permitted Uses (General Commercial – GC)

Staff is proposing the following edit (in **bold**):

*D. Service uses that are completely enclosed building other than outside **accessory** storage of merchandise, supplies, or outside work areas all of which must be screened from the public right-of-way and adjacent residential, apartment, and NC districts.*

3.161 Purpose (Light Industrial – LI)

Staff is proposing the following edit (in **bold**):

*Purpose. This district is primarily intended for light, clean industries usually of a manufacturing or storage nature with **little limited** outdoor 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 **outdoor accessory storage**, bright yard lights, continuous noise or objectionable odors. 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 buffering.*

3.163 Conditional Uses (Light Industrial – LI)

Staff is proposing adding “**Storage facilities**” as a conditional use for this zoning district. Due to the addition of this use, a partial renumbering of this section will be required.

3.171 Purpose (General Industrial – GI)

Staff is proposing the following edit (in **bold**):

*Purpose. 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 **primary or accessory** 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.*

CHAPTER 4 – ZONING DISTRICT OVERLAYS

There is one (1) section edit proposed for this chapter.

4.112 Permitted Uses within the Airport Approach Safety Zone

Staff is proposing the following edit (in **bold**):

*C. Roadways, parking areas, and **accessory** storage yards located in such a manner that vehicle lights will not make it difficult for pilots to distinguish between landing lights and vehicle lights or result in glare, or in any way impair visibility in the vicinity of the landing*

CHAPTER 8 – SITE AND DESIGN STANDARDS

There is one (1) section edit proposed for this chapter.

8.030 Pedestrian Walkways

Staff is proposing the following edit (in **bold**):

A. Number and Placement

(...)

*6. Pedestrian walkways are required between those parts of a site that people on the site normally would walk between. Walkways are not required between buildings or portions of a site which are not intended for, or likely to be used by, pedestrians. Such buildings and features include truck loading docks, warehouses not including office/warehouse combinations, automobile sales lots, temporary uses, outdoor **accessory** storage areas, etc.*

CHAPTER 9 – PARKING

There is one (1) section edit proposed for this chapter.

9.025 Industrial Off-Street Parking Space Requirements.

Staff is proposing the following edit (in **bold**):

*(Type of Use) Storage **facility**, warehouse, or manufacturing establishment; air, rail, or trucking freight terminal*

Note: An available condition that may be placed on an approval for a conditional use may be to increase the number of off-street parking or loading spaces or area. [TDC 6.325.C]

4. 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.

The amendments proposed seek to define and distinguish storage as a concept. Accessory storage occurs on properties in most existent land use designations and zoning districts. The application seeks to define a storage facility and to distinguish it from accessory storage and warehousing. By seeking to establish a conditional use designation for storage facilities in only one zoning district (Light Industrial), the City is provided with additional protections to evaluate any future proposals to determine its conformance with the Comprehensive Land Use Plan goals and policies in addition to the purpose statement in the LI zoning district. The slight modifications proposed to the purpose statements do not drastically change the spirit and intent of the district. **The criterion is met.**

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

The majority of the amendments proposed in this application are not substantive in a way that would alter or jeopardize conformance to Statewide Planning Goals. In particular, Goal 9 (Economic Development) speaks to the need for cities to have enough land available to realize economic growth and development opportunities. Based on citizen and Staff testimony that suggests there is economic interest in storage facilities, providing an opportunity through a conditional use process for such a land use to exist in the City meets the spirit of the statewide planning goal. **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.

The City acknowledges that storage facilities is not a land use that generates significant employment; however, this land use is still instrumental in supporting capacities and economic opportunities for adjacent land uses, including industrial ones. By listing storage facilities as a conditional use in the Light Industrial zoning district and not allowing for it in the General Industrial zoning district, the City remains in conformance with the spirit and intent of Title 4. It allows for a case-by-case analysis of each application. Furthermore, a significant majority of the City's Employment Area designation is zoned for General Industrial in which storage facilities would not be allowed, thus significantly limiting any concerns about losing "highest and best use" potential in this area. **The criterion is met.**

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

Providing clear definitions for storage facilities, accessory storage, and warehouses improves the public's understanding and expectation for these three land uses. Historic precedent has suggested that certain kinds of storage facilities have not been popular in Troutdale and were thus no longer allowed in the City. However, the economic situation and repeated expressed interest by investors looking to establish this type of business in Troutdale suggests that a limited area of the City would be appropriate for this type of use. An existing storage facility is currently in nonconformance within the Light Industrial zoning district. Two other storage facilities are in commercial zoning districts where there is less popular appeal for introducing this land use. Therefore, allowing this use to be better defined and allowed with conditional use approval provides a level of compromise that balances the community concern with economic interest and demand. **The criterion is met.**

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

It is not anticipated that there are health concerns that stem from the introduction and establishment of storage facilities as a conditional land use. Standards are in place that would restrict hazardous materials from being stored in these locations, often relying upon fire and life safety codes to provide regulations. In the realm of safety, there is an inherent need to secure these types of facilities. Most facilities will often rely on perimeter fencing, security check-ins, and caretaker units to provide security for goods and materials that are stored within a facility.

Lastly, providing an additional way for individuals or companies to store their goods and materials may also improve the general welfare of their community. As an example, offering additional areas for storage could then reduce storage burdens on residential and commercial properties. It benefits not only those properties but also those around them, as unsightly or objectionable storage could potentially be located on a premise that more effectively screens them. **The criterion is met.**

5. STAFF RECOMMENDATIONS

Staff offers the following recommendations for the conduct of the July 15, 2020 public hearing for the proposed amendments to the Troutdale Development Code.

- A. Conduct a public hearing and receive all public testimony relating to the application.
- B. Consider the public testimony and the facts and findings presented in the staff report and deliberate on policy issues, proposed amendments, and other issues identified by the Commission, Staff, other public entities, or the public.
- C. Recommend approval of the proposed text amendments to the City Council for its consideration for its meeting and subsequent public hearing.

- .123 Sign. Refer to Section 10.015 for all definitions for signs.
- .124 Single-Family Dwelling or Single-Family Residence. See Dwelling, Single-Family Detached.
- .125 Site and Design Review Committee. A committee chaired by the Director to review applicable development proposals for compliance to the provisions of this Code.
- ~~.126~~ Storage, Accessory. The safekeeping of materials and goods at a location of which the principal use is not a storage facility and its presence at a location is considered incidental to the principal use.
- ~~.127~~ Storage Facility. An establishment of which the principal use is providing leasable space where materials and goods may be stored by lessees in an outdoor, indoor, or portable setting. Storage facilities include self-storage establishments that cater to residential and non-residential clientele but shall not include commercial or industrial warehouses (See Warehouse).
- ~~.128~~ Street Lighting. The total system of wiring, poles, arms, fixtures, and lamps, including all parts thereof that are necessary to light a street or pedestrian way.
- ~~.129~~ Street, Private. A thoroughfare or street providing a means of access to a property or properties which is not owned by the City or other public entity.
- ~~.130~~ Street, Public. A publicly owned thoroughfare or right-of-way acquired for use by the public which affords a principal means of access to abutting property.
- ~~.131~~ Studio. A location where an ancillary form is created or practiced, such as an artist, a musician, dramatic arts or dance studio. Also includes light fabrication or manufacturing of individual pieces of art including welding, riveting, and use of a kiln, glass furnace, or foundry when such heat producing facilities comply with all Building Code requirements and crucibles do not exceed one (1) gallon in size.
- ~~.132~~ Subdivision. To divide land to create four (4) or more lots within a calendar year, when such area or tract of land exists as a unit or contiguous units of land at the beginning of such year.
- ~~.133~~ Townhouse or Townhome. See Dwelling, Single Family Attached.
- ~~.134~~ Transit Facility. A facility intended to accommodate and assist transit users. Transit facilities include light rail transit stations, park and ride lots for transit riders, transit centers, transit shelters, bus turnout lanes, and transit stops.
- ~~.135~~ Transit Street. Any street identified as an existing or planned bus or light rail transit route.

- .134136 Triplex. See Dwelling, Triplex.
- .135137 Two-Family Dwelling. See Dwelling, Duplex.
- .136-138 Utility Facility, Major. Administrative offices and operation centers, wet system pump stations, sewage treatment plants and lagoons, electric generation facilities (other than small scale accessory wind turbines or solar panels intended to generate electricity for onsite uses), sanitary landfills, pump stations, substations (transmission and distribution), water towers and reservoirs, public wells (aboveground), telephone switching equipment, communication receiver, transmission facilities, and ancillary equipment, telecommunication towers and poles, and drinking water treatment facilities.
- .137139 Utility Facility, Minor. Street lights; underground lines and pipes; underground wells; transformers and regulator stations; closed system sanitary pump stations; and private, on-site facilities such as septic tanks, wells, and catch basins.
- .138140 Warehouse. A building used primarily for the storage of materials or goods for use on the site or later distribution that is controlled by a single operator with public access restrictions. Warehouses shall not include storage facilities (See Storage Facility).
- .139141 Water dependent development. Any use that is dependent on navigable waterway access and or use.
- .140142 Windscreens. A fence-like structure, not to exceed six (6) feet in height, on the north or east side of a residential building only, and used to reduce the wind velocity at exterior doors.
- .141143 Yard. A required open space on a lot that is unoccupied and unobstructed except for permitted projecting building features and accessory buildings.
- .142144 Yard, Front. An open space extending the full width of the lot between a building and the front lot line, unoccupied and unobstructed from the ground upward, except as authorized by this Code.
- .143145 Yard, Rear. An open space extending across the full width of the lot between the main building and the rear lot line, unoccupied and unobstructed from the ground upward, except as authorized by this Code. Where there is no rear lot line, the depth of the rear yard shall be the distance from a ten-foot line parallel to the front lot line, measured from one side line to the other.
- .144146 Yard, Side. An open space between any building and the side lot line, unoccupied and unobstructed from the ground upward, except as authorized by this Code.
- .145147 Yard, Street Side. An open space adjacent to a street that is not a front yard, unoccupied and unobstructed from the ground upward, except as authorized by this Code.

3.120 GENERAL COMMERCIAL**GC**

- 3.121 Purpose. This district is intended for more intensive commercial uses in addition to those provided in the Neighborhood Commercial (NC) and Community Commercial (CC) districts.
- 3.122 Permitted Uses. The following uses and their accessory uses are permitted in the GC district:
- A. Any use permitted in the NC or CC district except for dwellings. Retail buildings are not limited to sixty thousand (60,000) square feet of gross floor area.
 - B. Commercial amusements.
 - C. Printing, lithographing, or publishing.
 - D. Service uses that are completely enclosed building other than outside accessory storage of merchandise, supplies, or outside work areas all of which must be screened from the public right-of-way and adjacent residential, apartment, and NC districts.
 - E. Accessory uses customarily incidental to any of the above uses when located on the same lot, provided that such uses, operations, or products are not objectionable due to odor, dust, smoke, noise, vibration, or similar causes.
 - F. Utility facilities, minor.
 - G. Mobile Food Vendor operating a Food Stand, Food Cart, Food Trailer, or Food Kiosk in accordance with Section 5.200 of this Code.
 - H. Other uses similar in nature to those listed above, but not marijuana facilities/processors.
- 3.123 Conditional Uses. The following uses and their accessory uses are permitted as conditional uses in the GC district:
- A. Wholesale distribution outlets, including warehousing.
 - B. Off-street parking, and storage of truck tractors and/or semi-trailers.
 - C. Heliport landings.
 - D. Outdoor stadiums and race tracks.
 - E. Automobile and trailer sales areas.
 - F. Community service uses.
 - G. Utility facilities, major.

3.160 LIGHT INDUSTRIAL**LI**

3.161 Purpose. This district is primarily intended for light, clean industries usually of a manufacturing or storage nature with ~~little~~-limited outdoor 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 outdoor accessory storage, bright yard lights, continuous noise or objectionable odors. 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 buffering.

3.162 Permitted Uses. The following uses and their accessory uses are permitted in the LI district:

- A. Secondary manufacturing, except any use having the primary function of storing, utilizing, or manufacturing toxic or hazardous materials as defined by the Department of Environmental Quality.
- B. Processing facilities, except any principal use involving the rendering of fats, the slaughtering of fish or meat, or the fermenting of foods such as sauerkraut, vinegar, or yeast. This limitation shall not apply to the processing or manufacturing of beer, wine, bread, jam, and similar items.
- C. Distribution centers.
- D. Airport and related uses as defined by the Airport Planning Rule (OAR 660-013-0100), including airport supportive commercial and industrial uses such as maintenance facilities, hangars, aircraft tie-downs, passenger parking, and flight schools.
- E. Warehouses.
- F. Utility facilities, minor.
- G. Research and development companies, experimental or testing laboratories.
- H. Trade or commercial schools whose primary purpose is to provide training to meet industrial needs.
- I. Public parks, parkways, trails, and related facilities.
- J. One caretaker residence in conjunction with an existing industrial use.
- K. Corporate headquarters.
- L. Professional offices.
- M. Medical and dental clinics.

- N. Product sales, service, and/or display accessory to any manufacturing, fabricating, or processing use, 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.
- O. Wineries, breweries, and distilleries.
- P. Mobile Food Vendor operating a Food Stand, Food Cart, or Food Trailer in accordance with Section 5.200.
- Q. Other uses similar in nature to those listed above.

3.163 Conditional Uses. The following uses and their accessory uses are permitted as conditional uses within a LI district:

- A. Heliports accessory to permitted or approved conditional uses.
- B. Retail, wholesale, and discount sales and services, including restaurants, banks, dry-cleaners, and similar establishments, with or without drive-up or drive-through window service, subject to the provisions of Subsection 3.165(E) of this Chapter.
- C. Community service uses.
- D. Utility facilities, major.
- E. Automobile, truck, trailer, heavy equipment, recreational vehicle, boat and manufactured home sales, rentals, and repair shops.
- F. Card-lock fueling stations, truck stops, service stations, tire shops, and oil change facilities.
- G. Motels or hotels, including banquet rooms, conference, or convention centers.
- H. Commercial sports complexes including, but not limited to, health clubs, tennis courts, aquatic centers, skating rinks, and similar facilities.
- I. Child care facilities and similar facilities.
- J. 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.

K. Storage facilities.

~~KL.~~ Other uses similar in nature to those listed above.

3.164 Dimensional Standards.

A. Setbacks.

1. Front yard setback: Minimum of twenty (20) feet.
2. Side yard setback: Minimum of ten (10) feet.
3. Rear yard setback: None.
4. 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.
5. Setbacks for insufficient right-of-way: Setbacks shall be established when a lot abuts a street having insufficient right-of-way width to serve the area. The necessary right-of-way widths and the setback requirements in such cases shall be based upon the Comprehensive Land Use Plan and applicable ordinances and standards.

B. Height Limitation. The maximum height for any structure shall be forty-five (45) feet unless otherwise limited by the Federal Aviation Administration.

C. Lot Area. There shall be no minimum lot size in the Light Industrial Zone.

3.165 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. Development is subject to compliance with any applicable overlay zoning district standards.
- E. 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; and retail, wholesale, and discount sales and services 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.

DRAFT

3.170 GENERAL INDUSTRIAL**GI**

3.171 Purpose. 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 primary or accessory 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.

3.172 Permitted Uses. The following uses and their accessory uses are permitted in the GI district:

- A. Any permitted use within the LI zoning district.
- B. Primary manufacturing.
- C. Use of toxic or hazardous materials in the manufacturing process, and temporary storage of toxic or hazardous material by-products.
- D. Freight and trucking firms.
- E. Automobile, truck, trailer, heavy equipment, recreational vehicle, boat and manufactured home sales, rentals, and repair shops.
- F. Card-lock fueling stations, truck stops, service stations, tire shops, and oil change facilities.
- G. Utility facilities, major and minor, except for the following which require conditional use approval: sanitary landfills, recycling centers, and transfer stations, sewage treatment plants and lagoons, and telecommunication towers or poles.
- H. Marinas.
- I. Marine Industrial/Marine Service Facilities.
- J. Mobile Food Vendor operating a Food Stand, Food Cart, or Food Trailer in accordance with Section 5.200.
- K. One caretaker residence in conjunction with an existing industrial use.
- L. Other uses similar in nature to those listed above.

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

- A. Child care facilities and similar facilities.

- B. Community service uses.
- C. Concrete or asphalt manufacturing plants.
- D. Sanitary landfills, recycling centers, and transfer stations.
- E. Sewage treatment plants and lagoons.
- F. Telecommunication towers and poles.
- G. Junk yards.
- H. Residential dwelling/hangar mixed uses when the hangars are served by a taxiway with direct access to the Troutdale Airport Runway. The use shall be subject to the following requirements:
 - 1. Approval from the Port of Portland.
 - 2. Approval from the Federal Aviation Administration.
 - 3. No separate accessory structures are allowed.
- I. Heliports accessory to permitted or approved conditional uses.
- J. Commercial sports complexes including, but not limited to, health clubs, tennis courts, aquatic centers, skating rinks, and similar facilities.
- K. Commercial uses, not to exceed forty thousand (40,000) square feet of floor area.
- L. Processing facilities whose principal use involves the rendering of fats, the slaughtering of fish or meat, or the fermentation of foods such as sauerkraut, vinegar, and yeast.
- M. The manufacturing or storing of toxic or hazardous materials when done in compliance with federal and state regulations.
- N. 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.
- O. 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.

P. Other uses similar in nature to those listed above.

3.174 Dimensional Standards.

A. Setbacks.

1. Front: Twenty (20) feet.
2. 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.
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 or apartment district shall be required.
4. Setbacks for insufficient right-of-way: Setbacks shall be established when a lot abuts a street having insufficient right-of-way width to serve the area. The necessary right-of-way widths and the setback requirements in such cases shall be based upon the Comprehensive Land Use Plan and applicable ordinances and standards.

B. Height Limitation. None, unless otherwise limited by the Federal Aviation Administration.

C. Lot Area. Division of lots or parcels are permitted as follows:

1. Lots or parcels fifty (50) acres or smaller in size may be divided into any number of smaller lots or parcels.
2. 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 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.
3. 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 Chapter.

4. Notwithstanding parts (2) and (3) of this Subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to right-of-ways for the following purposes:
 - a. To provide public facilities and services;
 - b. 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;
 - c. 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
 - d. To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.

3.175 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 within industrial flex-space buildings are subject to the following standards:
 1. No one commercial use shall exceed five thousand (5,000) square feet of gross leasable area and the cumulative area of all such uses shall not exceed twenty thousand (20,000) square feet of the gross leasable area of a single flex-space building or of multiple buildings that are part of the same development project.
 2. Drive-thru and drive-up service windows are not permitted.
- E. Development is subject to compliance with any applicable overlay zoning district standards.



DATE: July 15, 2020
FROM: Chris Damgen, Community Development Director
TO: Troutdale Planning Commission
CC: All Interested Parties
SUBJECT: Updates to Sign Standards

Staff has withdrawn the expected text amendment application to modify the sign standards found in Chapter 10 of the Troutdale Development Code (TDC). In performing the research based on the direction received at the May 28, 2020 special meeting, there were several other issues that came up that Staff believes requires the Commission's attention. Once these items are discussed tonight, a new text amendment application will be submitted in the future that will incorporate feedback received in addition to previous feedback and direction provided.

The additional items anticipated for discussion are as followed:

- Consideration of a sign table that could clearly define the various sign types and durations that are permitted, exempted, or prohibited
- Review added definitions for "inflatable sign", "monument sign", and "real estate sign"
- Feather signs – no clear definitions found – other ways to consider restriction?
- Location standards:
 - sign allowances within a front and street side yard setback
 - allowances for portable signs in right-of-way in Central Business District
- Interfacing with other codes (building, electrical, etc.)
- Allowances for real estate signs (new category)
- Time and quantity restrictions proposed for temporary signs

In closing, Staff felt that these items should be addressed in discussion rather than in a hearing, which has prompted the desire to withdraw the application at this time. Attached to this memo is the current red-line version of what was to have been presented at the hearing but can now be used as the starting point to discuss the aforementioned items.

ATTACHED: TDC Chapter 10 – V2 PC Discussion Draft

Chapter 10 – Signs

- 10.005 Title. This Chapter shall be known as “The Troutdale Sign Code”.
- 10.010 Purpose. This Chapter is being adopted to protect the health, safety, property, and welfare of the public; provide a neat, clean, orderly, and attractive appearance of the community; improve the effectiveness of signs; provide for safe construction, location, erection, and maintenance of signs; prevent proliferation of signs and sign clutter; and minimize adverse visual safety factors to travelers on public highways and private areas open to public travel. To achieve this purpose it is necessary to regulate the design, quality of materials, construction, location, electrification, illumination, and maintenance of signs that are visible from public property, public right-of-ways, and private areas open to public travel. This Chapter shall be construed to carry out this purpose.
- 10.015 Definitions. For purposes of this Chapter, certain terms, phrases, and words shall be construed as follows: Words used in the present tense include the future; the singular tense includes the plural and vice versa; the word “shall” is always mandatory and the word “may” is discretionary; and the masculine gender includes the feminine and vice versa. The following terms shall mean:
- .01 A-Frame Sign. A double-faced portable sign constructed with an A-shaped frame, composed of two sign boards attached at the top and separate at the bottom. A-frame signs shall not be permanently attached to the ground, but secured to the ground or sufficiently weighted to prevent the sign from being blown from its location or easily moved.
 - .02 Awning. A shelter projecting from, and supported by, the exterior wall of a building on a supporting framework. The awning may be constructed of rigid or non-rigid materials.
 - .03 Banner Sign. A sign made of fabric or other non-rigid material with no enclosing framework and not qualifying as a flag.
 - .04 Bench Sign. A sign on an outdoor bench.
 - .05 Boundaries of the Site. The area inside the legal lot lines of a site and does not include any property in a public right-of-way.
 - .06 Direct Illumination. Exposed lighting or neon tubes on the sign face.
 - .07 Directional Sign. A sign located within the boundaries of a site and near areas where pedestrians, cyclists, or vehicles travel, and that is intended to inform people of what direction to travel.
 - .08 Electronic Display Signs. Signs, displays, devices, or portions thereof with lighted messages that change at intermittent intervals by electronic process or remote control.

- .09 External Illumination. The light source is separate from the sign and is directed so as to shine on the sign.
- .10 Flags. Any fabric containing colors, patterns, words or symbols, typically oblong or square, attachable by one edge to a pole or anchored at only two (2) corners. If any dimension is more than ~~three-two (32)~~ times as long as any other dimension, it is classified and regulated as a banner regardless of how it is anchored or supported.
- .11 Freestanding Sign. A sign on a frame, pole, or other support structure that is not attached to any building.
- .12 Freeway Sign. A freestanding sign that is located within eight hundred (800) feet south and one thousand (1,000) feet north of the center median of Interstate 84, and that is more than twenty-four (24) feet in height, with a sign face of more than one hundred fifty (150) square feet.
- .13 Gross Wall Area. The entire area encompassed by the plane of a wall, including windows and doors.
- .14 Height. The vertical distance measured from grade to the highest point of the sign or sign structure.
- .15 Historical Marker. A plaque or sign erected and maintained on property, a building, or structure by an organization that is recognized for routinely identifying sites, buildings, or structures of historical value.
- .16 Inflatable Sign. A sign that consists of a flexible material envelope of non-porous material inflated or shaped from inserted air or other gas.
- ~~.1617~~ Internal Illumination Lighting. The light source is concealed within the sign.
- ~~.1718~~ Lawn Sign. A temporary pole or wall mounted sign with a sign face area less than three (3) square feet and a maximum height less than three (3) feet from the ground. Lawn signs may not encroach into the right of way or obstruct the visibility for the travelling public and may not be illuminated.
- ~~.1819~~ Lighting. Direct, external, or internal illumination.
- ~~.1920~~ Maintenance. Normal care needed to keep a sign functional such as cleaning, oiling, and changing light bulbs.
- .21 Monument Sign. A freestanding sign of which the entire bottom of the sign is generally in contact with or within three (3) feet of grade.
- ~~.2022~~ Permanent Banner Sign. Any banner sign that is not allowed as a temporary sign or that does not qualify as an exempt sign under Section 10.025 of this Chapter.

- ~~.2123~~ Permanent Sign. A sign attached to a building, structure, or the ground in a manner requiring a permit, and made of materials intended for more than short term use including, but not limited to, freestanding signs, freeway signs, wall signs, and awnings.
- ~~.2224~~ Portable Sign. A sign that is freestanding in design, easily movable, made of durable material as opposed to non-durable material such as cardboard, paper, fabric or pliable plastic, and is not affixed to the ground or to any part of a building.
- ~~.2325~~ Projecting Sign. A sign, other than a wall sign, that projects from, and is supported by, a roof or wall of a building or structure and is generally at right angles to the building.
- ~~.26~~ Real Estate Sign. A temporary pole or wall mounted sign that displays that a property or unit within a property is for sale or lease and provides contact information for the seller or an agent of seller.
- ~~.2427~~ Repair. Mending or replacing broken or worn parts with comparable materials. Repairs may be made with the sign in position or with the sign removed.
- ~~.2528~~ Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, chimneys, or other minor projections.
- ~~.2629~~ Roof Sign. Any sign erected upon or over the roof of any building or structure.
- ~~.2730~~ Searchlights. An apparatus on a swivel that projects a strong, far-reaching beam of light.
- ~~.2831~~ Sign. Any materials placed or constructed so they can be viewed from a right-of-way or another property and that conveys a message or image, and includes the sign structure, display surface, and all component parts of a sign.
- ~~.2932~~ Sign Copy. The message or image conveyed by a sign.
- ~~.3033~~ Sign Face Area. The total display surface area of the sign. When the dimensions of a sign are specified, the term includes the frames or cabinets surrounding a sign; the electronic message center; any base material or supporting structure, unless none of the base material or supporting structure is related to the message or image being portrayed in the sign; and all individual pieces or panels that, when placed together, convey a message or image.
- ~~.3134~~ Sign Owner. The owner of the sign structure as determined by looking at the sign or other means as necessary.
- ~~.3235~~ Site. The area, tract, parcel, or lot of land owned by, or under the lawful control

of, one distinct ownership. Abutting platted lots under the same ownership shall be considered one site.

.3336 Street Frontage. The portion of a site that abuts a public street.

.3437 Structurally Altered. Any work, except maintenance work, that alters or changes the size, shape, or height of a sign. Also includes replacement of sign structure materials with other than comparable materials, for example, metal parts replacing wood parts.

.3538 Supporting Structure. A structure specifically intended for supporting or containing a sign.

.3639 Temporary Sign. A sign that is not permanently attached to a building, structure, or the ground, and that is not intended or designed to be placed permanently. Temporary signs include but are not limited to banner signs, lawn signs, and real estate signs.

.3740 Wall Sign. A sign that is attached to, and extended no more than within eighteen (18) inches from a wall, or painted on a wall, of a building.

.3841 Window Sign. A sign located in the inside display area of a business window.

10.020 General Provisions. All signs in the City of Troutdale, including those exempt from obtaining a sign permit, shall comply with the height limits of the underlying zone, general provisions of this section and, where applicable, with the provisions of Sections 10.025 through 10.055 inclusive. Signs shall not be restricted by content.

A. ~~A.~~ Permits Required. Except as provided in Section 10.025, Sign Permit Exemptions, of this Chapter, a permit is required to erect, replace, construct, or alter the location or structure of a sign. A permit shall be issued by the Director if the applicant files an application, filing fee, and plans which demonstrate full compliance with all provisions of this Chapter and other applicable City regulations.

A.B. Procedure. ~~An a~~Application for a sign permit is ~~processed as a Type I procedure, not subject to a land use application procedure as established in Chapter 2 of this Code. Sign permits may be applied for, reviewed, and issued in concurrence with building, electrical, or other relevant permits when required by other codes.~~

B.C. Sign Maintenance. All signs shall be maintained in a safe condition. Maintenance and repair of a sign, including change of sign copy, shall not require a sign permit. All signs that are damaged and pose a danger to the public shall be repaired or removed.

C.D. Location.

1. All signs may be installed within a front yard or street side yard setback of the underlying zoning district, provided that freestanding signs are not located upon any public utility easements or access easements established on a property.

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~~Except as otherwise provided in this Chapter, all signs shall comply with the building setback requirements of the underlying zoning district. The setback requirement for a freestanding sign shall be measured from the signboard.~~

2. All signs shall be located entirely within the boundaries of a site unless specifically authorized by this Chapter.
3. All signs must be installed in compliance with Section 5.040, Clear Vision Areas, of this Code, as well as the regulations of this Chapter.

~~DE.~~ Construction. All signs shall comply with ~~the any~~ applicable building or electrical code provisions ~~of the Oregon State Structural Specialty Code~~, except as otherwise provided in this Chapter.

~~EF.~~ Lighting. Except as otherwise provided in this Chapter, signs may be externally, internally, or directly illuminated, subject to the following:

1. Lighted signs shall be placed, shielded, or deflected so as not to shine into residential dwelling units or structures, or impair the vision of the driver of any vehicle.
2. No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.
3. Strobe lights or similar devices as well as traveling light patterns (“chaser effect”) are prohibited.
4. Externally illuminated signs shall comply with the requirements of Troutdale Municipal Code, Chapter 8.26, Outdoor Lighting. All externally illuminated signs that measure seven (7) feet or more from the ground level to the top edge of the sign face shall be illuminated from above.
5. Searchlights may be used only in commercial or industrial zones, provided that:
 - a. An owner or lessee may use a searchlight for up to a maximum of seven (7) days in a calendar year.
 - b. The beam of the searchlight may not flash against any building or sweep on an arc greater than forty-five degrees (45°) from vertical.
6. Electronic display signs are permitted only as provided in Section 10.050.
7. When neon tubing is employed on the exterior or interior of a sign, the capacity of such tubing shall not exceed 300-milliamper rating for white tubing or 100-milliamper rating for any colored tubing.

8. No exposed reflective type bulb, PAR (parabolic aluminized reflector) spot or incandescent lamp, which incandescent lamp exceeds 250 lumens, shall be exposed to direct view from a public street or highway, but may be used for indirect light illumination of the display surface of a sign.
9. When fluorescent tubes are used for interior illumination of a sign such illumination shall not exceed 800-milliampere rating tubing behind a sign face spaced at least nine (9) inches, center to center.

FG. Sign Face Area. The sign face area shall be determined as follows:

1. The sign face area of signs enclosed in frames or cabinets is determined based on the outer dimensions of the frame or cabinet surrounding the sign face. The sign face area does not include foundations, supports, or other essential structures that are not related to the message and images being posted in the sign.
2. When a sign is on a base material and attached without a frame, the dimensions of the base material are to be used unless it is clear that the base is not related to the message or image being posted in the sign.
3. When signs are constructed in individual pieces attached to a building wall, sign face area is determined by a perimeter drawn around all the pieces.
4. For sign structures containing multiple panels oriented in the same direction, the panels together are counted as one (1) sign face.
5. The maximum surface area visible at one time, of a round or three-dimensional sign, is counted to determine the sign face area.
6. When signs are incorporated into awnings, the entire panel containing the sign is counted as the sign face area unless it is clear that part of the panel is not related to the message or image being posted in the sign.

10.025 Sign Permit Exemptions. The following signs are allowed in all zoning districts without a sign permit:

- A. Public signs constructed or placed in a public right-of-way by, or with the approval of, a governmental agency having legal control or ownership of the right-of-way; signs owned or constructed by the City; signs required by law including, but not limited to, hearing notices; and signs placed in or near a right-of-way by a public utility in response to a hazard or danger to the public.
- B. Directional signs, provided that freestanding directional signs shall not exceed five (5) feet in height and fifteen (15) square feet in area on one (1) sign face.
- C. A single sign or historical marker not to exceed four (4) square feet cut into the surface or

the facade of a building, or permanently attached and not projecting more than two (2) inches.

- D. Signs located in the interior of any building, or within an enclosed lobby or court of any building or group of buildings, that are designed and located to be viewed exclusively by patrons of such use or uses.
- E. Painted areas on a wall that are designed and intended as a decorative or ornamental feature, or to highlight a building's architectural or structural features.
- F. Window signs as a part of the inside display area of a business, provided the window sign does not involve use of flashing or blinking lights.
- G. Signs not exceeding one (1) square foot in size and affixed to or displayed from a residential dwelling unit.
- H. Holiday lights and decorations.
- I. Any inflated sign or inflated device, including multiple inflated signs or devices bundled together, that floats in the air and individually or collectively is five (5) square feet or less in sign face area.
- J. Flags less than twenty-four (24) square feet in size measured border to border.
- K. Lawn signs, provided only three (3) are allowed per lot for not more than ninety (90) consecutive days.
- L. Real estate signs, provided:
 - 1. Maximum sign area on one face shall not exceed six (6) square feet of sign area in residential zones or thirty-two (32) square feet in commercial and industrial zones.
 - 2. Not more than one (1) sign is allowed per street frontage.
 - 3. Real estate signs shall be removed within fourteen (14) days after the sale or lease of the property has been executed.

10.030 Prohibited Signs. The following signs are prohibited and shall be considered nuisances:

- A. Any sign constructed, erected, replaced, altered, repaired, or maintained in a manner not in compliance with this Chapter.

- B. Bench signs.
 - C. Permanent banner signs.
 - D. Roof signs.
 - E. Signs in public right-of-ways other than public signs installed or authorized by a governmental agency or public utility.
 - F. Signs placed or painted on a motor vehicle or trailer that is parked with the primary purpose of providing a sign not otherwise allowed by this Chapter.
 - G. Any inflated sign or inflated device, including multiple inflated signs or devices bundled together, that floats in the air and individually or collectively exceeds five (5) cubic feet in area.
 - H. Any sign that moves, rotates, revolves, flaps, flutters, or simulates animation, except for flags in accordance with this Chapter.
 - HJ. Any sign that is not exempt, not a lawful nonconforming sign, or that was not erected, constructed, or placed in accordance with a permit.
- 10.035 Signage within Residential Zones. In addition to exempt signs regulated by Section 10.025, this Section specifies the allowed signs on all land within the R-20, R-10, R-7, R-5, R-4, and A-2, zoning districts, and on any site within the Town Center Overlay District, MO/H, NC, CC, and GC zoning districts where the use of the land is characterized as residential. This Section does not authorize non-exempt signs on residential sites with fewer than six (6) dwelling units.
- A. Freestanding Signs
 - 1. Maximum sign area, on one (1) sign face, shall not exceed thirty-two (32) square feet.
 - 2. Height shall not exceed six (6) feet.
 - 3. Freestanding signs may not be illuminated.
 - 4. One (1) freestanding sign is allowed per street frontage.
 - B. Temporary Signs
 - 1. Maximum sign area for a temporary portable sign or temporary freestanding sign, on one (1) face, shall not exceed twelve (12) square feet. Maximum sign area for a temporary banner shall not exceed ninety-six (96) square feet.

2. One temporary sign is allowed per street frontage.
3. Temporary signs shall be valid for a period not exceeding thirty (30) consecutive days from date of approval and shall be removed within fourteen (14) days after the election, sale, rental, lease, or conclusion of event. A property shall not have more than four (4) temporary sign permits issued in a calendar year. Temporary signs are not eligible for a permit extension.
4. Temporary signs may not be illuminated.

10.040 Signage within Commercial and Industrial Zones. In addition to exempt signs regulated by Section 10.025, the provisions of this Section regulate other allowed signs on all land zoned MO/H, NC, CC, GC, IP, LI, or GI, and any site zoned R-20, R-10, R-7, R-5, R-4, or A-2, where the use of that land is characterized as commercial, industrial, or institutional.

A. Freestanding Signs

1. A freestanding sign may not exceed one (1) square foot of sign area per linear foot of site frontage, provided the maximum sign face area is not more than one hundred fifty (150) square feet. For calculation purposes, corner signs that face more than one (1) street shall be assigned a site frontage by the applicant. For calculation of leased premises, the frontage shall be the tenant's frontage.
2. Height shall not exceed twenty-four (24) feet.
3. Illumination may be internal, external, or direct.
4. One (1) freestanding sign is allowed per street frontage.

B. Wall Signs

1. Maximum sign face area shall not exceed ten percent (10%) of the gross wall area of each wall to which the sign is attached or painted. In calculating maximum allowable area for a wall sign, each face of a building shall include all window, door, and wall area.
2. Where two (2) or more uses are located in the same building, the maximum permitted area for all signs may be divided among the uses. A separate wall sign or a joint-use wall sign may be erected, provided that the maximum allowable sign area shall not be exceeded.
3. The maximum sign area for an individual wall may be distributed among any number of wall signs.
4. The wall sign shall be attached to the wall of the building, shall leave no part of

the sign extending above the roofline of the building, and shall be designed as an integral component of the building design.

5. No wall sign shall project more than eighteen (18) inches from the wall to which it is attached.
6. Illumination may be internal, external, or direct.

C. Awning Signs

1. Maximum sign area shall not exceed twenty percent (20%) of the awning area.
2. The sign shall be integrated into the design and material of the awning on which it is located.
3. Illumination may be external only.

D. Temporary Signs

1. Maximum sign area for a temporary portable sign, wall sign, or freestanding sign, on one (1) sign face, shall not exceed thirty-two (32) square feet. Maximum sign area for a temporary banner shall not exceed ninety-six (96) square feet.
2. One (1) temporary sign is allowed per street frontage.
3. Temporary signs shall be valid for a period not exceeding thirty (30) consecutive days from date of approval and shall be removed within fourteen (14) days after the election, sale, rental, lease, or conclusion of event. A property shall not have more than four (4) temporary sign permits issued in a calendar year. Temporary signs are not eligible for a permit extension.
4. Temporary signs may not be illuminated.

E. Freeway Signs

1. Maximum sign face area, on one (1) sign face, shall not exceed six hundred seventy-two (672) square feet.
2. Height shall not exceed sixty (60) feet above the freeway elevation as measured from mean sea level for that portion of the freeway perpendicular to the footing of the freeway sign.
3. Illumination may be external only.

F. Projecting Signs

1. The maximum sign face area, for an individual projecting sign, shall not exceed four (4) square feet.
2. The lowest portion of a projecting sign shall be no less than seven and one-half (7 ½) feet above the ground beneath the sign.
3. Projecting signs may not be illuminated.
4. One projecting sign allowed per site.

G. Portable Signs

1. The sign shall be displayed only during the business hours of the business for which it is permitted.
2. The maximum sign face area on one (1) sign face, or the cumulative area of multiple sign faces when there is more than one (1) sign face, shall not exceed ~~ten~~ twelve (+012) square feet.
3. The top of the sign shall not exceed six (6) feet above the ground, except that A-frame signs shall not exceed four (4) feet in height.
4. The sign shall be located within the boundaries of the site where the business occupant is located.
5. Portable signs may not be illuminated.
6. One portable sign is allowed per business.

10.045 Signage within the Central Business District (CBD). In addition to exempt signs regulated by Section 10.025, the provisions of this Section regulate other signs on all land within the Central Business District zoning district.

A. Wall Signs

1. Maximum sign face area, for an individual wall sign, shall not exceed thirty-six (36) square feet.
2. The cumulative allowable area of all signs on one wall shall not exceed ten percent (10%) of the gross wall area to which the signs are attached or painted.
3. Where two (2) or more uses are located in the same building, the maximum permitted area for all signs may be divided among the uses. A separate wall sign or a joint-use wall sign may be erected, provided that the maximum allowable sign area shall not be exceeded.

4. Illumination may be external only.

B. Projecting Signs

1. The maximum sign face area, for an individual projecting sign, shall not exceed four (4) square feet.
2. The lowest portion of a projecting sign shall be no less than seven and one-half (7 ½) feet above the ground beneath the sign.
3. Projecting signs may not be illuminated.
4. One projecting sign is allowed per site.

C. Portable Signs

1. The sign shall be displayed only during the business hours of the business for which it is permitted.
2. The maximum sign face area on one (1) sign face, or the cumulative area of multiple sign faces when there is more than one (1) sign face, shall not exceed ~~ten~~ twelve (12+0) square feet.
3. The top of the sign shall not exceed six (6) feet above the ground, except that A-frame signs shall not exceed four (4) feet in height.
4. The sign shall be located in one of the following locations:
 - a. ~~within~~ Within the boundaries of the site where the business occupant is located.
 - b. In a public right-of-way directly in front of the site where the business occupant is located, provided an additional permit is secured from the agency with jurisdiction over the right-of-way and that placement of the sign shall not interfere with movement of or obstruct visibility for pedestrians and vehicles.
5. Portable signs may not be illuminated.
6. One portable sign is allowed per business.

D. Temporary Signs

1. Maximum sign area for a temporary portable sign, wall sign, or freestanding sign, on one (1) face, shall not exceed sixteen (16) square feet. Maximum sign area for a temporary banner shall not exceed ninety-six (96) square feet.

2. One (1) temporary sign is allowed per street frontage.
3. Temporary signs shall be valid for a period not exceeding thirty (30) consecutive days from date of approval and shall be removed within fourteen (14) days after the election, sale, rental, lease, or conclusion of event. A property shall not have more than four (4) temporary sign permits issued in a calendar year. Temporary signs are not eligible for a permit extension.
4. Temporary signs may not be illuminated.

10.050 Electronic Display Signs.

- A. Electronic display signs shall be allowed only in commercial and industrial zones, subject to the provisions of this Chapter. Electronic display signs may be allowed at a Community Service Use in a residential zone subject to a conditional use permit, issued pursuant to Chapter 6.330 of this Code.
- B. One electronic display sign shall be allowed per premises.
- C. The message on an electronic display sign shall change no more than once every ten (10) seconds for signs with an electronic sign face of four (4) square feet or less, and no more than once every two (2) minutes for signs with an electronic sign face greater than four (4) square feet. The change in message or copy may occur instantaneously or may fade or dissolve with a transition time of no more than two (2) seconds between each separate message or display.
- D. Electronic display signs may not be substituted for a nonconforming sign or mounted upon a nonconforming sign or sign structure, unless the sign and sign structure are brought into compliance with all of the provisions of this title.
- E. Lumination.
 1. An electronic display sign may not have a nighttime (dusk to dawn) lumination intensity of more than 1000 (nits) and shall not have a daytime (dawn to dusk) lumination intensity of more than 8000 (nits) over ambient light conditions.
 2. The sign shall have a mechanism that automatically adjusts the lumination level to comply with the standards in this Section.
- F. Electronic display signs shall be equipped with a means to immediately turn off the display when it malfunctions. The party owning or controlling an electronic display sign shall turn off the sign or lighting within four (4) hours of being notified by the Director or designee that it is not in compliance with the standards of this Section.

10.055 Nonconforming and Abandoned Signs. All signs erected after the effective date of this title,

which are in violation of any provisions of this Chapter, shall be removed or brought into conformance upon written notice by the Director.

- A. Signs that have been lawfully erected prior to the date this Code is adopted that do not conform to the regulations of this Chapter are nonconforming signs and may continue to exist, subject to the following provisions:
1. No additions or enlargements may be made to a nonconforming sign except those additions or enlargements that are required by law.
 2. Signs that are moved, replaced, or structurally altered shall be brought into conformance with this Chapter.
 3. A nonconforming sign that is damaged shall not be repaired if the estimated expense of repairing the sign exceeds fifty-percent (50%) of the replacement cost of the sign as of the day before the sign was damaged. A damaged nonconforming sign that cannot be repaired shall be removed within ninety (90) days of the date the sign was damaged.
 4. Whenever a nonconforming sign is damaged and the estimated cost to repair the sign is fifty-percent (50%) or less of its replacement value as of the day before the sign was damaged, it may be repaired and restored to the condition it was in before it was damaged and may continue to be used as a nonconforming sign, if such repairs and restoration are started within ninety (90) days of the date the sign was damaged and are diligently pursued thereafter.
- B. A sign shall be deemed abandoned when:
1. The site where the sign is located has been vacated for a period of sixty (60) days or more;
 2. The sign does not have a message or image on the sign face area for a period of sixty (60) days or more; or
 3. The sign has been damaged and there has not been diligent progress in making repairs for a period of sixty (60) days or more.
- C. If a sign is abandoned, the Director shall send notice to the property owner and sign owner, if the Director is able to determine the sign owner is by looking at the sign. Notice shall be sent via regular and certified mail, return receipt requested, stating that the sign has been abandoned and must be removed.
1. The notice shall direct that the sign be removed by a specified date and shall inform the property owner and sign owner, if known, of the basis for concluding that the sign has been abandoned. The notice shall also inform the property owner and the sign owner of their appeal rights.

2. A property owner or sign owner who disagrees with the Director’s determination that a sign has been abandoned may appeal the Director’s notice by filing a written appeal with the Director within ten (10) days of the date on the notice.
 3. The appeal shall identify the notice that is being appealed and explain why the Director’s determination is wrong.
 4. Upon timely receipt of an appeal, the Director shall process the appeal in accordance with Chapter 2 of this Code.
- D. If the abandoned sign is not removed by the specified date in the Director’s notice and the owner has not requested an appeal, or if the sign is not removed within the time specified in the decision rendered following the appeal, the Director shall cause the sign to be removed. The cost of removal shall be entered by the City Recorder on the docket of City liens against the property owner, and shall be collectible in the same manner as liens for public improvements. The Director may also file charges against the property owner or sign owner in Troutdale Municipal Court.
- 10.060 Enforcement of Permanent Signs. Signs that violate the provisions of this Chapter are deemed a public nuisance. The Director may take any one or more of the following actions to enforce this Chapter: seek a fine pursuant to Chapter 17.110 of this Code, declare the sign a nuisance and proceed pursuant to Municipal Code Title Chapter-8, seek declaratory and injunctive relief, revoke the sign permit or any other action authorized by law.
- 10.065 Enforcement of Temporary Signs. Enforcement of temporary signs not conforming to regulations of this Chapter shall be subject to the following provisions:
- A. In addition to bringing an action for a violation pursuant to Chapter 17.110 A of this Code, for signs located on public utility poles, traffic sign poles, or public property, the Director may order the immediate removal of any temporary sign in violation of the provisions of this Chapter.
 1. If the sign identifies the owner and provides contact information, the Director shall within three (3) business days notify the sign owner of the basis for concluding that the sign is not permitted, that the sign may be retrieved within ten (10) days by paying a twenty dollar (\$20) retrieval fee per sign, and that if not retrieved the sign will be deemed abandoned and will be destroyed. Unless the owner declines to provide an address, the notice shall be in writing and delivered or sent by US Mail.
 2. If the does not contain sufficient information identifying the owner, or contact information, the Director shall hold the sign for thirty (30) days. The owner may retrieve it by paying a twenty dollar (\$20) per sign retrieval fee. If not retrieved within thirty (30) days, the sign shall be deemed abandoned and may be destroyed.

- B. For temporary signs located on privately-owned property in violation of this Chapter, in addition to the enforcement actions in this Section, the Director may bring an action for abatement in accordance with Title Chapter 8 of the Troutdale Municipal Code.

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