

## **ORDINANCE NO. 810**

### **AN ORDINANCE AMENDING THE TROUTDALE DEVELOPMENT CODE, REPEALING CHAPTER 4.200 COMMUNITY RESOURCE PROTECTION AND REPLACING IT WITH A NEW CHAPTER 4.200 HISTORIC LANDMARK PROTECTION, AND AMENDING SECTION 7.180(L) DESIGN REQUIREMENTS FOR LAND DIVISIONS, RELATING TO TASK 5 OF THE CITY'S PERIODIC REVIEW WORK PROGRAM.**

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

1. The City has been in periodic review since the initial notification from the Oregon Department of Land Conservation and Development (DLCD) on May 20, 2008. The City submitted its proposed periodic review work program to DLCD on November 14, 2008. DLCD approved the work program with modification on April 15, 2010. The approved work program includes Task 5 pertaining to historic preservation.
2. The City hired the consultant team of Connell PC Associates to assist staff in the preparation of these amendments. These amendments, along with amendments to the Troutdale Comprehensive Land Use Plan Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Areas and Troutdale Municipal Code Chapter 2.20 Committees and Commissions are products required under the City's Periodic Review Task 5.
3. The public need is best satisfied by these amendments:
  - a. The amendments include definitions specific to historic preservation.
  - b. The amendments include the list of existing designated Community Resources in Table A of TDC 4.200, and these Community Resources are the City's locally designated historic landmarks at the time of adoption of these amendments.
  - c. The inventory of historic resources done for compliance with Periodic Review will be kept in a separate database compatible with the State Historic Preservation Office system. Additions to the historic resource inventory may be made by city staff in consultation with the Historic Landmarks Commission at any time.

- d. The amendments refine the standards for designation of historic resources as historic landmarks and require the informed written consent of the owners for designation of a resource as a historic landmark.
  - e. The amendments refine procedures to alter, demolish or relocate or remove the historic landmark designation.
  - f. The amendments are consistent with state and federal regulations pertaining to historic resource protection, including protection of historic resources listed on the National Register of Historic Places.
4. The amendments will not adversely affect the health, safety, and welfare of the community.
5. The amendments do not conflict with applicable Comprehensive Land Use Plan goals or policies. The applicable Troutdale Comprehensive Land Use Plan Goals and policies that apply are: Goal 1 Public Involvement and Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Areas.
- a. Goal 1 Public Involvement is satisfied because the public has been afforded the opportunity to attend a variety of meetings relating to these amendments:
    - 1) October 1, 2008 a public hearing on the Periodic Review Work Program.
    - 2) July 22, 2010 a public informational meeting on Periodic Review Task 5.
    - 3) October 6, 2010 Citizens Advisory Committee meeting.
    - 4) October 27, 2010 Planning Commission meeting.
    - 5) December 14, 2010 City Council meeting.
    - 6) February 2, 2011 Citizens Advisory Committee meeting on proposed text amendments to the Comprehensive Land Use Plan Goal 5 and Troutdale Municipal Code Chapter 2.20 Committees and Commissions.
    - 7) March 2, 2011 Citizens Advisory Committee meeting. Notice of the meeting was published in the Gresham Outlook and the Oregonian. The agenda was mailed to interested parties.

- 8) April 27, 2011 a public hearing before the Planning Commission at which the Planning Commission afforded interested persons the opportunity to comment in advance of the hearing, in writing, and at the hearing.
  - 9) May 24, 2011 the first reading and public hearing before the City Council was postponed to June 14, 2011.
  - 10) June 14, 2011 the first reading and public hearing before the City council.
  - 11) June 28, 2011 the second reading and public hearing before the City Council for adoption of these amendments.
- b. The amendments implement the historic preservation policies of the Comprehensive Land Use Plan Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Areas and are consistent with amendments to the policies of Goal 5 proposed as part of Periodic Review Task 5 (File No. 11-013).
  - c. The amendments are consistent with the duties and responsibilities of the proposed Historic Landmarks Commission to be established under Troutdale Municipal Code Chapter 2.20 Committees and Commissions as part of Periodic Review Task 5 (File No. 11-014).
6. The Planning Commission unanimously recommended these amendments to the City Council on April 27, 2011.
  7. The amendments proposed by staff to the amendments recommended by the Planning Commission are in response to additional comments from the SHPO received after April 27, 2011. These amendments are consistent with Oregon Revised Statute 660-023-0200 that requires local governments to protect all historic resources of statewide significance through local historic protection regulations, regardless of whether these resources are “designated” in the local plan. Historic resources of statewide significance are listed on the National Register of Historic Places.

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

Section 1. Troutdale Development Code Chapter 4.200 Community Resource protection is repealed and replaced with 4.200 Historic Landmark Protection as shown in Attachment A.

Section 2. The City's historic resources currently identified as Community Resources are hereby designated historic landmarks.

Section 3. Troutdale Development Code Chapter 7.000 Land Division, section 7.180L. Design Requirements /Streets is hereby amended as shown in Attachment A to include a standard for naming newly created public streets with historically significant names.

**YEAS: 6**  
**NAYS: 0**  
**ABSTAINED: 1** (Councilor Ripma)

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**Mayor Jim Kight**

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**Date**

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**Sarah Skroch, Deputy City Recorder**  
**Adopted: June 28, 2011**