ORDINANCE NO. 819

AN ORDINANCE AMENDING THE TROUTDALE DEVELOPMENT CODE (TEXT AMENDMENT NO. 48) PERTAINING TO REQUIREMENTS OF THE OREGON TRANSPORTATION PLANNING RULE AND METRO'S REGIONAL TRANSPORTATION FUNCTIONAL PLAN IN FULFILLMENT OF TASK 4 OF THE CITY'S PERIODIC REVIEW WORK PROGRAM.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The Troutdale City Council held public hearings on February 25 and March 11, 2014 to take public testimony on the amendments recommended by the Planning Commission to fulfill part of Periodic Review Task 4 for compliance with State and regional transportation planning requirements.

2. The Troutdale Planning Commission held a public hearing on May 29, 2013 to take public testimony and to make a recommendation to the City Council concerning adoption of proposed amendments to the Troutdale Development Code related to the City's periodic review work program.

3. 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 tasks that the City must complete as part of periodic review are governed by its approved periodic review work program. DLCD approved the City's work program on April 15, 2010. The approved work program includes tasks related to statewide planning Goal 12, Transportation.

4. Specifically identified as Task 4 of the work program, the City is required to update its current Transportation System Plan (TSP) for compliance with Oregon Administrative Rule 660-012, commonly known as the Transportation Planning Rule, and to adopt the updated TSP and any implementing ordinances. The Troutdale Development Code (TDC) implements the Comprehensive Plan including any of its supplemental plans such as the TSP; consequently, amendments to the TDC, if needed, are also part of periodic review Task 4.

5. Since adoption of the current TSP in 2005, revisions and updates in state and regional policy and regulatory documents have occurred. Amendments to the Troutdale Development Code are necessary for consistency with those revisions and to bring it into compliance with these state and regional regulatory requirements. Two significant changes since 2005 that affect the TDC are amendments to the Transportation Planning Rule (TPR) and adoption of the

Regional Transportation Functional Plan (RTFP) by Metro to implement the 2035 Regional Transportation Plan (RTP).

6. The amendments affect a wide range of areas of the TDC, all of which pertain to the provision of a safe and efficient multi-modal transportation system through the land use review and permitting process. The amendments are also intended to protect existing and planned transportation facilities as new development occurs.

7. Public need is best satisfied by the proposed amendments because it will bring the Troutdale Development Code into compliance with the Oregon Transportation Planning Rule and the Metro Regional Transportation Functional Plan. Both of these documents mandate that local governments adopt particular standards consistent with the TPR and the RTFP in order to implement the statewide transportation goal to satisfy public need.

8. Adoption of the proposed amendments will not adversely affect the health, safety and welfare of the community because the required TPR and RTFP standards that these amendments address were presumably adopted to promote the public health, safety and welfare. Consequently, amending the TDC to be in compliance with these regulatory documents will foster positive benefits for the community.

9. The proposed amendments to the TDC do not conflict with the goals or policies of the Troutdale Comprehensive Plan. Adoption of the amendments carries out Goal 6 of the Troutdale Transportation System Plan, which states: "Develop a transportation system that is consistent with the City's adopted comprehensive plan, and with adopted plans of state, local, and regional jurisdictions." The TPR and the RTFP are implementing regulations for state and regional transportation plans. The amendments are consistent with those implementing regulations.

10. The Citizens Advisory Committee reviewed and discussed these amendments in February and March 2013. The CAC supported the proposed amendments and has referred it to the Planning Commission for approval.

11. Notice of the public hearing has been provided in accordance with applicable law.

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

Section 1. The Troutdale Development Code is hereby amended as shown in Attachment A.

YEAS: 4
NAYS: 2 Councilor White, Councilor Allen
ABSTAINED: 0

Doug Daoust

Doug Daoust, Mayor

Date 3/12/14

Debbie Stickney

Debbie Stickney, City Recorder

Adopted: March 11, 2014

CITY OF TROUTDALE

ADOPTED
Troutdale Development Code (TDC)
(Text Amendment No. 48)

Pertaining to:
Requirements of the
Oregon Transportation Planning Rule (TPR) and
Metro's Regional Transportation Functional Plan (RTFP)
in fulfillment of Task 4
of the City's Periodic Review Work Program.

Proposed Amendments to the Troutdale Development Code (TDC) to Comply with State and Regional Transportation Planning Requirements

New text being added is ***bold italics***. Existing text being deleted is ~~struckout~~.

This project is funded by Oregon general fund dollars through the Department of Land Conservation and Development. The contents of this document do not necessarily reflect the views or policies of the State of Oregon.

CHAPTER 1 - INTRODUCTORY PROVISIONS

1.020 General Definitions.

.19 Building, Height of. The vertical distance from the average grade to the highest point of the roof of the building.

.20 Bus Stop. A location on a bus route, typically marked by a sign, where buses stop for passengers to alight and board.

~~.20~~ ***.21*** Carpool/Vanpool. [...]

.22 Change of Use. Change in the primary type of use on a site.

.2~~4~~***3*** Child Care Facility. See Day Care Facility.

[Note: The definitions following this will be renumbered accordingly.]

.7~~0~~***1*** Lot Width. [...]

.72 Major transit stop. Transit centers, high capacity transit stations, major bus stops, inter-city bus passenger terminals, inter-city rail passenger terminals, and bike-transit facilities, as depicted in the Transit Master Plan of the Troutdale Transportation System Plan.

.7~~4~~***3*** Manufactured Home or Manufactured Dwelling. [...]

[Note: The definitions following this will be renumbered accordingly.]

2.010 Procedures for Processing Permits.

[...]

C. When an application will potentially have a significant effect on a County or State roadway/transportation facility, Multnomah County or ODOT shall be invited to participate in the pre-application conference, if one is held, and shall be notified when the application is complete so as to allow for coordinated review of the application.

CHAPTER 2 - PROCEDURES FOR DECISION-MAKING

2.150 Traffic Impact Analysis.

A. Applicability. The City or other road authority with jurisdiction may require a Traffic Impact Analysis (TIA) as part of an application for development, a change in use, or a change in access. A TIA shall be required where a change of use or a development would involve one or more of the following:

1. A zoning map or a comprehensive plan map amendment;

2. The road authority believes that the proposal may have operational or safety impacts along its facility(ies);

3. Site traffic volume is expected to generate 300 Average Daily Trips (ADT) or more;

4. Peak hour volume of a particular movement to and from a street or highway is expected to increase by 30 trips or more;

5. Use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights is expected to increase by 10 vehicles or more per day;

6. When required by ODOT pursuant to OAR 734-051.

7. When required by Multnomah County pursuant to Section 5.000 (Transportation Impact) of the Multnomah County Road Rules.

B. TIA Preparation. A professional engineer registered in the State of Oregon, with experience in traffic engineering and in accordance with the requirements of the Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS), shall prepare the TIA. The Director or the City's Chief Engineer will determine which facilities are impacted and need to be included in the TIA. At a minimum, the TIA shall include:

1. An introduction summarizing the purpose and context of the study and the development objectives related to the proposed site. A summary of the characteristics of the surrounding transportation system, including their functional classification, the nature and intensity of nearby pedestrian and bicycle facilities and activity, and current or planned transit routes, and the key traffic issues to be addressed.

2. ***When applicable, a description of the existing land uses and proposed land uses, including a map showing the site plan and all vehicle access points onto a roadway. Provide an estimated time line for full development of the site.***

3 ***An analysis of existing (background) conditions, including the level of service on adjacent and impacted facilities.***

4. ***An analysis of any existing safety deficiencies.***

5. ***Proposed trip generation and distribution for the proposed development.***

6. ***Projected levels of service and intersection queues on adjacent and impacted facilities resulting from the combination of background conditions with trip generation and distribution resulting from the proposed development.***

7. ***A recommendation of necessary improvements to ensure an acceptable level of service and mitigation of safety deficiencies for impacted facilities.***

CHAPTER 5 - OTHER ISSUES AND PROCEDURES

[...]

5.095 Transportation Facilities Permitted. Transportation facilities shall be permitted outright in all zoning districts. Transportation facilities shall include construction, operation, and maintenance of travel lanes, bike lanes and facilities, curbs, gutters, drainage facilities, sidewalks, bus stops, landscaping, lighting, signage, signalization and related improvements located within rights-of-ways controlled by a public agency, consistent with the Troutdale Transportation System Plan. When the transportation facilities to be constructed are located entirely within public right-of-way, no land use review is required unless construction occurs within the flood hazard area or the Vegetation Corridor Overlay District.

CHAPTER 8 - SITE ORIENTATION AND DESIGN STANDARDS

8.050 Procedure and Submission Requirements.

C. Filing Plans. A complete application with final drawings for site and design review shall be submitted to the Planning Division. An application shall not be deemed complete unless all information requested is provided and fees paid. Upon completion of a technical review by staff and approval by the Site and

Design Review Committee, the site plan and landscape plan shall act as the official approved development plan, and any construction, addition, or extension of the buildings or structures to occur on that site shall be in strict compliance with the approved site plan. If the property owner finds it necessary to vary from the approved landscape plan, an application shall be filed with the Planning Division requesting an amendment to the approved plan. Plans shall include all items listed below:

[...]

2. The site analysis will provide the basis for the proper design relationship of the proposed development to the site, adjacent properties, existing manmade improvements (including, but not limited to, buildings and roads), and hillsides (slopes), streams and rivers, and other natural features. A site analysis shall include:
[...]

k. A traffic impact analysis when required pursuant to section 2.150 of this code.

CHAPTER 8 - SITE ORIENTATION AND DESIGN STANDARDS

8.052 Pedestrian Walkways.
[...]
C. Design.

1. Pedestrian walkways shall be at least five feet in unobstructed width and shall be constructed to sidewalk standards as found in *City of Troutdale Construction Standards for Public Works Facilities* ***or according to Multnomah County or ODOT standards as applicable***, except for portions of walkways in driveways and other vehicle maneuvering areas which shall be paved with a material different in color, texture, or composition than the surrounding driveway, or striped to city specifications.

2. Walkways bordering perpendicular or angular parking spaces shall be at least eight feet wide unless concrete bumpers, bollards, curbing and landscaping, or other similar improvements are provided which prevent parked vehicles from ***overhanging and*** obstructing the walkway.

3. In parking lots three acres and larger intended for use by the general public, the walkway shall be raised or separated from parking, parking aisles and travel lanes by a raised curb, concrete bumpers, bollards, landscaping or other physical barrier. If a raised walkway is used, curb ramps shall be provided in accordance with the Americans with Disabilities Act Accessibility Guidelines.

~~3~~4. Stairs or ramps shall be provided where necessary to provide a direct route. Walkways without stairs shall have a maximum slope of eight percent and a maximum cross slope of two percent.

CHAPTER 8 - SITE ORIENTATION AND DESIGN STANDARDS

8.056 Transit Facility Design. Any Type II land divisions where further divisions are possible, and all Type III land divisions, multiple-family developments, community services uses, and commercial or industrial uses located on an existing or future transit route shall meet the requirements of Tri-Met for transit facilities. Applicants shall consult with Tri-Met to determine necessary transit facility improvements in conjunction with the proposed development. ***Proposals shall be consistent with the road crossing improvements that are identified in the City Transportation System Plan on streets with existing or planned transit service.***

8.058 Building Orientation. All commercial and community service uses, and any industrial use with 50 or more employees, located on parcels within 600 feet of existing or planned transit routes shall meet the following requirements:

A. Building Entrances.

1. Where practicable, buildings shall be oriented on the property in a transit friendly manner. At least one building entrance shall be oriented toward the transit street and shall be accessed from a public sidewalk. Public sidewalks shall be provided adjacent to public streets along the street frontage.

2. Buildings within 30 feet of the transit street shall have an entrance for pedestrians directly from the street to the building interior. This entrance shall be designed to be attractive and functional, and shall be open to the public during all business hours.

3. All uses in commercial zones must provide a public entrance on the façade of a building nearest to, and facing, a transit street or route. If the lot has frontage on more than one transit street, the building need only have one entrance oriented to a transit street, or to the corner where two transit streets intersect.

B. Setbacks.

1. Buildings shall be setback no more than 50 feet from a transit street, ***except that when a building is adjacent to a transit street that has a major transit stop within 500 feet of the building entrance, the building shall be setback no more than 20 feet from the transit street.*** Where the site is adjacent to more than one transit street, a building is

required to meet the maximum ~~50-foot~~ setback standard on only one of the streets.

~~2. Office buildings shall be built a maximum of 50 feet from the sidewalk edge.~~

CHAPTER 9 - OFF-STREET PARKING AND LOADING

9.010 Residential Off-Street Parking Space Requirements. The minimum and maximum off-street parking space requirements are as follows:

Type of Use	Minimum	Maximum
Single-family dwelling, ~~or~~ manufactured dwelling, ***duplex, triplex, or attached dwelling***	One space per dwelling unit	No maximum
~~Two-family dwelling or~~ ~~m~~***M***ultiple-family dwelling ***(apartments)***	Two spaces per dwelling unit plus one space per three dwelling units for guest parking	No maximum

9.055 Reduction of Required Parking Spaces.

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

B. Required parking spaces may be reduced at a ratio of one parking space for each 100 square feet of transit amenity space provided above and beyond the minimum required by this code.

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

1. Adjacent shall mean on the same side of the street as the use.

2. The minimum length of each on-street, parallel parking space shall be 22 feet.

3. If a continuous section being measured contains a fractional portion of 22 feet, then the number of on-street spaces for that continuous section shall be rounded down to the next lower whole number.

4. Breaks in the on-street parking for driveways or similar parking restrictions, such as fire hydrants, shall not be counted.

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

9.110 Driveways.

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

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

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

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

9.120 On-Site Circulation.

A. Groups of more than three parking spaces shall be permanently marked.

B. Except for a single-family or two-family dwelling, groups of more than three parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles may enter the street in a forward manner. No backing movements or other maneuvering shall be permitted within a street right-of-way other than an alley.

C. Pedestrian walkways, separation, and differentiation of materials in parking lots three acres or larger intended for public use shall be provided pursuant to section 8.052 of this code.

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

A. Number/Type.

1. The required minimum number of ***short-term*** bicycle parking spaces ***(stays of less than four hours)*** shall be five percent of the ***total number***

of automobile parking spaces ***provided*** for the use. In no case shall less than one ***bicycle parking*** space be provided ***even when no automobile parking spaces are being provided***.

2. ***The required number of long-term bicycle parking spaces (stays of more than four hours and all-day/monthly) shall be three percent of the total number of vehicle parking spaces provided for the use and fractions rounded down.***

3. ***For transit centers, high capacity transit stations, inter-city bus and rail stations, and park-and-ride lots, at least eight long-term and at least two short-term bicycle parking spaces are required. For other major transit stops (frequent-service bus stops) at least two short-term spaces are required.***

[...]

D. Parking Facilities. Bicycle parking facilities shall offer security***. Long-term bicycle parking shall be*** in the form of ~~either~~ a lockable enclosure***, a designated bicycle storage area inside a building on-site, a covered rack, or another form of secure parking where*** ~~in which~~ the bicycle can be stored***, as approved by the Director. Short-term bicycle parking shall be in the form of*** ~~or~~ a stationary object (i.e., a "rack***") or other approved structure, covered or uncovered, to*** ~~upon~~ which the bicycle can be locked. Bicycle racks shall be securely anchored to the ground or to a structure and shall be designed to hold bicycles securely by means of the frame. ***Bicycle parking facilities shall be constructed so as to not obstruct walkways.***

9.190 Loading Facilities.

[...]

F. Exceptions and Adjustments. Loading areas within a street right-of-way in the Central Business District may be approved when all of the following conditions are met:

1. ***Short in duration (i.e., less than one hour);***

2. ***Infrequent (less than three operations occur daily between 5:00 a.m. and 12:00 a.m. or all operations occur between 12:00 a.m. and 5:00 a.m. at a location that is not adjacent to a residential zone);***

3. ***Does not unreasonably obstruct traffic;***

4. ***Does not obstruct a primary emergency response route; and***

5. ***Is acceptable to the applicable roadway authority.***

CHAPTER 15 – AMENDMENTS

15.050 Planning Commission Recommendation. In preparing its recommendation, the Planning Commission shall evaluate the proposal based on the following criteria:

[...]

B. Approval Criteria – Comprehensive Land Use Plan Map Amendment. The following criteria shall be used to review and decide both legislative and quasi-judicial Comprehensive Land Use Plan Map amendments:

1. Compliance with applicable Statewide Land Use Planning Goals ***and related Oregon Administrative Rules***.

2. Consistency with the applicable goals and policies of the Comprehensive Land Use Plan.

3. The Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation, and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands.

4. The Plan provides more than the projected need for lands in the existing land use designation.

5. Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.

6. Public facilities and services necessary to support uses allowed in the proposed designation are available, or are likely to be available in the near future. ***The applicant shall demonstrate compliance with the Transportation Planning Rule, specifically by addressing whether the proposed amendment creates a significant effect on the transportation system pursuant to OAR 660-012-0060. If required, a traffic impact analysis shall be prepared pursuant to the requirements in section 2.150 of this code.***

C. Approval Criteria - Zoning District Map Amendment. The following criteria shall be used to review and determine both legislative and quasi-judicial Zoning District Map amendments:

1. The proposed zone is appropriate for the Comprehensive Land Use Plan land use designation on the property, and is consistent with the

description and policies for the applicable Comprehensive Land Use Plan land use classification.

2. The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.

3. Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property. ***The applicant shall demonstrate compliance with the Transportation Planning Rule, specifically by addressing whether the proposed amendment has a significant effect on the transportation system pursuant to OAR 660-012-0060. If required, a traffic impact analysis shall be prepared pursuant to the requirements in section 2.150 of this code.***

4. The amendment will not interfere with the livability, development, or value of other land in the vicinity of site-specific proposals when weighed against the public interest in granting the proposed amendment.

5. The amendment will not be detrimental to the general interest of the community.