



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

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Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

### NOTICE OF ADOPTED AMENDMENT

September 26, 2006

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Troutdale Plan Amendment  
DLCD File Number 001-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: October 12, 2006**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Richard Faith, City of Troutdale

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**FORM 2**

**D L C D NOTICE OF ADOPTION DEPT OF**

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18

(See reverse side for submittal requirements)

SEP 22 2006

LAND CONSERVATION  
AND DEVELOPMENT

Jurisdiction: City of Troutdale Local File No.: 06-035  
(If no number, use none)

Date of Adoption: September 12, 2006 Date Mailed: September 21, 2006  
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: May 3, 2006

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: \_\_\_\_\_  
(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Amending provisions for temporary overflow parking and temporary signs  
\_\_\_\_\_  
\_\_\_\_\_

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

Same  
\_\_\_\_\_  
\_\_\_\_\_

Plan Map Changed from : \_\_\_\_\_ to \_\_\_\_\_

Zone Map Changed from: \_\_\_\_\_ to \_\_\_\_\_

Location: \_\_\_\_\_ Acres Involved: \_\_\_\_\_

Specify Density: Previous: \_\_\_\_\_ New: \_\_\_\_\_

Applicable Statewide Planning Goals: 2

Was an Exception Adopted? Yes: \_\_\_\_\_ No: X

DLCD File No.: 001-06 (15202)

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes:  No:

If no, do the Statewide Planning Goals apply. Yes:  No:

If no, did The Emergency Circumstances Require immediate adoption. Yes:  No:

Affected State or Federal Agencies, Local Governments or Special Districts: \_\_\_\_\_

Metro

Local Contact: Richard R. Faith Area Code + Phone Number: 503-674-7261

Address: 104 SE Kibling Avenue

City: Troutdale Zip Code+4: 97060

### ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to [Larry.French@state.or.us](mailto:Larry.French@state.or.us) - ATTENTION: PLAN AMENDMENT SPECIALIST.

## **ORDINANCE NO. 781**

### **AN ORDINANCE AMENDING CHAPTERS 9 AND 10 OF THE TROUTDALE DEVELOPMENT CODE RELATING TO EVENTS OF CITYWIDE INTEREST, TEMPORARY PARKING AND TEMPORARY SIGNAGE ASSOCIATED WITH THESE EVENTS (TEXT AMENDMENT NO. 37)**

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

1. The Troutdale Development Code (TDC) currently has regulations that relate to "community events" and "special events". Specifically, the TDC has provisions for temporary signage associated with these types of events, as they are defined in the sign chapter of the code; and, the code also grants exceptions to allow temporary overflow parking on unpaved surfaces at these types of events. Many activities and events held throughout the year desire to be included within these categories of events because of special regulatory allowances for promotional signage and temporary overflow parking. There are many events held within the City that do not now meet the code definitions for community event or special event but that should be granted the same allowances for signage and parking as these types of events.
2. Expanding the categories of events that qualify for these special allowances best satisfies public need because it increases the public's awareness of these events through permitted promotional signage.
3. Shortening the duration that temporary signage for these events can be displayed best satisfies public need because it still allows an adequate time period for promotional advertising while reducing unnecessary sign clutter.
4. Expanding the events that are allowed to have temporary parking on unpaved surfaces also satisfies public need because the volume of vehicles attending many of these types of events cannot be accommodated on paved parking surfaces only. Without making special allowances for temporary overflow parking on unpaved surfaces, many of these events could not be held or would necessitate shuttle services from off-site parking locations.
5. The change will have a positive affect on the health, safety and welfare of the community in several ways. Shortening the time period that event signs can be displayed reduces sign clutter, which affects the public welfare in a positive way. Specifically prohibiting overflow parking within the VECO overlay district protects water quality associated with wetlands and surface waters within the City.

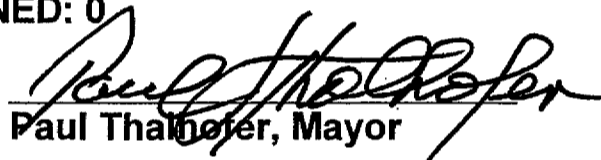
6. These amendments do not conflict with any goals or policies from the Troutdale Comprehensive Plan. The amendments are consistent with the Metro Urban Growth Management Functional Plan.

7. 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 to read as shown in Attachment A.

YEAS: 5  
NAYS: 0  
ABSTAINED: 0

  
Paul Thaler, Mayor

September 13, 2006  
Date

  
Debbie Stickney, City Recorder

Adopted: September 12, 2006

**CHAPTER 9 - OFF-STREET PARKING AND LOADING**

9.070 Paving.

- A. Parking areas, driveways, aisles, and turnarounds shall be paved with concrete, asphalt, or comparable impervious surfacing. Porous concrete, grasscrete, or comparable porous paving surfacing may be used in place of impervious surfacing to reduce stormwater runoff, when approved by the director. Gravel and similar erodable surfaces are not acceptable.
- B. Approaches shall be paved with concrete surfacing constructed to City standards. If a street is not paved, the approach may be maintained to the same standard as the street until the street is paved.
- C. Temporary overflow parking in conjunction with community events, special events, events of citywide interest, or sporting events, as such events are defined in section 10.015 of this code, is allowed on an unpaved parking area on a parcel of at least one-half acre in size, provided such parking does not occur within the Vegetation Corridor and Slope District. If a fee is charged for parking, it shall not be considered a commercial parking lot for purposes of zoning compliance.

## CHAPTER 10 - SIGNS

- 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, not 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.
  - .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 Commercial or Industrial Sales Event Sign. A freestanding or banner sign erected and maintained by a business occupant in a developed commercial or industrial site when the business occupant is participating in a special sales event on the developed site where the sign is erected.
  - .07 Commercial, Industrial, or Multiple-Family Real Estate Sign. A freestanding or banner sign erected and maintained by the owner or lessor of a developed commercial, industrial, or multiple-family residential site, when the owner or lessor of the site is selling or leasing the property, building, or portions thereof, within the site.
  - .08 Commercial or Industrial Subdivision Monument. A freestanding sign or a monument that sits on the ground at the entry of a commercial or industrial subdivision and is erected or maintained by the owner or developer of the subdivision, or by an individual lot owner within the subdivision.
  - .09 Community Event. An activity or program that is sponsored by, or offered with assistance from, the City in connection with a community group including, but not limited to, the Chamber of Commerce or Historical Society.
  - .10 Community Event Sign. A freestanding or banner sign that is erected and maintained by a community group no more than 21 days before a community event occurs.
  - .11 Directly Illuminated Lighting. Exposed lighting or neon tubes on the sign face.

- .12 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.
- .13 Electronic Display System. A full color animated and video display board of television quality in which the rate of change is electronically programmed.
- .14 Electronic Message Center. A sign that uses changing lights to form a written message, or messages, in which the sequence of messages and rate of change is electronically programmed.
- .15 Event of Citywide Interest. A meeting, activity, or gathering of people that is not a community event or a special event, as defined in this section, and that the Troutdale City Council has determined to be of citywide interest because attendance is open to the citizens of Troutdale and it will provide a public benefit.
- .16 Event of Citywide Interest Sign. A temporary freestanding or banner sign that is erected and maintained by an organization holding an event of citywide interest.
- .17 Externally Illuminated Lighting. The light source is separate from the sign and is directed so as to shine on the sign.
- .18 Filing. Depositing the item which is being filed in the U.S. mail, postage prepaid and accurately addressed to the City, or leaving a copy of the item that is being filed at City Hall during work hours. For purposes of this chapter, a document is “filed” on the date it is postmarked or received at City Hall, whichever occurs first.
- .19 Flags. Any fabric containing distinctive colors, patterns, or symbols, used as a symbol of government, political subdivision, or similar entity.
- .20 Freestanding Sign. A sign on a frame, pole, or other support structure that is not attached to any building.
- .21 Freeway Sign. A freestanding sign that is located within 800 feet south and 1,000 feet north of the center median of Interstate 84, and that is more than 24 feet in height, with a sign face of more than 150 square feet.
- .22 Gross Wall Area. The entire area encompassed by the plane of a wall, including windows and doors.
- .23 Height. The vertical distance measured from grade to the highest point of the sign or sign structure.
- .24 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.
- .25 Informational Sign. A sign that is located within 20 feet of an entrance or exit, a walkway, a public telephone, or a public restroom.



- .26 Internally Illuminated Lighting. The light source is concealed within the sign.
- .27 Lighting. Direct, external, or internal illumination.
- .28 Maintenance. Normal care needed to keep a sign functional such as cleaning, oiling, and changing light bulbs.
- .29 Master Directory Sign. A wall sign located at the end of a building cluster located in the Central Business District (CBD). A freestanding sign located within, or immediately adjacent to, a parking lot in the CBD.
- .30 Menu Board. A sign placed at the head of a drive-up service lane of a food service establishment that includes a two-way speaker system for taking motorists' food orders.
- .31 Open House Sign. A sign pertaining to a single-family residential unit that is being sold, during the time the unit is open for showing.
- .32 Owner or Lessor. An individual, corporation, partnership, or other legal entity that holds title to the property, is named as the lessor in a lease agreement regarding the property, or a designated agent for the same.
- .33 Permanent Banner Sign. Any banner sign that is not allowed as a temporary sign under section 10.040, Temporary Signs That Require Permits, of this chapter, or that does not qualify as an exempt sign under section 10.025 of this chapter.
- .34 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 awning signs.
- .35 Political Sign. A sign that is erected no more than 60 days before a local election and removed within seven days after that election.
- .36 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.
- .37 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.
- .38 Property Owner. The property owner of the site where the sign is located, as shown in Multnomah County deed records.
- .39 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.

- .40 **Real Estate Sign.** A wall sign or a freestanding sign that is located within the boundaries of property that is for sale, lease, or rent.
- .41 **Residential Subdivision Monuments.** A freestanding sign or a monument that sits on the ground at the entry of a residential subdivision and is erected or maintained by the owner or developer of a residential subdivision, homeowners association, or similar organization.
- .42 **Roofline.** The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, chimneys, or other minor projections.
- .43 **Roof Sign.** Any sign erected upon or over the roof of any building or structure.
- .44 **Sale Sign.** A sign made of paper, plastic, cardboard, or similar material and attached to a wooden stake that is erected and owned by an individual who is participating in a yard sale, garage sale, rummage sale, moving sale, or other occasional sale of personal items. For purposes of this definition, individual means a person who is not applying for a sign permit or erecting a sign for the primary purpose of selling commercial goods.
- .45 **Searchlights.** An apparatus on a swivel that projects a strong, far-reaching beam of light.
- .46 **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.
- .47 **Sign Copy.** The message or image conveyed by a sign.
- .48 **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.
- .49 **Sign Owner.** The owner of the sign as determined by looking at the sign.
- .50 **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.
- .51 **Special Event.** A fundraiser or similar activity that is sponsored by a non-profit organization including, but not limited to, car washes, breakfasts, dinners, and auctions.
- .52 **Special Event Sign.** A freestanding or banner sign that is erected and maintained by a non-profit organization conducting a special event.

53. **Sporting Event.** An event conducted by or sponsored by a sanctioned sports organization.
- .54 **Street Frontage.** The portion of a site that abuts a public street.
- .55 **Subdivision.** A site with four or more lots.
- .56 **Subdivision Sale Sign.** A freestanding or banner sign erected or maintained by the owner of a subdivided site when the lots in the subdivision are being sold, and less than 90% of the lots in the site have been sold.
- .57 **Supporting Structure.** A structure specifically intended for supporting or containing a sign.
- .58 **Temporary Sign.** A sign that is not permanently attached to a building, structure, or the ground, and that is intended to remain for no more than the period of time specified in this chapter for a particular temporary sign. Temporary signs include, but are not limited to, an A-frame sign, banner sign, real estate sign, open house sign, political sign, community event sign, commercial or industrial sales event sign, special event sign, sale sign, subdivision sale, portable sign, or a sign made of non-durable materials such as cardboard, paper, fabric, or pliable plastic. Some temporary signs, such as A-frame and portable signs, are temporary by design, construction, and how they are used, but are permitted for an indefinite period of time and, therefore, may be permanent in duration.
- .59 **Wall Sign.** A sign that is attached to, and extended no more than within 18 inches from a wall, or painted on a wall, of a building.
- .60 **Window Sign.** A sign located in the inside display area of a business window.
- 10.025 **Sign Permit Exemptions.** The following signs are allowed in all zoning districts without a permit:
- Q. Temporary community event signs, provided that:
1. The community group erecting the signs obtains the written consent of the private property owner where a sign is erected and files a copy of the written consent with the City.
  2. The community group erecting the signs obtains written consent from the public agency that owns the right-of-way where a sign is erected. If the City owns the right-of-way, written consent may be obtained by filing an application with the Director. The request shall be granted if the event is a community event as defined in section 10.015, Definitions, of this chapter.
    - a. The Director shall mail the community group a written decision granting or denying the requested consent. The decision shall be mailed to the address on the application by regular mail.

- b. The decision shall explain the reasons for granting or denying the request. If the request is denied, the decision shall include an explanation of the community group's appeal rights.
  - c. If the Director denies the request, the community group may appeal the Director's decision by filing a written appeal with the Director within ten days of the date on the Director's decision.
  - d. The appeal shall identify the decision that is being appealed and explain why the decision is wrong.
  - e. Upon timely receipt of an appeal, the Director shall schedule the appeal for consideration by the City Council on its next available agenda.
  - f. The City Council's decision on appeal is the City's final decision, which may be reviewed solely and exclusively by writ of review in the manner set forth in state law.
3. The temporary signs shall be erected and maintained for no longer than 14 days prior to the occurrence of the community event.
  4. The temporary signs shall be removed within three days after completion of the community event.
  5. The temporary signs shall be subject to the following size limitations:
    - a. For a freestanding sign, the maximum sign face area, on one sign face, shall not exceed 32 square feet and height shall not exceed ten feet.
    - b. For a banner sign, the maximum sign face area, on one sign face, shall not exceed 96 square feet.
- R. Temporary special event signs, provided that:
1. The nonprofit organization erecting the signs obtains the written consent of the private property owner where a sign is erected and files a copy with the City.
  2. The nonprofit organization erecting the signs obtains written consent from the public agency that owns the right-of-way where a sign is erected. If the City owns the right-of-way, written consent may be obtained by filing an application with the Director. The request shall be granted if the event is a special event as defined in section 10.015, Definitions, of this chapter.
    - a. The Director shall mail the nonprofit organization a written decision granting or denying the requested consent. The decision shall be mailed to the address on the application by regular mail.
    - b. The decision shall explain the reasons for granting or denying the request. If the request is denied, the decision shall include an explanation of the nonprofit organization's appeal rights.

- c. If the Director denies the request, the nonprofit organization may appeal the Director's decision by filing a written appeal with the Director within ten days of the date on the Director's decision.
    - d. The appeal shall identify the decision that is being appealed and explain why the decision is wrong.
    - e. Upon timely receipt of an appeal, the Director shall schedule the appeal for consideration by the City Council on its next available agenda.
    - f. The City Council's decision on appeal is the City's final decision, which may be reviewed solely and exclusively by writ of review in the manner set forth in state law.
  3. The temporary signs shall be erected and maintained for no longer than 14 days prior to the occurrence of the special event.
  4. The temporary signs shall be removed within three days after completion of the special event.
  5. The temporary signs shall be subject to the following size limitations:
    - a. For a freestanding sign, the maximum sign face area, on one sign face, shall not exceed 32 square feet and the height shall not exceed ten feet.
    - b. For a banner sign, the maximum sign face area, on one sign face, shall not exceed 96 square feet.
- S. 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 cubic feet or less in area.
- T. Temporary event of citywide interest signs, provided that:
  1. The organization erecting the signs obtains the consent of the private property owner where a sign is erected.
  2. The organization erecting the signs obtains approval from the public agency that owns the right-of-way where a sign is erected. If the City owns the right-of-way, approval must come from the Troutdale City Council after deliberation at a public meeting. The Council's decision shall be based on whether the event is an event of citywide interest.
  3. The temporary signs shall be erected and maintained for no longer than 14 days prior to the occurrence of the event of citywide interest.
  4. The temporary signs shall be removed within three days after completion of the event of citywide interest.

5. The temporary signs shall be subject to the following size limitations:
  - a. For a freestanding sign, the maximum sign face area, on one sign face, shall not exceed 32 square feet and height shall not exceed ten feet.
  - b. For a banner sign, the maximum sign face area, on one sign face, shall not exceed 96 square feet.