



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

December 18, 2007



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 001-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: January 2, 2008

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 DATE SPECIFIED ABOVE.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Marguerite Nabeta, DLCD Regional Representative
Thomas Hogue, Policy Analyst
Bob Cortright, DLCD Transportation Planning Coordinator
Elizabeth Mccallum, City Of Troutdale

<paa> ya/

FORM 2

DEPT OF DLCD NOTICE OF ADOPTION

DEC 13 2007

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

LAND CONSERVATION AND DEVELOPMENT

(See reverse side for submittal requirements)

Jurisdiction: City of Troutdale Local File No.: 07-078A (If no number, use none)

Date of Adoption: 12/12/07 Date Mailed: December 12, 2007 (Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: August 23, 2007

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

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

Rezone Multnomah County property to facilitate its sale to McMenamins and Reynolds School District; remove the Town Center Overlay from the property.

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: Master Plan/Mixed Use High-Density Residential Medium-Density Residential to Low-Density Residential Commercial; Low-Density Residential Commercial; Low-Density Residential; Open Space Zone Map Changed from: R-4 Attached Residential to A-2 Apartment Residential General Commercial to R7 Single-Family Res.; General Commercial R7 Single-Family Residential Location: Mult. Cty. Tax Map Number 1N3E26, Acres Involved: 124.34 Tax Lots 405,406,407,408,500,501&600; Tax Map 1N3E35, Tax Lots 210,211,212&213 Specify Density: Previous: 8.5 DU/Net Acre New: 5 DU/Net Acre

Applicable Statewide Planning Goals: 2, 9, 10

Was an Exception Adopted? Yes: No: X

DLCD File No.: 001-07(16334)

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,
Multnomah County, Reynolds School District, Multnomah Education Service District

Local Contact: Elizabeth McCallum, Sr. Planner Area Code + Phone Number: 503-674-7228

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 of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will 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 - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 790

AN ORDINANCE ADOPTING COMPREHENSIVE LAND USE PLAN MAP AND ZONING DISTRICT MAP AMENDMENTS ON APPROXIMATELY 124 ACRES OF FORMER MULTNOMAH COUNTY FARM PROPERTY.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The Planning Commission held a hearing in this matter on October 17, 2007 and made a recommendation of approval with conditions to the Council.
2. The City Council held hearings on November 27, 2007 and December 11, 2007 to take public testimony on the proposed map amendments.
3. The City Council confirms the Planning Commission's recommendation as adopted October 17, 2007.
4. The Comprehensive Land Use Plan Map amendment criteria of TDC 15.050B are met, and the proposed map amendments were changed to conform to the Planning Commission's recommendation to Council dated October 17, 2007.
 - a. The Comp Plan map amendments comply with applicable Statewide Land Use Planning Goals and the Plan Map amendments do not significantly affect the transportation facilities, in accordance with Transportation Planning Rule.
 - b. The Comp Plan map amendments are consistent with the applicable goals and policies of the Comprehensive Land Use Plan. HDR plan map designation is not required on any portion of the site.
 - c. The inclusion of more property into the Commercial, Open Space and Low Density Residential Planning Area is consistent with projected needs for such lands.
 - d. The Plan provides for more high and medium density residential and Town Center planning area than there is a projected need.


- e. Uses allowed in the proposed Plan map designation will not significantly adversely affect existing or planned uses on adjacent lands as an Open Space area buffers existing residential development and Lot 2.
 - f. 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.
5. The Zoning District Map amendment criteria of TDC 15.050C are met, and the proposed amendments were changed to conform to the Planning Commission's conditions in their recommendation to Council dated October 17, 2007.
- a. The proposed zoning districts are appropriate for the proposed Comprehensive Land Use Plan land use designations on the property, and are consistent with the description and policies for the applicable Comprehensive Land Use Plan land use classifications.
 - b. The uses permitted in the proposed zoning districts can be accommodated on the proposed site without exceeding its physical capacity.
 - c. Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property.
 - d. The Zoning District map amendments 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.
 - e. The amendment will not be detrimental to the general interest of the community.

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

Section 1. The Troutdale Comprehensive Land Use Plan Map shall be amended as shown in Attachment A.

Section 2. The Troutdale Zoning District Map shall be amended as shown in Attachment B.

YEAS: 7
NAYS: 0
ABSTAINED: 0



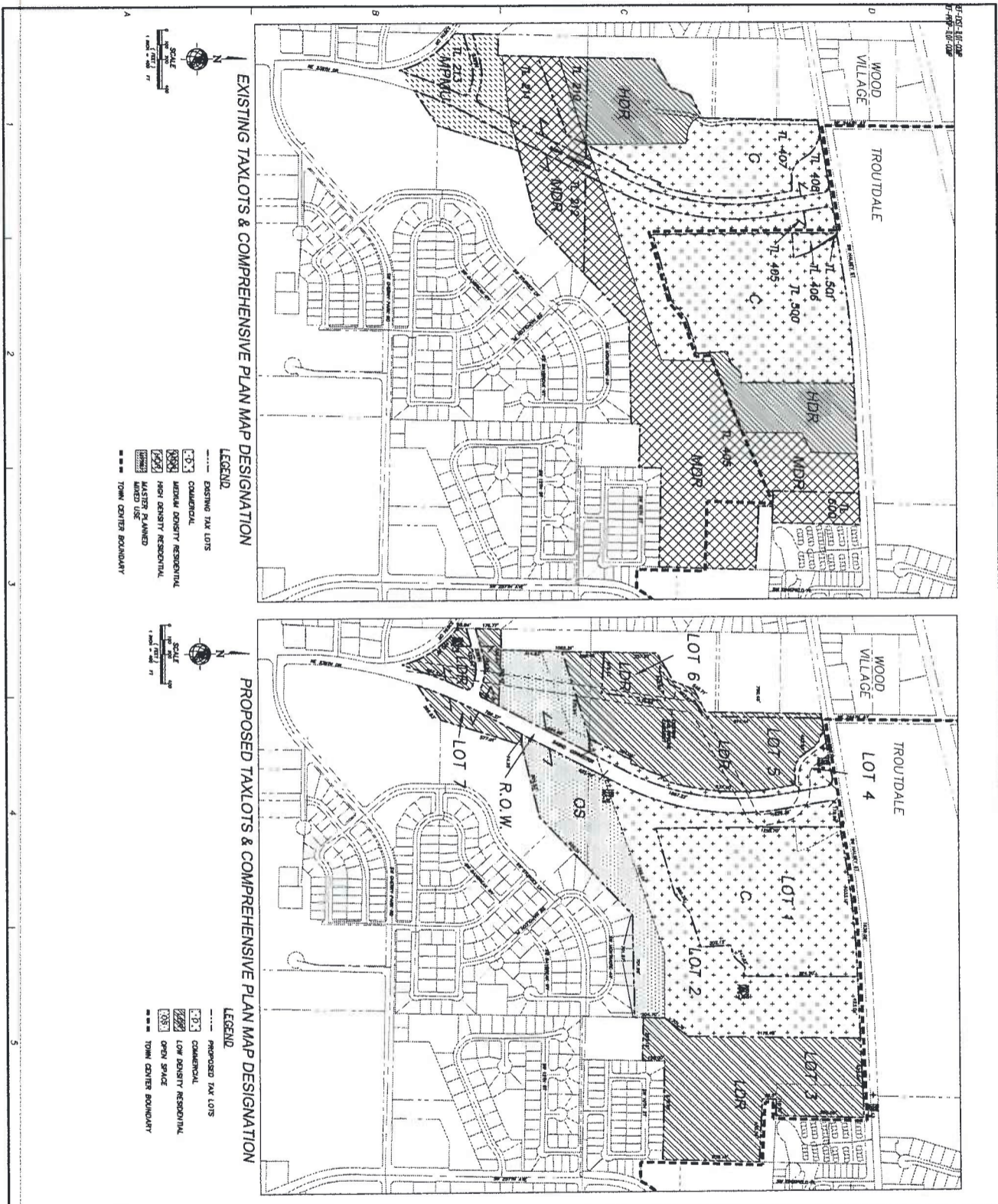
Paul Thanofer, Mayor
December 12, 2007

Date



Debbie Stickney, City Recorder

Adopted: December 11, 2007



EXISTING TAXLOTS & COMPREHENSIVE PLAN MAP DESIGNATION

LEGEND

- EXISTING TAX LOTS
- COMMERCIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- MASTERS PLANNED
- OPEN SPACE
- TOWN CENTER BOUNDARY

PROPOSED TAXLOTS & COMPREHENSIVE PLAN MAP DESIGNATION

LEGEND

- PROPOSED TAX LOTS
- COMMERCIAL
- LOW DENSITY RESIDENTIAL
- OPEN SPACE
- TOWN CENTER BOUNDARY

DRAWN BY: RAI		CHECKED BY: JABE	
LAST EDIT: 12/12/07		APPROVED BY: JABE	
DATE		REVISION	
BY	REV#	CK'D	APPR

ORD No. 790

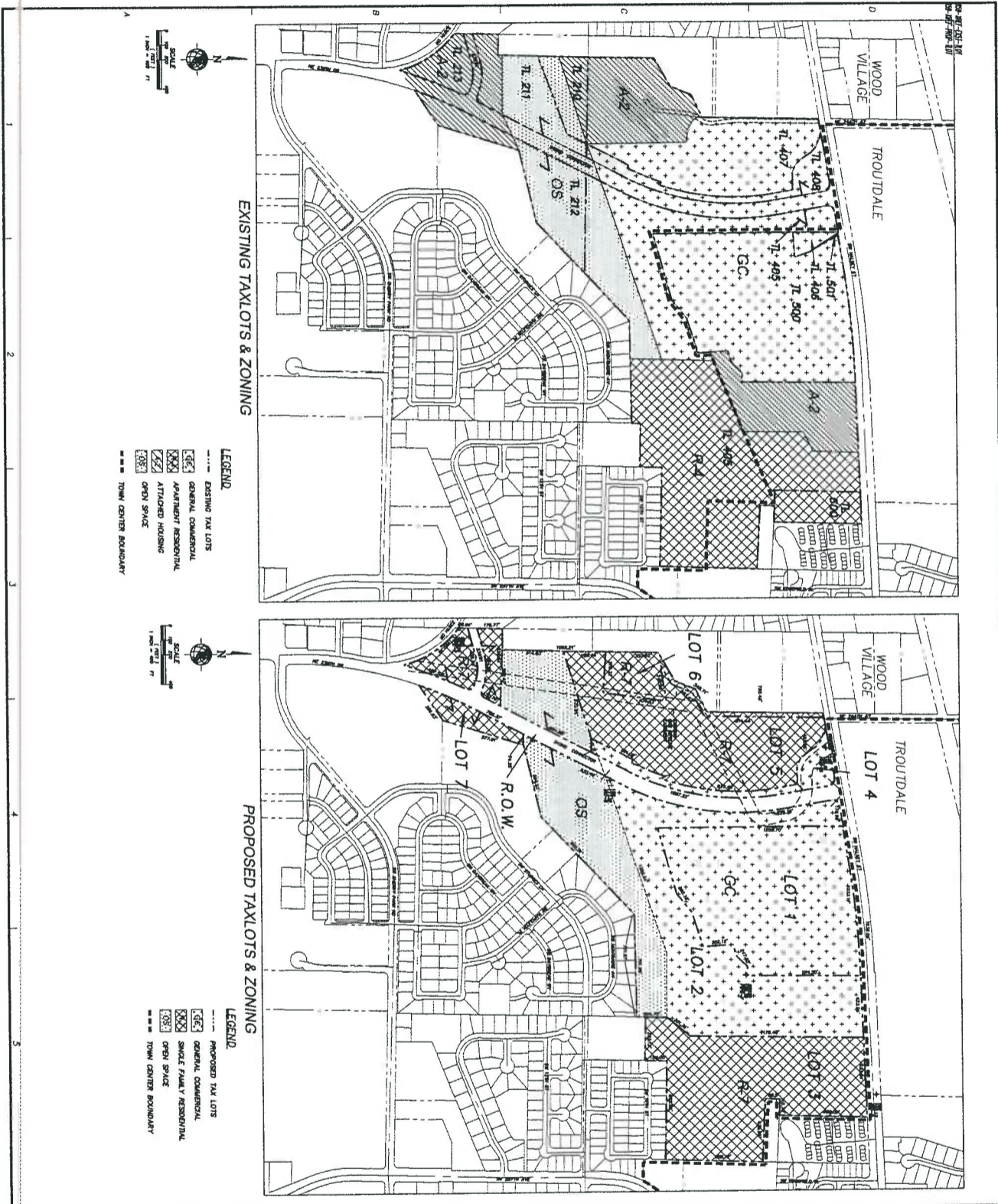
McMENAMINS HOTELS & PUBS / REYNOLDS INDEPENDENT SCHOOL DIST.
SW HALSEY STREET SUBDIVISION
ATTACHMENT A - EXISTING & PROPOSED TAXLOTS & COMPREHENSIVE PLAN MAPS

TROUTDALE OREGON
SCALE: AS SHOWN PROJECT NO. 032859 DRAWING FILE NAME: 032859-plan-sp03

W&H
7755 SW Barrow Road
Suite 300
Portland, Oregon 97225
503.255.4455
503.255.4775 Fax
w&hinc.com

Planners • Engineers • Surveyors • Landscape Architects

SHEET



SHEET	CHECKED BY: JABE	APPROVED BY: JABE
	DRAWN BY: RAI	PLOT DATE: 12/12/07
	LAST EDIT: 12/12/07	REVISION
	DATE	BY

ORD.
No. 790

McMENAMINS HOTELS & PUBS / REYNOLDS INDEPENDENT SCHOOL DIST.
SW HALSEY STREET SUBDIVISION
ATTACHMENT B - EXISTING & PROPOSED TAXLOTS
& ZONING DISTRICT MAPS
TROUTDALE OREGON
SCALE: AS SHOWN PROJECT NO. 032859 DRAWING FILE NAME: 032859-plan-sp02

WH 9705 SW Beavercreek Road
Suite 300
Portland, Oregon 97225
(503) 288-0458
(503) 288-9778 Fax
whplans@wh.com
Planners • Engineers • Surveyors • Landscape Architects



**BEFORE THE PLANNING COMMISSION
of the
CITY OF TROUTDALE**

**ADOPTION OF FINDINGS OF FACT
RECOMMENDING APPROVAL, WITH CONDITIONS,
of the
MCMENAMINS & REYNOLDS SCHOOL DISTRICT
COMPREHENSIVE LAND USE PLAN MAP AND
ZONING DISTRICT MAP AMENDMENTS**

FILE NO.: 07-078A

STAFF: Elizabeth A. McCallum, Senior Planner

HEARING DATE: October 17, 2007

STAFF REPORT DATE: September 12, 2007

LAND OWNERS: Multnomah County and McMenamins, Inc.

APPLICANT: Elaine Albrich, Attorney with Stoel Rives LLP for
McMenamins, Inc. and Reynolds School District #7

REQUEST: Comprehensive Land Use Plan Map Amendments

- Add 11.19 acres to the Comprehensive Planning Area
- Add 17.43 acres to the Open Space Planning Area
- Add 47.16 acres to the Low Density Residential Planning Area
- Remove 14.15 acres from the High Density Residential Planning Area
- Remove 46.00 acres from the Medium Density Residential Planning Area
- Remove 15.63 acres from the Master Plan Mixed Use Planning Area
- Remove 44.88 acres from the Town Center

Zoning District Map Amendments

- Add 11.19 acres to the General Commercial Zoning District
- Add 47.16 acres to the R-7 Single Family Residential Zoning District
- Remove 34.98 acres from the R-4 Attached Residential Zoning District
- Remove 19.47 acres from the A-2 Apartment Residential Zoning District.
- Remove 44.88 acres from the Town Center

LOCATION: 1906, 2126, 2160, 2380, 2470 and 2480 SW Halsey Street and adjacent vacant area

TAX MAP & TAX LOT: 1N3E26 405, 406, 407, 408, 500, 501 and 600 and 1N3E35 210, 211, 212 and 213

SITE AREA: 124.33 acres

APPLICABLE STANDARDS:

City of Troutdale Development Code (TDC): 3.030 R-7 Single-Family Residential; 3.050 R-4 Attached Residential; 3.060 A-2 Apartment Residential; 3.120 General Commercial; 3.180 Open Space; 4.300 Vegetation Corridor and Slope Overlay District; 4.600 Flood Management Area; 4.700 Town Center Overlay District; 15 Amendments

City of Troutdale Comprehensive Land Use Plan (Comp Plan) and Map

City of Troutdale Zoning District Map

City of Troutdale Transportation System Plan (TSP)

City of Troutdale Parks Master Plan 2006 (Parks Plan)

Multnomah County Transportation Standards

FINDINGS OF FACT:

The Troutdale Planning Commission hereby finds the following in this matter.

1. The Comprehensive Land Use Plan Map amendment criteria of TDC 15.050B are met, or can be met with changes to the requested map amendments.
 - a. The Comp Plan map amendments comply with applicable Statewide Land Use Planning Goals and the Plan Map amendments do not significantly affect the transportation facilities, in accordance with Transportation Planning Rule.
 - b. The Comp Plan map amendments are consistent with the applicable goals and policies of the Comprehensive Land Use Plan. HDR plan map designation is not required on any portion of the site.
 - c. The inclusion of more property into the Commercial, Open Space and Low Density Residential Planning Area is consistent with projected needs for such lands.
 - d. The Plan provides for more high and medium density residential and Town Center planning area than there is a projected need.
 - e. Uses allowed in the proposed Plan map designation will not significantly adversely affect existing or planned uses on adjacent lands provided the Open Space area is expanded to intervene between existing residential development and Lot 2.
 - f. 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.
2. The Zoning District Map amendment criteria of TDC 15.050C are met, or can be met with changes to the requested map amendments.
 - a. The proposed zoning districts are appropriate for the proposed Comprehensive Land Use Plan land use designation on the property, and are consistent with the description and policies for the applicable Comprehensive Land Use Plan land use classification, provided additional Open Space zoning is applied to a portion of Lot 2 that abuts the residential planning area to the south of the site.

- b. The uses permitted in the proposed zoning districts can be accommodated on the proposed site without exceeding its physical capacity.
 - c. Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property.
 - d. The Zoning District map amendments 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, provided the Open Space zoning is extended to include the portion of Lot 2 that abuts residential planning areas.
 - e. The amendment will not be detrimental to the general interest of the community provided the Open Space zoning is extended to include a portion of Lot 2 that abuts existing residential development south of the site.
3. A revised traffic study dated September 26, 2007, prepared by Matt Hughart and Marc Butorac of Kittelson and Associates, was submitted to Multnomah County Transportation for review and comment. The County's comments, dated October 8, 2007, were received by the City of Troutdale on October 10. Multnomah County's memorandum included a memorandum from Michael Ard, PE of Lancaster Engineering, dated October 8, 2007, stating that Lancaster Engineering agrees with the Kittelson and Associates report that the map amendments will not have a significant affect on the surrounding transportation system as defined under the Transportation Planning Rule.
 4. A letter in support of the map amendments from the Honorable Ted Wheeler, Multnomah County Chair, to the Honorable Paul Thalhofer, Mayor of Troutdale, dated October 16, 2007, was submitted into the record at the October 17, 2007 Planning Commission hearing.
 5. A neighboring property owner, Mr. Steve Bogert who lives on SW 6th Circle, asked at the October 17 hearing what improvements on SW Halsey Street would be required.

RECOMMENDATION to CITY COUNCIL:

Based upon the foregoing, the Troutdale Planning Commission hereby recommends to the Troutdale City Council approval of Comprehensive Land Use Plan and Zoning District Map amendments of the subject properties, as follows, with conditions:

RECOMMENDED MAP AMENDMENTS			
Proposed Lot	Comprehensive Plan Map Amendment: From/To	Zoning District Map Amendment: From / To	Resulting Area (Excludes Right-of-Way)
Lot 1	Leave as C and remove 25.88 acres from Town Center	Leave as GC and remove 25.88 acres from Town Center	25.88 Acres
Subtotal Lot 1			25.88 Acres
Lot 2	Leave as C	Leave as GC	6.09 Acres
	MDR to C	R-4 to GC	10.31 Acres
	HDR to C and remove 6 acres from Town Center	A-2 to GC and remove 6 acres from Town Center	6.00 Acres
	MDR to OS	OS no change	19.82 Acres
	MDR to OS	R-4 to OS	2.00 Acres
Subtotal Lot 2			44.22 Acres
Lot 3	HDR to LDR and remove 1 acre from Town Center	A-2 to R-7 and remove 1 acre from Town Center	1.00 Acres
	MDR to LDR and remove 11.99 acres from Town Center	R-4 to R-7 and remove 11.99 acres from Town Center	21.51 Acres
Subtotal Lot 3			22.51 Acres
Lot 4	Leave as C	Leave as GC	3.42 Acres
Subtotal Lot 4			3.42 Acres
Lot 5	C to LDR	GC to R-7	10.4 Acres
	HDR to LDR	A-2 to R-7	8.47 Acres
Subtotal Lot 5			18.87 Acres
Lot 6	HDR to LDR	A-2 to R-7	3.65 Acres
Subtotal Lot 6			3.65 Acres
Lot 7	MPMU to LDR	A-2 to R-7	5.78 Acres
Subtotal Lot 7			5.78 Acres
TOTAL ACRES¹			124.33 Acres

CONDITIONS OF APPROVAL

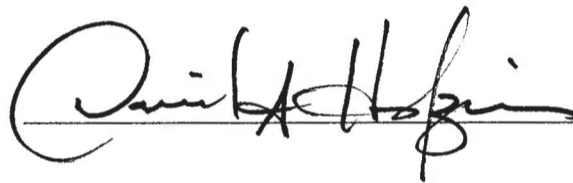
1. The Open Space Plan Map and Zoning District designations shall be extended east of the current OS zoning and proposed Plan map designation as follows:

¹ Acreages within each lot and allocated to each Planning Area and Zoning District are subject to final plat preparation and calculations.

On proposed Lot 2, along the 210 foot contour line to the southerly property line, or for a width of at least 215.33 feet as measured north of the abutting lots in Cherry Ridge Tract Y and Lots 169, 170, 171, 172 and 173.

2. Amend the Plan Map designation of Lot 6 to LDR and Zoning District Map to R-7 Single Family Residential.

ADOPTED THIS 17th DAY OF OCTOBER 2007



Daniel Haskins
Planning Commission Chair



**CITY OF TROUTDALE
PLANNING COMMISSION STAFF REPORT
TYPE IV COMPREHENSIVE LAND USE PLAN
& ZONING DISTRICT MAP AMENDMENTS
FILE 07-078A
MCMENAMINS & REYNOLDS SCHOOL
DISTRICT**

FILE NO.: 07-078A

STAFF: Elizabeth A. McCallum, Senior Planner 

HEARING DATE: September 19, 2007

STAFF REPORT DATE: September 12, 2007

LAND OWNERS: Multnomah County and McMenamins, Inc.

APPLICANT: Elaine Albrich, Attorney with Stoel Rives LLP for McMenamins, Inc. and Reynolds School District #7

REQUEST: Comprehensive Land Use Plan and Zoning District Map Amendments

LOCATION: 1906, 2126, 2160, 2380, 2470 and 2480 SW Halsey Street and adjacent vacant area

TAX MAP & TAX LOT: 1N3E26 405, 406, 407, 408, 500, 501 and 600 and 1N3E35 210, 211, 212 and 213

SITE AREA: 124.33 acres

EXISTING PLAN MAP DESIGNATIONS: Based upon existing Tax Lots:

C—Commercial: Tax Lots 406, 408, 500, and 501 on Tax Map 1N3E26; portion of Tax Lots 405 and 407 on Tax Map 1N3E26, totaling 44.87 acres.

HDR—High Density Residential: Portions of Tax Lots 405, 407 on Tax Map 1N3E26 and a portion of Tax Lot 210 on Tax Map 1N3E35, totaling 20.82 acres.

MDR—Medium Density Residential: Tax Lot 600 and portion of Tax Lot 405 on Tax Map 1N3E26 and a portion of Tax Lot 210 on Tax Map 1N3E35, totaling 42.99 acres.

MPMU—Master Plan Mixed-Use: Tax Lots 211, 212 and 213 on Tax Map 1N3E35, totaling 15.63 acres.

TC—Town Center Planning Area: Tax Lot 405 / 16 acres; Tax Lot 406 / 0.70 acres; Tax Lot 500 / 25.14 acres; Tax Lot 501 / 0.03 acres; and Tax Lot 600 / 2.99 acres. Overlaying 44.86 acres of other Plan Map areas of the subject site.

PROPOSED PLAN MAP DESIGNATIONS: Based upon proposed subdivision plat Lot numbers:

- C—Commercial Lots 1 and 4 and portion of Lot 2.
- HDR—High Density Residential Lot 6
- LDR—Low Density Residential, Lots 3, 5 and 7
- OS—Open Space, portion of Lot 2.
- TC—Removal from the Town Center Planning Area

EXISTING ZONING DISTRICT MAP DESIGNATIONS: Based upon existing tax lots.

GC—General Commercial: Tax Lots 406, 408, 500, and 501 on Tax Map 1N3E26; and a portion of Tax Lots 405 and 407 on Tax Map 1N3E26, totaling 44.87 acres.

A-2 Apartment Residential: Portions of Tax Lots 405 and 407 on Tax Map 1N3E26 and Tax Lots 213 on Tax Map 1N3E35 and a portion of Tax Lot 210, 211 and 212 on Tax Map 1N3E35, totaling 26.14 acres.

R-4 Attached Residential: Tax Lot 600 and portion of Tax Lot 405 on Tax Map 1N3E26, totaling 34.99 acres.

OS—Open Space: A portion of Tax Lot 405 on Tax Map 1N3E26; a portion of Tax Lots 210, 211 and 212 on Tax Map 1N3E35, totaling 18.31 acres.

Town Center—TC: Tax Lot 405 / 16 acres; Tax Lot 406 / 0.70 acres; Tax Lot 500 / 25.14 acres; Tax Lot 501 / 0.03 acres; and Tax Lot 600 / 2.99 acres. Overlaying 44.86 acres of other zoning district of the subject site.

PROPOSED ZONING DISTRICT MAP DESIGNATIONS: Based upon proposed subdivision plat Lot numbers:

- GC—General Commercial Lots 1 and 4 and portion of Lot 2.
- A-2—Apartment Residential Lot 6.
- R-7—Single Family Residential Lots 3, 5 and 7.
- OS—Open Space portion of Lot 2.

OVERLAY DISTRICTS:

- Vegetation Corridor and Slope Overlay District (VECO).
- Flood Management Area (FLMA).
- Town Center Overlay District

EXHIBITS:

- A. Current City of Troutdale Comprehensive Land Use Plan Map
- B. Current City of Troutdale Zoning District Map
- C. Adopted Town Center Map
- D. Map 5.2 Facilities Plan from the 2006 Parks Master Plan
- E. Figure 1-1 Pedestrian Master Plan, City of Troutdale Transportation System Plan, August 2005

APPLICABLE STANDARDS:

City of Troutdale *Development Code* (TDC)

- 3.030 R-7 Single-Family Residential; 3.050 R-4 Attached Residential; 3.060 A-2 Apartment Residential; 3.120 General Commercial; 3.180 Open Space; 4.300 Vegetation Corridor and Slope Overlay District; 4.600 Flood Management Area; 4.700 Town Center Overlay District; 15 Amendments

City of Troutdale *Comprehensive Land Use Plan* (Comp Plan) and Map

City of Troutdale Zoning District Map

City of Troutdale *Transportation System Plan* (TSP)

City of Troutdale *Parks Master Plan 2006* (Parks Plan)

Transportation Planning Rule

Multnomah County Transportation Standards

PROCEDURE

Amendments to the Comprehensive Land Use Plan Map and Zoning District Map involving more than 15 acres of land are a Type IV legislative procedure.

TDC 15.010 Action under This Code. C. Amendments to the Comprehensive Land Use Plan or Zoning District Maps involving more than four separate ownerships, or more than 15 acres of land, shall be processed as a legislative procedure. These types of map amendments may be initiated in any one of the following ways:

- C3. By property owners or persons purchasing property under contract filing an application with the City.**

The map amendments are requested by the owner of Tax Lots 406, 500 and 501 on Tax Map 1N3E26 (McMenamins, Inc.) and the purchasers (McMenamins, Inc. and Reynolds School District) of the balance of the site, as allowed by TDC 15.010. Multnomah County is the seller. The purchase agreement is County Resolution No. 05-131 (Attachment X).

REQUEST SUMMARY

Elaine Albrich, Attorney at Law with Stoel Rives LLC, is the applicant representing both McMenamins Inc. and the Reynolds School District, which have entered into a contract with Multnomah County to purchase that portion of the subject site that is not currently owned by McMenamins, Inc.

The Comprehensive Land Use Plan map and Zoning District map designations must match: this is why both Comp Plan and Zoning District map amendments are requested.

The applicant provided "Background" narrative, beginning on page 1 of the application. According to the applicant, the map amendments are requested "to facilitate the sale of the Property from the County to Applicants and enable Applicants to plan for the Property's future use." (page 1 of narrative).

The subject site consists of 11 tax lots, and the applicant proposes to replat these tax lots into 7 subdivision lots. The subdivision criteria will be evaluated under a separate staff report (File 07-078B) but referenced as necessary to clarify the map amendments proposed. The proposed map amendments will follow the proposed lots lines for the most part.

The subject tax lots have split Comp Plan and Zoning designations. The current map designations are based upon the most recent map amendments adopted in 1998 with the Town

Center Plan and the maps adopted in 1990 during Periodic Review. Applicant’s drawing, sheet #2 (Attachment C) and #4 (Attachment E) show how the map boundaries “chop up” the underlying tax lots.

The following tables compare the City’s allocated area for the Comprehensive Land Use Plan and Zoning District map designations with those the applicant relied upon. The difference is only 0.02 acres, but should be noted.

CURRENT COMP PLAN MAP DESIGNATIONS	CITY’S DATA (in acres)	APPLICANT’S DATA (in acres)
G	44.87	44.90
HDR	17.80	17.80
MDR	46.01	46.00
MPMU	15.63	15.63
Total	124.31	124.33

CURRENT ZONING DISTRICT MAP DESIGNATIONS	CITY’S DATA (in acres)	APPLICANT’S DATA (in acres)
GC / TCGC	44.87	44.90
A-2 / TCA-2	23.12	23.12
R-4 / TCR-4	34.99	34.98
OS	21.33	21.33
Total	124.31	124.33

The applicant also indicates that the map amendments involve applying Comp Plan and Zoning to the NE 238 and 242nd Connector rights-of-way, which have an area of approximately 7.73 acres. Rights-of-way typically take on the abutting Comp Plan and zoning map designations to the center of the right-of-way if the right-of-way is the split between the map designations. The rights-of-way currently go through HDR/A-2, MDR/OS and C/GC designations. If the map amendments are adopted, the rights-of-way will pass through proposed LDR/R-7, OS/OS, and C/GC.

The City met with the applicant on June 7, 2007 and recommended map amendments to match the uses proposed and to reduce the residential density possible on the subject lot. The latter was recommended by staff to be consistent with an expressed position of the City Council to reduce residential density within the City where possible.

Staff requested that the lots proposed for use by the school be designed Low Density Residential on the Comp Plan map and zoned R-7 Single Family Residential (LDR/R-7); that the steep slope area of the site be Open Space (OS)/ Open Space (OS) and that the commercial areas be Commercial (C)/General Commercial (GC). Staff also recommended that the properties be removed from the Town Center Overlay District (TC) and that the Master Plan Mixed-Use (MPMU) Plan Map designation on Tax Lot 211, 212 and 213 be replaced with the LDR Plan map designation. MPMU is a carry-over from when those lots were part of the Cherry Ridge subdivision.

The applicant has chosen to:

- Retain HDR/A-2 map designations on Lot 6;
- Request LDR/R-7 on Lots 3, 5 and 7;

- Request C/GC on those portions of Lots 2 and 4 not already C/GC;
- Leave the Open Space zoning as is—not apply it to other areas of the site; and
- Amend the Comp Plan for the OS zoning to OS from MDR.

ANALYSIS

Comp Plan and Zoning District Map amendment criteria are slightly different in the Code and are evaluated separately, with the analysis of the Comp Plan map amendments evaluated first and then the Zoning District map amendments.

COMPREHENSIVE LAND USE PLAN MAP AMENDMENTS

TDC 15.020 Hearing Notice.

- A. **Legislative Type IV Procedure. Notice of a hearing on a legislative decision need not include a mailing to property owners or posting of property. Where such mailing or posting is omitted, the Director shall prepare a notice program designed to reach persons believed to have a particular interest, and to provide the general public with a reasonable opportunity to be aware of the hearings on the proposal.**

The following notifications were made for the Planning Commission's hearing on September 19, 2007, at 7:00 p.m.

- A mailing to property owners within 250-feet of the subject site.
- A posting of the affected property on August 20, 2007.
- A legal notice in the Gresham *Outlook* on September 8, 2007.
- Notice to the Oregon Department of Land Conservation and Development on August 23, 2007

Written comments were received from the following agencies and properties owners through September 11, 2007.

City of Troutdale, Public Works, Chief Engineer and Environmental Specialist
City of Troutdale Code Compliance
Gresham Fire and Emergency Services
Multnomah County Transportation, dated September 4, 2007
Gresham Fire and Emergency Services

The notification standard is met.

TDC 15.040 Information at Planning Commission Hearing. The Planning Commission shall afford an interested person the opportunity to submit written recommendations and comments in advance of the hearing and this information shall be available for public inspection. At the hearing, written recommendations and other information will be received and oral statements will be permitted.

Multnomah County Transportation has stated that the traffic analysis by the applicant for the proposal is insufficient and requires more information. (Letter from Aruna Reddi, Transportation Planning Specialist, September 4, 2007). As such, the applicant may present additional information at the hearing in response to questions raised by interested parties.

The comments from the City departments pertain to development on the lots and the land division request, not the map amendments.

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

The Planning Commission's action for the map amendments is in the form of a recommendation to the City Council, not a Final Order. Findings, however, must be made for the criteria.

COMPREHENSIVE LAND USE PLAN MAP AMENDMENT CRITERIA

TDC 15.050 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:

TDC 15.050 B1. COMPLIANCE WITH APPLICABLE STATEWIDE LAND USE PLANNING GOALS.

The applicant's response begins on page 3 of the narrative. The applicant addressed each Statewide Planning Goal (Goals 1 through 19), even though not all goals apply to the City of Troutdale. Staff concurs with the applicant that the goals that do apply, Goals 1, 2, 5, 6, 7, 8, 9, 10, 11, 12 and 13, are met. The criterion is met.

TDC 15.050 B2. CONSISTENCY WITH THE APPLICABLE GOALS AND POLICIES OF THE COMPREHENSIVE LAND USE PLAN.

The Comprehensive Land Use Plan map amendments, if approved, must remain consistent with the City's purpose statement for the Comprehensive Plan.

The purpose of land use planning is to indicate the most appropriate land uses within a given area and to provide the means for effectively and efficiently facilitating and guiding development activity. It is to ensure that residential, commercial, and industrial land uses are properly located and suitably related to one another and to other City features. Moreover, it is to ensure that new developments enhance and help maintain the type of community the residents of Troutdale want. (Page 1 City of Troutdale Comprehensive Land Use Plan)

The applicant's response to the applicable goals and policies of the City of Troutdale Comprehensive Land Use Plan begin on page 8 of the applicant's narrative.

Goal 1 Citizen Involvement

This goal is met through the public notification and hearing procedures adopted by the City of Troutdale. Notification was given of the proposed map amendments as explained on page 7 of this staff report. The implementing Code standard is met and thus the goal is met.

The hearing before the Planning Commission is the first opportunity for citizens to let the City know their thoughts about the proposed map amendments. The Planning Commission will make a recommendation to the City Council and another hearing is scheduled before the Council for additional Citizen Involvement.

Goal 2 Land Use

The Comprehensive Land Use Plan map represents the City's decision about the most appropriate land use(s) for property in the City. The plan map represents the application of land use designations in accordance with the goals and policies of the Comprehensive Land Use Plan. It is intended to supplement the written plan text, not replace it and any map amendments should always be considered in conjunction with the adopted planning goals and policies.

The City of Troutdale has seven Comprehensive Land Use Plan (Comp Plan) map designations:

- C—Commercial
- LDR--Low Density Residential
- MDR--Medium Density Residential
- HDR--High Density Residential
- I--Industrial
- MPMU--Master Plan Mixed-Use
- OS—Open Space

The applicant's exhibits do not show the Plan Map areas—only the Zoning Districts. The City of Troutdale, however, has a two-map system and as such, the amendments requested will affect both maps.

The current Comprehensive Land Use Plan designations are seen in Exhibit A of this report.

The Comp Plan Map changes proposed can be visualized by considering the applicant's requested zoning as seen in applicant's Attachment C (received September 20, 2007) and the following: GC zone will be the new Commercial Comp Plan area; R-7 zone will be the new LDR Comp Plan area; A-2 zone will be the amended HDR Comp Plan area; and OS zone will be the new OS Comp Plan area.

The requested Plan map amendments compare to the existing allocations as follows:

CURRENT COMP PLAN MAP DESIGNATIONS	CITY'S DATA for AFFECTED AREA (in acres)	APPLICANT'S DATA for AFFECTED AREA (in acres)	APPLICANT'S REQUESTED CHANGE	NET CHANGE in ACRES (from City's data)
C	44.87	44.90	56.09	+11.22
HDR	17.80	17.80	3.65	-14.15
MDR	46.01	46.00	0.00	-46.01
MPMU	15.63	15.63	0.00	-15.63
LDR	0.00	0.00	47.16	+47.16
OS	0.00	0.00	17.43	+17.43
Total	124.31	124.33	124.33	

In addition to the Comprehensive Land Use Plan areas, the City of Troutdale's Town Center has two overlay plans that are identified in Goal 2:

- TROUTDALE TOWN CENTER PLAN

The City of Troutdale is designated as a "Town Center" under Metro's adopted 2040 Growth Concept and Regional Framework Plan. The Troutdale Town Center Plan, adopted in February 1998, is a master plan that will guide future land use decisions pertaining to development within the downtown area of Troutdale. The town center boundary encompasses more than 300 acres and is generally located north of SW 8th Street, south of the railroad tracks (including the Columbia Gorge Factory Stores and former wastewater treatment plant site), and east of NE 244th Avenue along SW Halsey Street and Historic Columbia River Highway to the Sandy River. This document is an element of the City's Comprehensive Plan and should be referred to for future land use decisions within the Town Center (TC) planning area boundaries.

The current Comp Plan map does not include the TC boundary, but it is shown on the current Zoning District Map. The map amendment includes a request to remove the subject site from the Town Center planning area.

- 2040 GROWTH CONCEPT MAP

Metro's adopted 2040 Growth Concept and Regional Framework Plan sets the direction for the long-term growth management of the Portland Metropolitan area. Contained within the 2040 Growth Concept are identified design types. The design types found in Troutdale include:

- Town Center adopted in 1998
- Corridor
- Main Street
- Employment Area
- Industrial Area
- Inner Neighborhood
- Outer Neighborhood

The map amendments would remove this area of the City from the Town Center area as generally depicted on Metro's 2040 Growth Concept Map and on the City of Troutdale Zoning District Map (Exhibit C).

COMMERCIAL (C) PLAN MAP AMENDMENT

The applicant requests that the Commercial Plan map amendments match those areas that McMenamins, Inc. is purchasing from Multnomah County. McMenamins is purchasing the area of proposed Lots 2 and 4 as shown on applicant's Attachment E. McMenamins, Inc. already owns the area of proposed Lot 1.

The Commercial Plan map amendment only affects a portion of proposed Lot 2 that is currently within the HDR--High Density Residential and MDR--Medium Density Residential planning areas (implemented by the A-2 and R-4 zoning district), as shown in applicant's Attachment E. The portion of proposed Lot 2, and all of Lots 1 and 4 that are already mapped Commercial, will remain Commercial, as such, the Commercial map change, per the applicant is an increase of 11.19 acres in the Commercial planning area. A Comp Plan amendment to Commercial requires the adoption of an appropriate commercial zoning district: Commercial is implemented by General Commercial, Community Commercial or Neighborhood Commercial. The analysis of the requested General Commercial zoning district map amendment follows on page 25 of this report.

The Commercial planning area is required to have direct access to a collector or arterial and be separated from other existing or proposed commercial areas, not result in the extension of “commercial strips” and not result in significant traffic or adverse environmental impacts (from Comprehensive Land Use Plan, page 10).

The Commercial planning area, existing and proposed, has direct access to SW Halsey Street, a County minor arterial. Multnomah County states that:

...the traffic analysis by the applicant for the proposal is insufficient and requires more information. For this reason, County Transportation does not support the zone change application at this time.... (County letter to City of Troutdale dated September 4, 2007).

The question, per the Comp Plan goal, is whether the map amendment to increase the Commercial Planning area will have a significant traffic impact.

The applicant’s traffic study (Attachment I) by Kittelson and Associates, Inc. concludes that the map amendments would result in 40 fewer trips during the weekday a.m. peak hour and 105 more trips during the weekday p.m. peak hour when compared to buildout under the existing zoning.

A portion of the subject site that is within the Town Center (TC) overlay district, allows uses in the A-2 and GC zoning districts not allowed otherwise outside of the TC:

- In the A-2 zoning in the TC, uses include single family detached dwellings permitted “by right” instead of a conditional use, and allowing a greater density for apartments built all on one lot (at a rate of one unit per 1,500 square feet of net area instead of a sliding scale based upon an average of 2,000 square feet per unit / TDC 3.134(D) and TDC 4.730(A)).
- In the GC zoning district in the TC, residential uses in conjunction with commercial uses are permitted (TDC 4.720(E)(1), including single family detached dwellings, duplexes, triplexes, attached and apartment dwellings provided the residential use is located above or behind a permitted commercial use—but the residential use must be on the same lot.

The Kittelson report does not account for the residential densities permitted within the Town Center portion of the site. As such, the findings of the Kittelson report may need to be adjusted to account for the Town Center densities.

Based upon the Transportation Planning Rule (TPR), the Kittelson & Associates, Inc. report finds that the amendment does reduce the level of service without a trip cap of 695 weekday p.m. peak hour trips on Lots 2 and 3 (Pages 6 and 7 of the Kittelson report) to make up for the added

105 weekday p.m. peak hour trips, based upon a maximum buildout potential of 800 trips during the weekday p.m. peak hour.

City staff does not favor a trip cap because they are difficult to track. As development occurs, conditions may be imposed to mitigate for increased trips onto County roads. However, if in order to comply with TPR regulations it is necessary to condition the map amendments to restrict development on proposed Lots 2 and 3, staff will recommend such a condition and grapple with how to implement the condition as development occurs.

HIGH DENSITY RESIDENTIAL (HDR) PLAN MAP AMENDMENT

The HDR planning area is intended to average 21 dwelling units per gross acre. The only implementing zoning district is the A-2 Apartment Residential. Under the requested change, only Lot 6 will remain within the HDR planning area. Because Lot 6, as well as Lots 3, 5 and 7 are being purchased by the Reynolds School District for educational purposes, staff recommends the HDR area of proposed Lot 6 also be LDR. A Comp Plan map amendment from HDR to LDR requires the corresponding Zoning District map amendment to either R-10 or R-7 Single Family Residential. The zoning district map amendment request and analysis begins on page 24 of this report.

MEDIUM DENSITY RESIDENTIAL (MDR) AMENDMENT

The amendment removes all properties from the MDR planning area. The MDR planning area is intended for duplex type of development at a density averaging 8.5 dwelling units per acre. The MDR area is proposed to be allocated to Low Density Residential (LDR), Open Space (OS) and Commercial (C). A Comp Plan map amendment requires a corresponding Zoning District map amendment to implementing zoning: LDR is implemented by either R-10 or R-7 Single Family Residential; OS is implemented by Open Space Zoning; and Commercial is implemented by General Commercial, Community Commercial or Neighborhood Commercial. The zoning district map amendment request and analysis begins on page 24 of this report.

LOW DENSITY RESIDENTIAL (LDR) AMENDMENT

Low Density Residential is intended to average five dwelling units per net acre of area. No portion of the site is currently designated LDR. The map amendment will remove the HDR, MDR, C and Master Plan Mixed-use planning designation from portions of the site as shown in applicant's Attachment E. The area of the site being purchased by the Reynolds School District is proposed for the LDR planning designation. Implementing zoning for LDR in this area of the City includes R-10 and R-7 single family residential. The zoning district map amendment request and analysis begins on page 24 of this report.

MASTER PLAN MIXED USE (MPMU) COMP PLAN MAP AREA

Tax Lots 211, 212 and 213 are the only areas currently within the MPMU planning area. This is the result of the Comp Plan map amendments adopted when the County sold part of the “poor farm” to GSL properties and it developed the Cherry Ridge subdivision that included General Commercial, A-2 Apartment, R-10 and R-7 Single Family Residential zoning. Since Tax Lots 211, 212 and 213 are being replatted into a new subdivision, it is appropriate to change the Comp Plan designation to LDR. LDR is implemented by either R-10 or R-7 Single Family Residential. The corresponding zoning district map amendment request and analysis begins on page 24 of this report.

TOWN CENTER

The Town Center only affects a portion of the site, as discussed on page 9 of this report. Removal from the Town Center overlay zone (and Comprehensive Land Use Plan designation) is proposed. Staff recommended that the map amendment include removal of the site from the Town Center because the TC has not been a good fit for the site due to the distance from downtown area and because the residential density possible in the Town Center in the A-2 and GC zoned areas is not needed to meet City housing goals. The City currently exceeds Metro housing goals set in 1994, by 298 dwelling units.

The applicant discussed the requested removal from the Town Center Overlay district on page 10 of the narrative, under Goal 9 Economy. Uses in the TC overlay are intended to include high density housing and local retail / services. McMenamins Edgefield’s hotel, restaurants, brewery, artisans, and seasonal musical venues draw people from all over the Metro area as well as from out-of-state. School facilities operated by the County and Reynolds School District also draw people from both the within and outside of the city.

The Town Center Plan also includes specific development standards to streetscapes and building design elements that do not apply city-wide. Leaving the site within the TC will create difficulties in designing a re-use for the jail facility. In addition, the TC design elements just are not applicable to schools or similar community service uses.

OPEN SPACE (OS) COMP PLAN MAP AREA

The site currently has some Open Space zoning but not the OS planning area: the OS zoning is currently mapped in the MDR planning area. The Comp Plan map amendment will correlate the existing OS zoning with OS planning area. Open Space planning is intended for natural resource areas, floodplains, wetlands, steep slopes, beaches, riverbanks, trails, etc. The area currently zoned OS contains wetlands and steep slopes. Floodplain and additional wetlands and steep slopes occur elsewhere on the site, but are not proposed to have OS designation.

GOAL 5 OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES**POLICIES**

- 1. Conserve open space by limiting development that will have adverse impacts.**
- 5. Conserve and enhance drainageways for the purpose of containing and regulating stormwater runoff and, where appropriate, as natural corridors which allow the passage of wildlife between natural areas throughout the City, as well as providing wildlife habitat characteristics including food, water, cover, breeding, nesting, resting, and wintering areas.**
- 6. Prepare a list of properties desirable for public acquisition to ensure long-term natural resource conservation.**
- 8. Conserve significant areas and encourage the creation of new developments which maintain the variety and quantity of fish and wildlife throughout the City in a manner compatible with existing and future urban development.**

A portion of the steep slopes and wetlands on this property are already zoned Open Space and the Comp Plan map amendment requested will designate OS on the Plan Map to match the OS zoning.

Expanding the Open Space Plan map area on areas identified for the ridgeline trail and 7-acres of trees (and corresponding OS zoning) may be appropriate based upon Map 5.2 Facilities Plan from the 2006 Parks Master Plan (Exhibit D) and Figure 1-4 Local Street Connectivity Map, City of Troutdale Transportation system Plan, August 2005 (Exhibit E).

The Council included part of the subject site on a list for possible public acquisition and intended that there be public access within a ridgeline recreational trail:

This proposed trail would follow a steep hillside from 257th Avenue to 242nd Avenue. (Page 5.8 November 2006 City of Troutdale Parks Master Plan.)

Proposed Cherry Ridge Park and Natural Area: This proposed area would have a dual purpose—to protect a grove of trees and serve as a natural learning laboratory for Reynolds School District and meet the recreational needs of the proposed neighborhoods. The City should pursue joint use opportunities with the school district to acquire and develop this land. (page 5.6 of 2006 City Troutdale Parks Master Plan.)

Land Acquisition and New Park Suggestions

- *Save seven acres of trees near the proposed Ridgeline Trail*
- *Create a large recreational facility and new park near old prison (page D. 5 of 2006 City of Troutdale Parks Master Plan).*

The OS plan map designation highlights the City's intentions outlined in the 2006 Parks Plan. OS plan map designation can also be used to create a separation between Commercial and Residential planning areas. Staff is recommending that the Open Space Plan map designation be expanded east of the proposed area: along the 210 foot contour on proposed Lot 2, or at least 215.33 feet north of the abutting lots in Cherry Ridge Tract Y and Lots 169, 170, 171, 172 and 173. The 215.33 feet is recommended as this is the "depth" of the OS zoning abutting Lots 173, 174 and 175 at present.

GOAL 6 AIR, WATER, AND LAND RESOURCES QUALITY

The quality of life in Troutdale is directly related to the air, water, and land quality in the community. Troutdale is proud of its environment and will work to maintain it. The proposed Comp Plan Map amendments do not affect upon air, water and land resources quality.

GOAL 7 AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

The site has areas of flooding and steep slopes. The proposed Comp Plan map amendments do not preclude the City from managing development within floodplains and steep slopes based upon the adopted Development Code standards.

GOAL 8 RECREATION

As explained under Goal 5, the Council included part of the subject site on a list of sites for possible public acquisition in the 2006 City of Troutdale Parks Master Plan. The plan identifies public access within a ridgeline recreational trail as well as a 7-acre grove of trees.

McMenamins Inc. provides opportunities for limited public recreational use at the present time, including a golf course which is open to the public. McMenamins "also agreed to dedicate a portion of the property's Open Space land for a ridgeline trail, allowing for public access across a portion of the property." (page 10 of narrative). A condition of the recent conditional use approval for the expansion of the golf course, requires that an easement for the public use of the ridgeline trail be recorded as part of the purchase of the property from Multnomah County (condition number 1 File 07-010 McMenamins golf Course Modification and Expansion).

The applicant also states that “Future development may include community service uses, which could provide additional opportunities for limited public recreation use.”

Reynolds School District intends to purchase proposed Lots 3, 5, 6 and 7 of the site. According to the applicant, Reynolds School District “would not purchase proposed Lot 3 if zoned as Open Space, and would not conclude any of the remaining purchase since Lot 3 is the critical parcel to its educational mission.” (page 2 of narrative).

Staff recommends OS designation on at least the southerly 50 feet of proposed Lot 3 where it abuts the Sturges home site, lots in Sedona Park and the proposed plat of Tyson’s Place. The OS Plan map (and then corresponding zoning) will acknowledge the City’s goal in the 2006 Parks Master Plan for a ridgeline trail on this portion of proposed Lot 3.

The OS Plan Map and zoning designation on Lot 3 will not preclude construction of school uses on the site as community services are permitted as conditional uses.

School facilities should be located adjacent or close to parks and parks to schools according to Goal 8 Policy 4:

- 4. Encourage joint use of park and school facilities by locating them adjacent, or close, to each other.**

GOAL 9 ECONOMY

Policies

- 1. Allocate commercial facilities in a reasonable amount and planned relationship to the people they will serve.**

The map amendment slightly increases the Commercial planning area and removes the “constraints” to commercial development “imposed” by Town Center overlay design standards. McMenamins draws users from more than just the City of Troutdale. As such, it is appropriate that the map amendments respond to the growth that McMenamins Edgefield anticipates.

- 2. Promote an adequate level of economic development and a diversified employment base within the City of Troutdale.**

McMenamins and the Reynolds School District are the applicant for the map amendments. According to the applicant, they will encourage and promote continued growth of existing development with a diversified employment base with future development opportunities.

McMenamins employs a very diverse workforce that includes service, hospitality, brewers and vintners, property managers, landscapers, musicians, artisans, etc.

Reynolds School District will employ teachers and administrators as well as related service people.

GOAL 10 HOUSING

Metro set a housing goal for the City of Troutdale in 1994 for 3,260 new dwelling units by year 2017. The areas for housing opportunities are represented by the Town Center, MPMU, HDR, and MDR plan map designations.

Because the County's agreement to sell the land to McMenamins, Ltd and Reynolds School District was made in 2005, the residentially zoned tax lots of the subject site have been excluded from the City's housing inventory since fiscal year 05-06. Based upon the City of Troutdale Fiscal Year 05-06 Housing Capacity Report, the residential planning area of the site might yield 498 more dwelling units (mixed-use, apartments, detached single family and/or rowhouse development). These units are not necessary to meet Metro's year 2017 housing goal because at the close of fiscal year 06-07, the city already had 298 dwelling units in excess of Metro's goal. This includes single family detached, town houses, duplex, triplexes, other types of attached, condos and apartments.

The Plan Map amendment will replace most of the HDR, and all of the MDR and MPMU with LDR. Reynolds School District is the buyer of the portion of the site that is proposed HDR and LDR: schools are conditional uses in the implementing residential zoning districts. For consistency, staff has recommended that Lot 6, which is being purchased by Reynolds, also be mapped LDR instead of HDR.

GOAL 11 PUBLIC FACILITIES AND SERVICES

The site has access to public utilities, police and fire protection. There are easements on the site for various public and private utilities: the proposed map amendments will not alter current levels of service. The land division requested will require alteration of some existing easements, as discussed in the staff report prepared for the subdivision (File 07-078B).

GOAL 12 TRANSPORTATION

As discussed under Goal 2 Land Use, the Plan Map amendments may have impacts on existing or proposed transportation systems and will not meet the Transportation Planning Rule without trip caps.

A traffic study was submitted with the application at the request of Multnomah County. The study, conducted by Kittelson & Associates, Inc., dated July 12, 2007, evaluates the changes in trip generation that the plan map amendments effect. Multnomah County's letter of September 4, 2007, states that the study is insufficient and thus the County "does not support the zone change application at this time." The County's comment does not automatically mean that the Planning Commission must recommend denial of the map amendments to the Council.

It is appropriate, however, that the applicant and the County regroup and that the applicant provide the additional traffic study information the County needs. The County in its written response did not provide enough information for staff to make specific findings about why the study is insufficient or what exactly the County wants or expects (mitigating conditions of approval) in order to recommend approval of the Comp Plan and Zoning District map amendments.

Goal 12 policies can be met with a trip cap, if warranted, based upon new information. Otherwise, as the site develops or redevelops, additional street dedication and improvements may be required as conditions of approval, including of the proposed subdivision (see the staff report for the land division, City File 07-078B).

GOAL 13 ENERGY CONSERVATION

The proposed map amendments do not change Goal 13 policies.

GOAL 14 URBANIZATION

The property is already within the urbanized area of Troutdale. Goal 14 policies are relevant to annexations and future expansions of the Urban Growth Boundary, not the proposed map amendments.

GOAL 15 - WILLAMETTE RIVER GREENWAY
GOAL 16 - ESTUARINE RESOURCES
GOAL 17 - COASTAL SHORELANDS
GOAL 18 - BEACHES AND DUNES
GOAL 19 - OCEAN RESOURCES

There are no resources governed by Goals 15, 16, 17, 18 and 19 within Troutdale.

TDC 15.050 B3. 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.

The applicant makes various statements in the narrative under this goal. Some of the statements do not correctly characterize the City's position as understood by staff. As such, a response to each statement is provided for the Planning Commission's and Council's consideration:

1. Applicant states: "The Comp Plan does not currently provide for a low-density residential designation or an open space designation on the Property."

Staff did recommend to the applicant that the Comp Plan map designation of Open Space be requested for the existing Open Space zoned area on the site. It's not that the City doesn't currently provide for Open Space designation on the property.

Staff did recommend that the Low Density Residential Plan map designation be requested for the lots that the Reynolds School District intends to buy. This recommendation was made based upon earlier discussions between staff and the Council at a work session about decreasing density within the City, as previously explained on page 6 of this report. Schools are permitted as conditional uses in any zoning district, however, and again, it is not that the City doesn't have LDR planning areas on this site. It's a question of appropriate Plan map designation based upon future needs for the City's development.

Staff finds that based upon the Comp Plan goals and policies, it is appropriate that the additional Open Space designation be applied to the areas of Lots 2 and 3 that abut developed residential areas.

2. Applicant states: "The Comp Plan also does not provide for other locations in the City with appropriate designations that could accommodate the existing development or allow for community service uses next to existing residential development."

Staff would add that the City does not expect that the McMenamins development and existing school uses (Edgefield Children's Campus and Arata School) to be moved elsewhere. It is appropriate that the McMenamins properties be within the Commercial planning area.

Community Service uses (schools) are possible in any zoning district. The LDR Plan Map designation (and R-7 zoning district) were recommended by staff for the Reynolds properties because they are next to existing residential development in the MDR and LDR Planning areas.

3. Applicant states: "The City has a need for low-density residential designations and a need to reflect in the Comp Plan lands that are zoned as open space."

The City does not have a need for more LDR designation. As explained under Goal 2 and Goal 10, the City does not need the residential plan areas on the subject site because housing goals are met. The LDR designation is a good “fit” adjacent to the abutting developments within the LDR and MDR planning areas.

The plan map amendment to change a portion of what is now mapped MDR to OS was recommended by staff to match existing Open Space zoning on a portion of the site (proposed Lot 2), and the current use of the land (recreational / golf course) is consistent with this plan map designation.

4. The applicant states: “The remaining portions of the Property will remain as commercial and high-density residential designations.”

McMenamins, as the buyer and applicant, has expressed a need for map amendments to Commercial to reflect the portion of the County farm and jail site that it is buying.

The applicant has not proposed a map change for Lot 6 (proposed) which is the site of the Arata School operated by the Multnomah County Education Service District. However, staff recommends that for consistency that Lot 6 also be mapped Low Density Residential (LDR) and not remain an isolated HDR area. It is staff’s understanding that the School District has no intent to change the use on Lot 6 to apartments.

5. The applicant states: “The proposed changes in designations are consistent with the projected needs for such lands to allow for economic development and future development, including community services uses such as public schools to serve adjacent residential areas. For these reasons, the application satisfies this criterion.”

Staff would like to note that the Reynolds School district provides educational services to more than just residents who are adjacent to the subject site. It would be misleading to think that schools on the subject site would be just for the adjacent residential areas.

Multnomah County has the opportunity to sell land that is no longer needed for the jail or the historical County poor farm uses: a good portion of that land is currently designated residential. Commercial uses are not permitted in residential planning areas. McMenamins will be able to expand its commercial venture provided the areas are designated Commercial.

TDC 15.050 B4. THE PLAN PROVIDES MORE THAN THE PROJECTED NEED FOR LANDS IN THE EXISTING LAND USE DESIGNATION.

The applicant’s statements for criterion B4 on page 13 of the narrative are consistent with the findings in the City’s land use inventory. Staff has consistently stated to the applicant and the

Council that the current Comprehensive Land Use Plan map provides more residential lands than are needed. This is explained under Goal 2 Land Use and Goal 10 Housing. The City doesn't even need the proposed Low Density Residential map designation on the subject site as schools and related community service uses are permitted in planning area's implementing zoning district as conditional uses. LDR designation is logical based upon the abutting development pattern in the City and in the City of Wood Village, which abuts the western portion of the site.

TDC 15.050 B5. USES ALLOWED IN THE PROPOSED DESIGNATION WILL NOT SIGNIFICANTLY ADVERSELY AFFECT EXISTING OR PLANNED USES ON ADJACENT LANDS.

The applicant responded to criterion B5 on page 13 of the narrative. Existing uses abutting the site include.

- Wood Village park and residential areas west of existing HDR, proposed LDR and OS Plan areas.
- Apartments east of proposed LDR planning area.
- Single family dwellings south of proposed Commercial and LDR Plan area.
- Apartments and condominiums east of proposed LDR Plan areas.

Staff is concerned that the map amendment to Commercial from MDR will remove a necessary buffer between developed residential lots south of the site, as explained in staff's discussion of the Open Space plan map designation on page 14 of this report. Staff is recommending that the OS plan map area be extended east of the current OS zoning.

The Open Space map designation will serve as a buffer between the existing residential uses on the adjacent lands and assuage concerns that have been voiced by neighboring property owners over many years. A commercial plan designation on the McMenamins property that abuts the LDR and MDR plan areas will undoubtedly raise concerns from abutting property owners about livability. Recreational uses, such as McMenamins golf course, which is already approved to expand within this area, are permitted in the Open Space planning area and such a map designation does not diminish McMenamins' opportunities for continued use of the land once it buys it.

In addition, the citizens of Troutdale may have the impression from the 2005 Parks Plans (and prior Plans) that the area immediately north of Sedona Park, (proposed Lot 3), which is identified as an area for a ridgeline trail and that includes a 7-acre grove of trees, was going to be reserved by the City of Troutdale for park use. Extending the OS Plan map designation for a minimal width along the southerly portions of proposed Lots 2 and 3 and to include the 7-acres of trees on Lot 3, will implement the intent of the Parks Plan. (See additional discussion on page 14 of this

report.) Even though the Reynolds School District objects to the OS plan map designation (and zoning district), staff holds that a minimal OS designation is necessary to meet criterion B5.

TDC 15.050 B6. 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 is correct that the site is served by City services and can be extended to serve future development on the site within the proposed Plan Map changes.

RECOMMENDATION FOR THE COMPREHENSIVE PLAN MAP AMENDMENTS

Staff recommends to the Planning Commission that it recommend to the City Council approval of the requested Plan Map amendments with the following changes:

1. Before the Council hearing on the map amendments, the applicant and the County shall regroup and the applicant shall provide the additional traffic study information the County needs in order to determine compliance with the TPR and County standards. If, based upon a revised traffic study, a trip cap is still warranted, a condition of 695 weekday p.m. peak hour trips shall be imposed on Lots 2 and 3.
2. The Open Space Plan Map designation shall be extended east of the current OS zoning and proposed Plan map designation as follows:
 - a. On proposed Lot 2, along the 210 foot contour line to the southerly property line, or for a width of at least 215.33 feet as measured north of the abutting lots in Cherry Ridge Tract Y and Lots 169, 170, 171, 172 and 173.
 - b. On the southerly 50 feet of proposed Lot 3.
3. Amend the Plan Map to Open Space on the easterly 300 feet of proposed Lot 3, encompassing a 7-acre area of trees.
4. Include proposed Lot 6 in the LDR designation along with the other lots being purchased by the Reynolds School District, instead of leaving it in HDR.

ZONING DISTRICT MAP AMENDMENT CRITERIA

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

TDC 15.050 C1. 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.

The applicant's response to this criterion begins on page 14 of the narrative.

The applicant has proposed General Commercial zoning for those areas of the site proposed to be designated Commercial, and R-7 zoning for those areas of the site proposed to be designated Low Density Residential.

As discussed under the Comprehensive Land Use Plan Map amendment criteria, the Plan Map designations and implementing zoning districts are appropriate for the uses anticipated under the ownership of McMenamins Inc. and the Reynolds School District.

Staff has recommended three changes to the proposed plan map changes, however, and if those changes are made, then the implementing zoning districts appropriate would be as noted:

- Open Space zoning within the extended Open Space planning areas in the southerly portion of proposed Lots 2 and 3.
- Open Space zoning on the easterly 300 feet of proposed Lot 3 that includes the 7-acres of trees identified in the 2006 Parks Master Plan.
- R-7 zoning on proposed Lot 6 to replace the existing A-2 zoning district.

TDC 15.050 C2. The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.

The commercial uses expected on the McMenamins Inc. properties are permitted within the proposed General Commercial zoning district. The applicant states (page 15 of narrative) that the size of the proposed GC area allows for the existing commercial uses and expansion, and that the Open Space zoning allows for the existing golf course use as an approved conditional use. Recreational uses are most appropriate in the Open Space zoning district, although some

recreational uses are permitted outright in the GC zoning district. Other uses, including the existing golf course, are conditional uses in the OS zoning district.

Schools, which are community service uses, are permitted in any zoning district, as conditional uses.

Parks and playgrounds are permitted uses in both the A-2 and R-7 zoning districts.

TDC 15.050 C3. Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property.

As discussed under the Plan Map amendment criteria, Multnomah County does not support the map amendments due to the increased trips generated on the County roads. City staff does not favor a conditional zoning district map amendment and believes that mitigation for increased trip generation is possible as conditions of development.

There are adequate public services to serve the uses allowed within the proposed zoning districts. Extension of these utilities will be conditions of future development and/or redevelopment.

TDC 15.050 C4. 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.

The applicant states (on narrative page 15) that "The application is specific to the Property and will have little or no impact on adjacent properties."

As discussed under the Plan Map amendment criteria, staff is concerned that the General Commercial zoning map change (from R-4 Attached Residential / Medium Density Residential) of land immediately adjacent to existing single family dwellings, will create a conflict, in the minds of Troutdale residents, if not in reality by development permitted outright in the GC zoning district. As such, staff is recommending that the proposed GC zoning should be separated from abutting residential zones by Open Space zoning.

For consistency with the other Reynolds' properties, Lot 6 should be rezoned from A-2 apartment Residential (HDR Plan map) to R-7 Single Family Residential (LDR Plan map) instead of left as A-2 Apartment Residential. Schools are conditional uses in the R-7 zoning district.

For consistency with the City Parks Plan and the livability of abutting development, staff is also recommending that the southerly 50 feet of proposed Lot 3 and the 7-acres of trees on proposed Lot 3 be zoned Open Space, not R-7 as proposed.

TDC 15.050 C5. The amendment will not be detrimental to the general interest of the community.

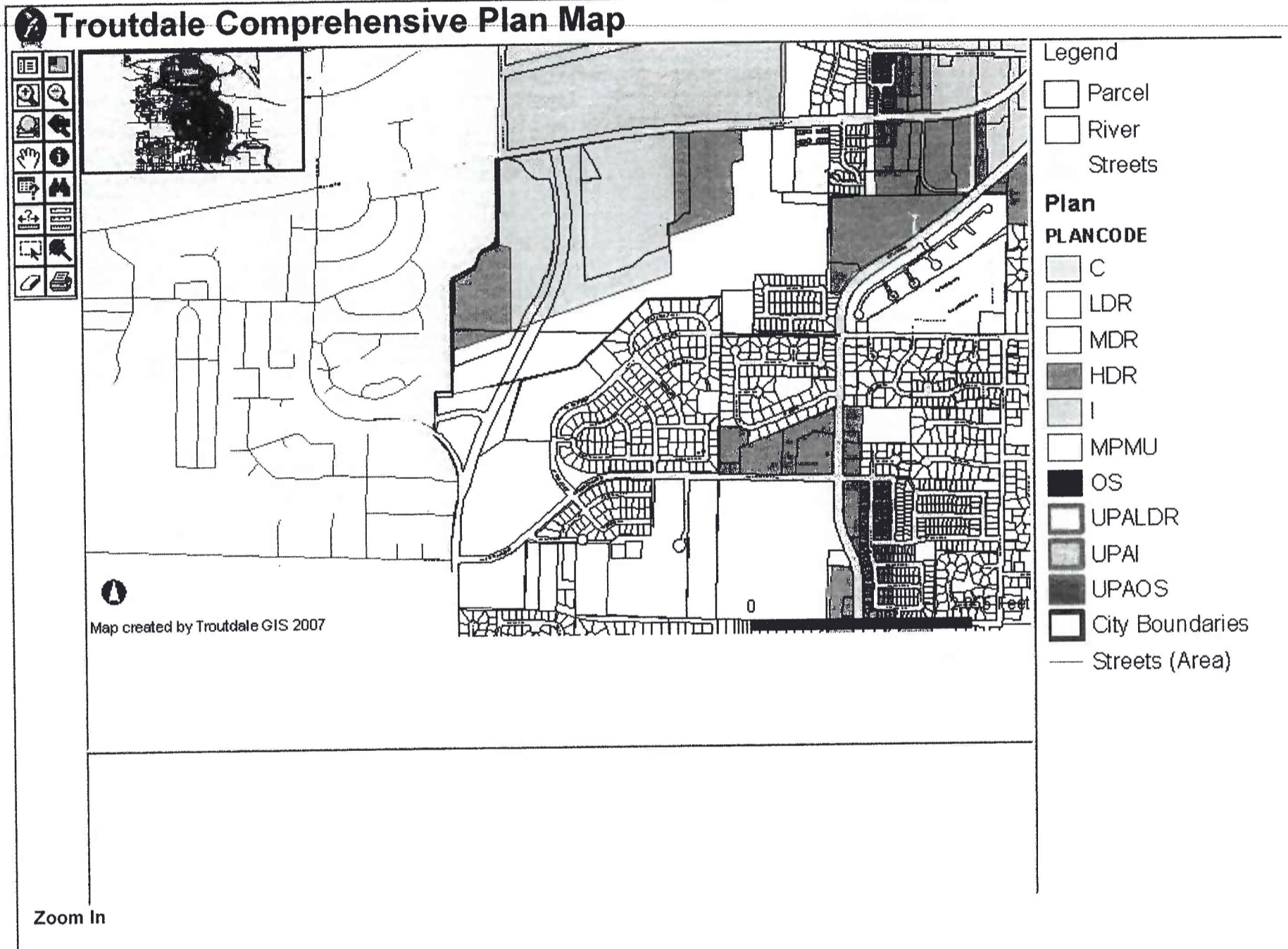
This criterion does not significantly differ from criterion 4. Staff has the same comments.

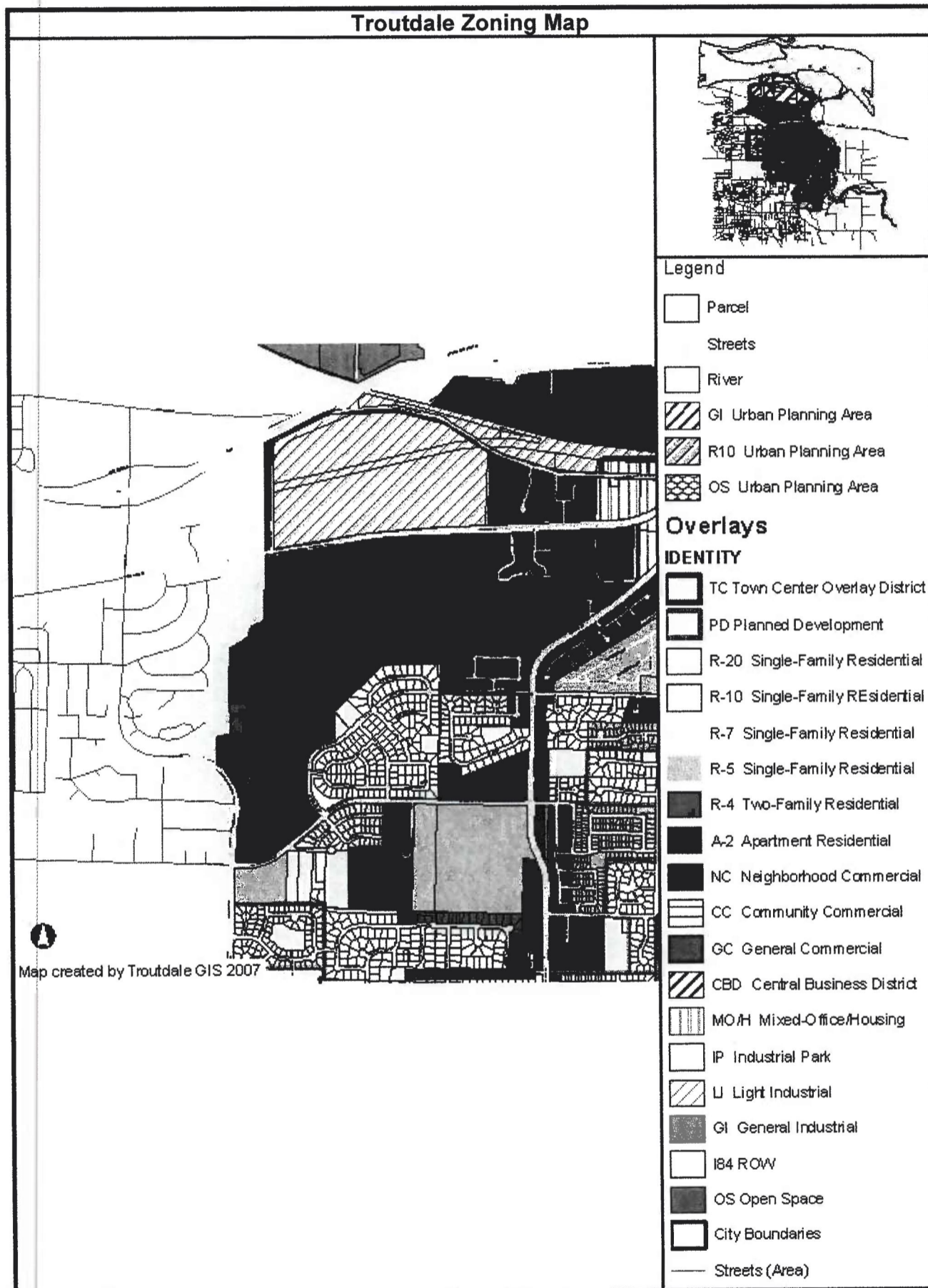
RECOMMENDATION FOR THE ZONING DISTRICT MAP AMENDMENTS

Staff recommends the Planning Commission recommend to Council approval of the requested zoning district map amendments with the following changes:

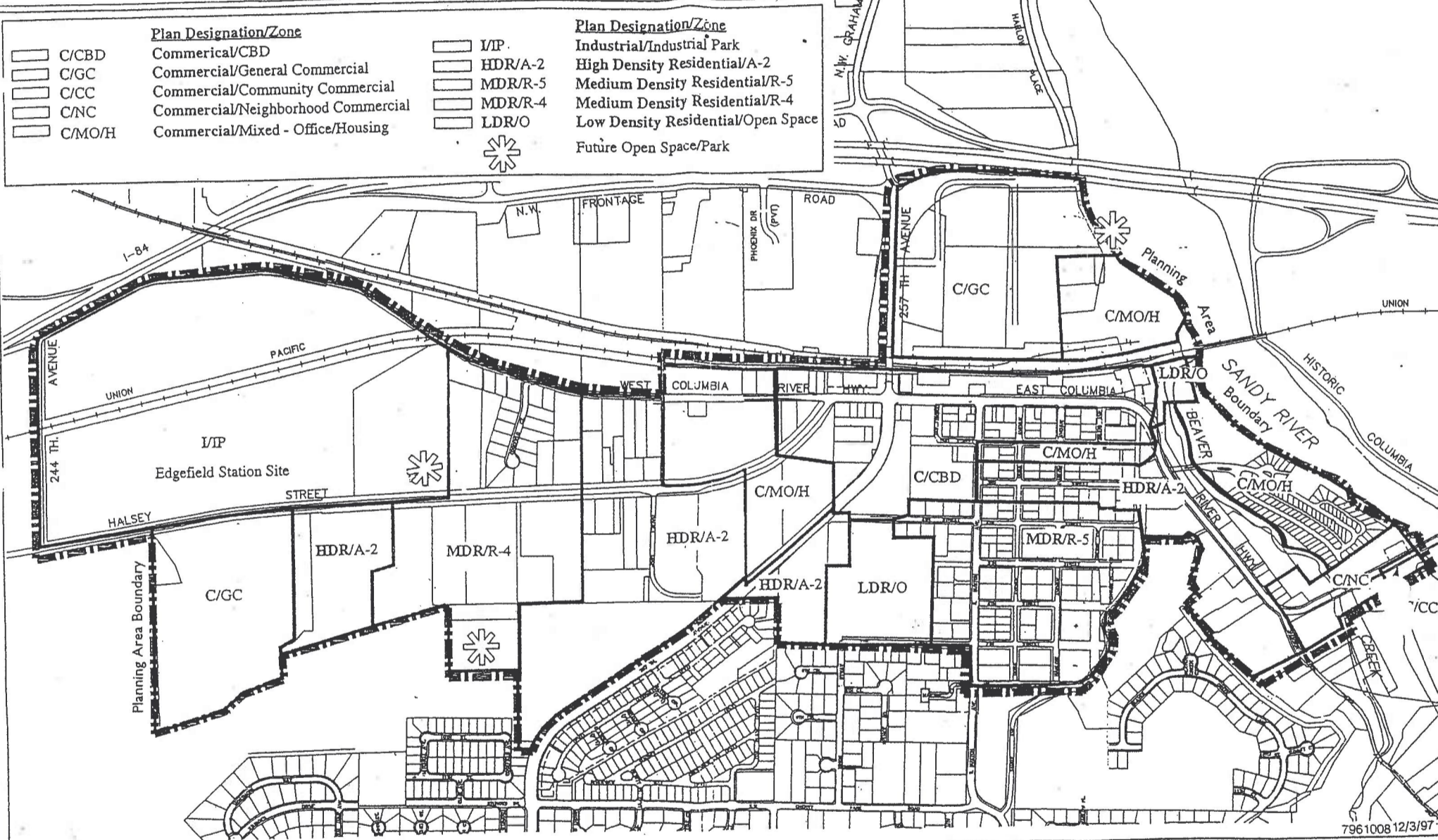
1. The Open Space zoning district be extended east of the current OS zoning as follows:
 - a. On proposed Lot 2, along the 210 foot contour line to the southerly property line, or for a width of at least 215.33 feet as measured north of the abutting lots in Cherry Ridge Tract Y and Lots 169, 170, 171, 172 and 173.
 - b. On the southerly 50 feet of proposed Lot 3.
2. The Open Space zoning be applied to the easterly 300 feet of proposed Lot 3, encompassing a 7-acre area of trees.
3. The R-7 zoning district be applied to proposed Lot 6 for consistency with the other lots being purchased by the Reynolds School District and the recommended Comprehensive Plan Map designation of LDR.

Draft Findings of Fact have been prepared for the Planning Commission's consideration for its recommendation to the City Council.





Plan Designation/Zone		Plan Designation/Zone	
	Commercial/CBD		Industrial/Industrial Park
	Commercial/General Commercial		High Density Residential/A-2
	Commercial/Community Commercial		Medium Density Residential/R-5
	Commercial/Neighborhood Commercial		Medium Density Residential/R-4
	Commercial/Mixed - Office/Housing		Low Density Residential/Open Space
			Future Open Space/Park

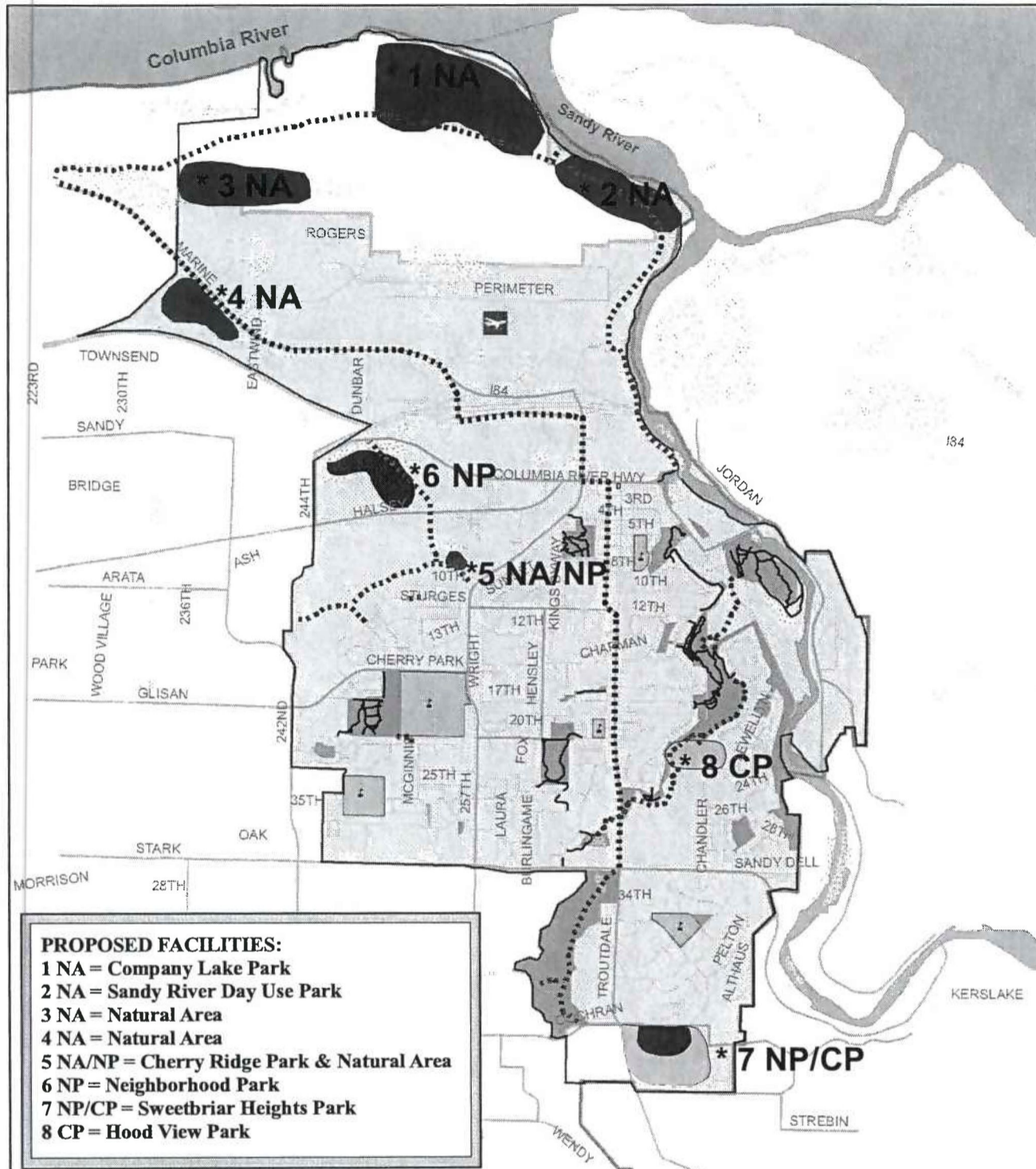


Base map from City of Troutdale, 1996

7961008 12/3/97

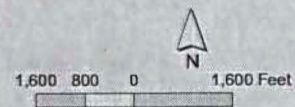
Troutdale Town Center Plan
Land Use Plan/Zoning





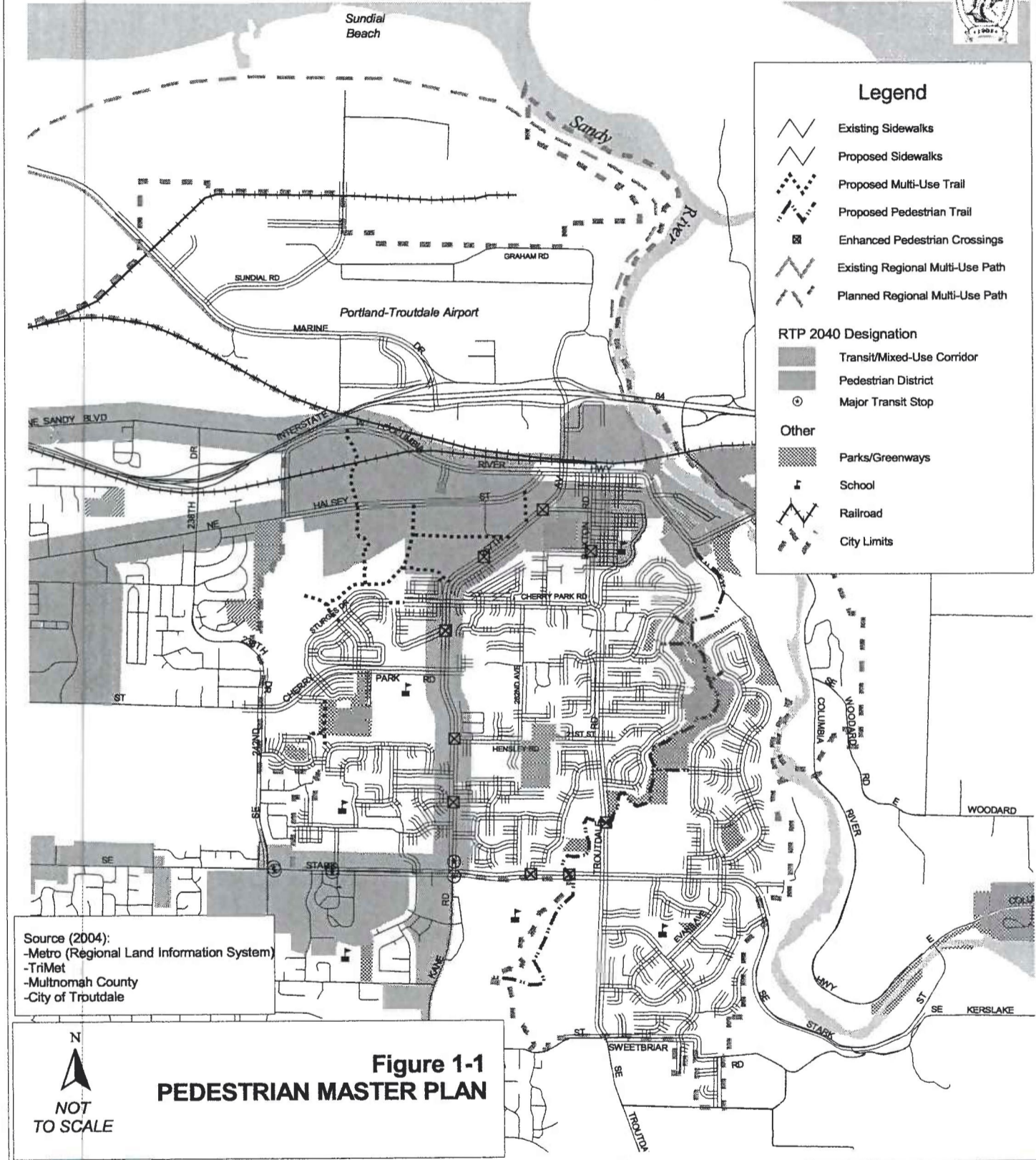
Map 5.2 Facilities Plan Parks Master Plan City of Troutdale

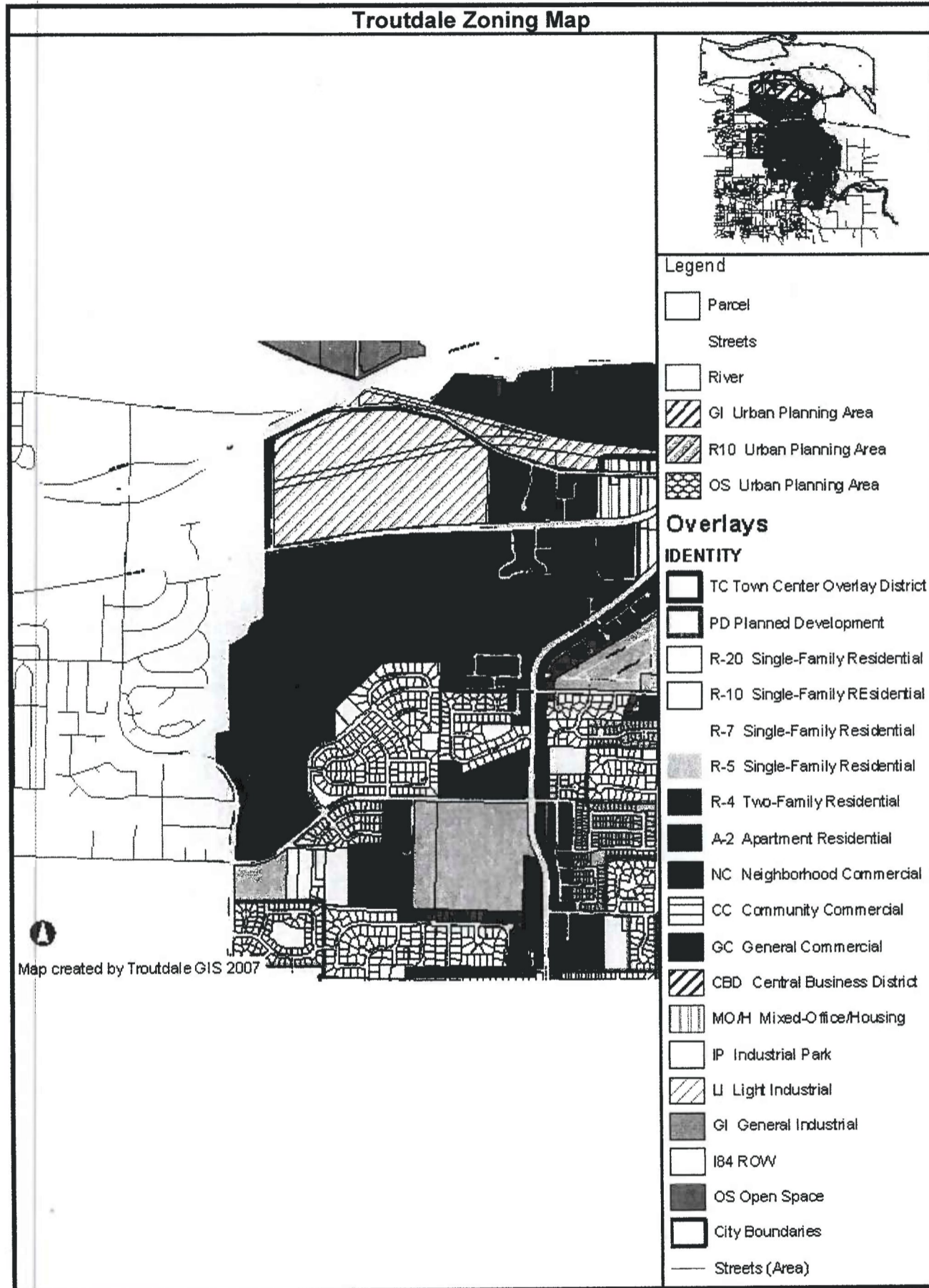
- | | | |
|--------------------------------|-----------------------------|-------------------------|
| Community Park | Proposed Trails | Wetlands |
| Natural Area | Regional 40 Mile Loop Trail | UGB |
| Neighborhood Park | Existing Trails | Planning Boundary |
| Existing Parks & Natural Areas | Bike Paths | Troutdale City Boundary |



Projection: NAD 1983 HARN/State Plane, Oregon North
Date: May 2006
Created by: CPW, Kristine Kilroy

**City of Troutdale
Transportation System Plan**





COMPREHENSIVE LAND USE PLAN AND ZONING DISTRICT MAP AMENDMENTS BY THE NUMBERS
FILE 07-078A

FROM these COMP PLAN / ZONES	TO these COMP PLANS /ZONES	PROPOSED ALLOCATION IN ACRES	PROPOSED LOTS
MPMU/A-2	LOW DENSITY RESIDENTIAL / R-7 SINGLE FAMILY RESIDENTIAL	5.78	Lot 3 @ 22.51 ACRES
MDR/R-4		21.51	Lot 5 @ 18.87 ACRES
C/GC		10.40	Lot 6 @ 3.65 ACRES
HDR/A-2		13.12	Lot 7 @ 5.78 ACRES
	LDR/R-7 TOTAL	50.81	50.81
HDR/R-4	COMMERCIAL / GENERAL COMMERCIAL	10.31	Lot 1 @ 25.88
HDR/A-2		6.00	Lot 2 @ 22.40
C/GC		35.39	Lot 4 @ 3.42
	C / GC TOTAL	51.70	51.70
MDR/R-4	OPEN SPACE / OPEN SPACE	2.00	Lot 2 @ 21.82
MDR/OS		19.82	
	OPEN SPACE TOTAL	21.82	21.82
	GRAND TOTAL	124.33	124.33

Community Development Department
City of Troutdale
104 SE Kibling Street
Troutdale, OR. 97060



*Attn: Plan Amendment Spec.
DLCD
635 Capital Street NE, #150
Salem, OR 97301-2540*