



# PLANNING COMMISSION

**July 10, 2024**

**Regular Meeting | 7:00 p.m.**

Troutdale Police Community Center – Kellogg Room  
234 SW Kendall Ct, Troutdale, OR 97060

## **UPDATED Agenda**

1. Call to Order, Roll Call, & Pledge of Allegiance
2. Public Comment on Non-Agenda Items
3. Chair and Vice Chair Elections
4. Review & Approval of Minutes
  - a. June 12, 2024, Meeting Minutes
5. Public Hearing
  - a. Case File No. LU-0012-2024 VAR 1557 Wright PL Proposal: The Applicant is seeking Variance approval to deviate 33% over the maximum allowed fence height within the front setback.
6. Development Code Amendments Discussion
7. Staff Communications
8. Commissioner Comments
9. Adjournment

## **Participation**

The public may attend the meeting in person or via Zoom. Please email [comdev@troutdaleoregon.gov](mailto:comdev@troutdaleoregon.gov) to request Zoom meeting access credentials.

This meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting to the City of Troutdale ([comdev@troutdaleoregon.gov](mailto:comdev@troutdaleoregon.gov) or 503-665-5175).



## **Meeting Minutes**

**June 12, 2024 | Regular Meeting**

Troutdale Police Community Center – Kellogg Room  
234 SW Kendall Ct, Troutdale, OR 97060

### **1. Call to Order, Roll Call, & Pledge of Allegiance**

Chair Staffenson called the meeting to order at 7:00 p.m.

**Commissioners Present:** Chair Tanney Staffenson, Vice Chair Shirley Prickett, Rich Allen, Zach Andrews, Kevin Minkoff, and Paul Wilcox.

**Commissioners Absent:** John Leamy (excused)

**City Staff Present:** Erika Palmer, Community Development Director; Nik Ramstad, Assistant Planning; KrisAnn Washington, Planning Administrative Assistant.

### **2. Public Comment on Non-Agenda Items**

None

### **3. Review and Approval of May Minutes**

#### **a. May 8, 2024, Regular Meeting**

Commissioner Wilcox submitted scrivener errors to the May 8, 2024, meeting minutes. No substantive changes.

*Motion: Vice Chair Prickett moved to adopt the May 8, 2024, meeting minutes. Commissioner Minkoff seconded. Motion Passed 6:0 (Commissioner Leamy, absent)*

### **4. Public Hearings**

Chair Staffenson read a description of the public hearing process.

#### **a. Case File LU-0009-2024 – CUP- Diplomat Motors**

### Opening of Hearing

Chair Staffenson opened the hearing for case file LU-0009-2024 -CUP—Diplomat Motors, a Type III Conditional Use land use application.

### Staff Report

Mr. Ramstad presented the staff report, findings of fact, and staff recommendation. For staff details, refer to the presentation and staff report.

Staff recommended approval of the application with three conditions from the planning department and two conditions from public works. Mr. Ramstad stated that the applicant must meet design and location requirements for short—and long-term bicycle parking. Also, if there are existing sidewalk defects along the site's frontages, the applicant will be required to come into compliance.

Staff proceeded to take questions from the Planning Commission.

Commissioner Minkoff asked if there are any safety requirements as the building ages. Mr. Ramstad stated that they would be permitted to use the building.

Chair Staffenson followed up, asking if the building would be inspected prior to receiving occupancy. Ms. Palmer stated that any tenant improvements would need a building permit and that the building department would look at all fire, life, and safety building code requirements at that time.

Commissioner Wilcox asked what the unmet conditions in section 6.320.D of the findings of fact were. Mr. Ramstad stated that the applicant must meet all bike parking requirements. Commissioner Wilcox stated that the minimum number of parking spaces is 16, but they have 28 parking spaces onsite. Does this mean that they only have 12 for the sale of vehicles? Mr. Ramstad clarified that this section is not for their inventory of vehicles for sale. It is for customers. Mr. Wilcox indicated that there are two access driveways on Sundial. Staff agreed.

Commissioner Allen stated that Public Works comments seem open-ended. Mr. Ramstad stated that usually after an application is approved, the applicant is contacted about Public Works comments. Commissioner Minkoff asked about the process of identifying public sidewalk defects or required ADA improvements. Chair Staffenson stated that Public Works makes those determinations.

Chair Staffenson stated that he reviewed the RV decision, and in the 1996 decision, the bike parking was for employees.

### Applicant Testimony

Joseph Trachuk—601 NE Provance Court, Camas, WA. Mr. Trachuk wants to make a positive impact on Troutdale.

Commissioner Minkoff asked the applicant if he had businesses in other locations. Mr. Trachuk stated that Diplomat Motors is currently located across from the Troutdale airport, and moving to this site will allow for business expansion. Commissioner Wilcox asked if there would be a repair shop in the building. Mr. Trachuk stated there would be a shop, but only for the mechanical side.

### Public Testimony

#### Proponents:

Alan Webb, 15511 SE Evergreen HWY, Vancouver, WA. Mr. Webb stated that he owns the property and that the existing building was constructed in 1996 and was a Saturn dealership. We were the first in the neighborhood, and the Troutdale mayor came to our opening. The existing building is set up for a dealership. A vacant commercial property is a magnet for homeless folks. We had to hire security to keep people off the property. Having a tenant in there would be good for the community. It is a great building, and Mr. Trachuk will take care of it, too. There will be no auto body work except "light" stuff like sanding and oil changes. Chair Staffenson asked about the landscaping along the frontage and if it will be maintained. Mr. Webb stated that they have contracted with a landscaping service once a week, and that area is watered. He stated that Mr. Trachuk may decide to install new flowers/plants.

#### Opponents

There were no opponents who testified.

#### Neutral Parties

There were no neutral parties who testified.

#### Applicant Clarification / Rebuttal

There were no clarifications/rebuttals.

#### Closure of Hearing

Vice Chair Prickett motioned to close the public hearing. Commissioner Andrews seconded. Motion passed. 6:0

#### Motion

***Motion: Vice Chair Prickett motioned to approve the conditions of approval for Land Use Case File LU 009-2024 Diplomat Motors, as submitted, seconded by Commissioner Andrews.***

Chair Staffenson asked for a discussion on the motion. Chair Wilcox asked for clarification on the bicycle parking. Was the applicant required to install one covered and one uncovered bicycle space? Mr. Ramstad stated that the applicant would be required to install one uncovered bicycle parking space, such as a traditional bike rack

outside, and one covered bicycle space, which could be inside or outside with a cover. There was no additional discussion. Motion approved 6:0.

*Motion: Vice Chair Prickett motioned to approve the findings of fact and final order for Land Use Case File LU 009-2024 Diplomat Motors, as submitted, seconded by Commissioner Allen.*

Chair Staffenson asked for a discussion on the motion. Commissioner Allen stated that the use fits the property, and having a business at this location instead of a vacant site is positive for the community. There was no additional discussion. The motion was approved 6:0.

## 5. Discussion Items

### a. Climate Friendly Equitable Communities Update

Ms. Palmer shared a short presentation with PC. She reviewed the three policy options to choose from.

Commissioner Minkoff asked if the employer supplies free parking, would they need to pay all employees? MS. Palmer stated that an employer would only pay an employee who doesn't utilize a parking space on a daily basis.

Ms. Palmer stated that under the Fair Pricing Approach, the city could utilize the option to tax a commercial parking lot. Troutdale does not currently have a commercial parking lot. The Department of Land Use Conservation and Development (DLCD) has stated that developing a program would satisfy this section under the Fair Pricing Approach, Option 2.

Commissioner Minkoff asked what is the difference between option 1 and option 3? Chair Staffenson responded to the question. Option 1 would repeal all minimum parking requirements, while Option 3 would repeal "some" parking minimum requirements. However, if Option 3 is implemented, the city would also need to develop a program to unbundle parking.

Ms. Palmer shared a map of vacant lots but warned that the map is not current because the data is not up to date. There are not many vacant parcels south of Halsey. There is a parcel north of the Shell station along 257<sup>th</sup>. Most of the vacant parcels are north of the Halsey corridor and within the Troutdale Reynolds Industrial Park (TRIP), except the Confluence site.

Commissioner Andrews asked if the URA site falls under the no parking mandates area. Ms. Palmer stated that the city can't mandate parking within a half-mile walk or "As the Crow Flies" from a frequent transfer bus route. Troutdale only has one such route, which is line 77.

Commissioner Minkoff stated that the conclusion of this discussion is that parking minimums will be eliminated because the State mandates it.

Ms. Palmer stated that the state is regulating parking minimums. The question we should focus on is what regulations Troutdale can choose from that will have the least impact on residents.

Ms. Palmer stated that a business questionnaire was sent to employers with 50 or more employees in May. Troutdale has seventeen employers that meet this threshold. One employer no longer exists in Troutdale, which has brought the number of employees down to 16. Out of 16 employers, the city has heard back from four as of this date. Out of those four who responded, only one business indicated that they were an employee who rode transit daily. Ms. Palmer stated that she would keep working to get data from employers about their employees' use of alternative transportation modes.

Commissioner Minkoff had questions about unbundled parking. Who pays for parking, and how much can a property owner charge its tenants for parking spots?

Ms. Palmer stated that an unbundling approach to parking would mean tenants pay for parking, and according to Oregon Administrative Rule (OAR), it is \$50 per space per month.

Commissioner Minkoff asked what the tax rate on a commercial parking lot would be if it went to the state. The minimum is 10%, which would go into a city fund for alternative transportation projects.

Commissioner Wilcox stated that Troutdale qualifies for option No. 4 whether we have commercial lots or not.

Ms. Palmer agreed with that statement. The city needs to create a program now for the future use of a commercial parking lot. This program will allow the city to meet the requirements.

Chair Staffenson stated that Option 2, numbers 3 and 4, would be the least damaging option for Troutdale residents.

Ms. Palmer stated that if the Planning Commission would like to pursue this option, it would be good to update the City Council in a work session and then proceed to update the development code. The deadline to adopt the code changes is June 30<sup>th</sup>, 2025.

Commissioner Minkoff stated that the Community Advisory Committee needs to get this information out to the community.

Chair Staffenson stated that if there is no parking at the Confluence, that will be a regional problem.

Ms. Palmer clarified and stated that any development in the Confluence site would have the option to put in parking. To have a successful site, parking will be needed.

Ms. Palmer then confirmed that the Planning Commission recommends Option 2—Fair Policies as the better option out of the three. The commission supports the flexible commute benefits and the tax on parking lot revenue.

Chair Staffenson stated that a work session after the first of the year with the new City Council would be appropriate so there wouldn't be a need to go through this information twice.

## 6. Staff Communications

Ms. Palmer shared that last Friday was First Friday, and it was the second-highest June First Friday event since 2021. Troutdale Art Festival had substantial numbers, too. feedback on the survey from the Community Development booth. Visitors came from around the region and the Netherlands, too. Sandy River Front Trail went out to bid this week and will close on July 11, 2024. One new pre-application conference is scheduled for a new development opportunity in Old Town. It may or may not turn into a development application. Away Days Brewing is working on the old City Hall Building. Home Forward will break ground in a couple of weeks. The Home Forward building will have roughly eighty-six tenant parking spaces and access to the public street.

## 7. Commissioner Comments

Commission Allen - no comments.

Commission Andrews - no comments.

Vice Chair Prickett - no comments.

Commissioner Wilcox commented that if staff is still taking comments on Use Tables, notice that fuel stations are permitted in the general commercial zone, which can affect residential development. The code would allow for the Safeway fueling station to occur again. A Conditional Use Permit for Fueling Stations in the General Commercial zone may be more appropriate. He also questioned the permitted outright agriculture and animal-based uses within that zone.

Commissioner Minkoff - no comments

Chair Staffenson stated that the next big project is working on CFEC and the other code changes, but Use Tables needs to get moving as soon as possible. It will be on the agenda in July.

## 8. Adjournment

***Motion: Vice Chair Prickett moved to adjourn the meeting, and Commissioner Minkoff seconded. Motion passed. 6:0***



DATE OF NOTICE: June 07, 2024  
 DATE OF HEARING: July 10, 2024

FILE NUMBER / NAME **LU-0012-2024 1557 SW Wright Pl**

APPLICATION TYPE Type III Variance

PROJECT APPLICANT Asmamaw Misikir PROPERTY OWNER Same as applicant

PROJECT LOCATION 1557 SW Wright Pl TAX MAP / TAX LOT # 1N3E35AA -05907

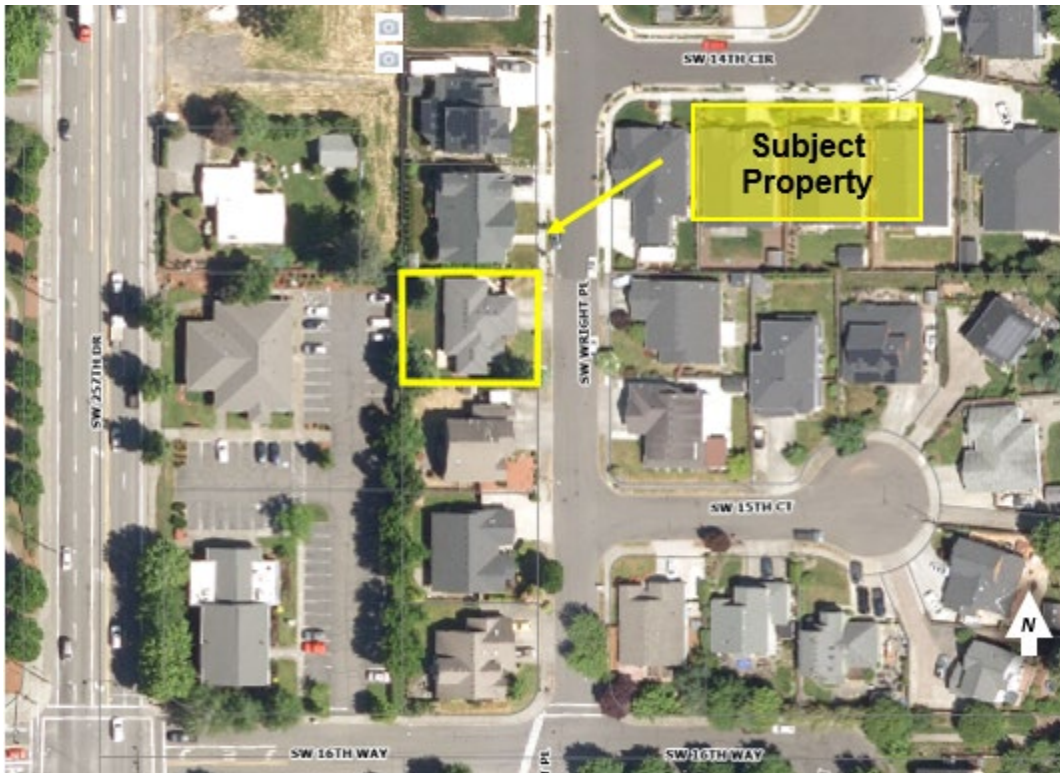
COMPREHENSIVE PLAN DESIGNATION Low Density Residential (LDR) LAND USE ACTIVITY Variance

ZONING DISTRICT Low-Density Residential (LDR-2) OVERLAY DISTRICT None

**PROPOSAL**

The Applicant is seeking **Variance** approval to deviate 33% over the maximum allowed fence height within the front setback (TDC 5.050 (A)(2)) at the subject property. This will be a retroactive variance as the fence and gate are already built, prior to receiving approval. The fence under review has been placed along the entirety of the applicant’s front property line and extends along a brief segment of the side property lines before connecting with the previously existing (and code compliant) fence. Where the property line intersects the driveway is a gate that allows the fence to open and close, so vehicles can access the property. The fence and gate in question is composed of black chain-link fence with black slats and is approximately 6 feet in height. The Troutdale Development Code (TDC) states that fences within residentially zoned properties may not exceed four (4) feet in height if located in a required front setback. The applicant is requesting a fence of six (6) feet in height in the required front setback. 1557 SW Wright Pl is located in the LDR-2 zoning district and has a 20 foot front setback requirement.

**VICINITY MAP**





**STREET VIEW – Google 2023**



View of the subject property looking west from SW Wright Pl.

**APPLICATION HISTORY**

No pre-application meeting was held for this application. The applicant submitted their application on May 16, 2024, and it was deemed complete May 30, 2024. A *Notice of Public Hearing* was sent to affected review entities and nearby property owners within 500 feet of the property in question on June 07, 2024. The public hearing is scheduled for July 10, 2024.

**PROCEDURE**

This application will undergo a Type III quasi-judicial procedure. [TDC 2.060] This procedure requires a Public Hearing and Planning Commission review in order to be adopted. The Planning Commission is the decision-making entity for this application and may approve, approved with conditions, or deny this application. Nearby property owners, relevant review entities, and other stakeholders have been notified accordingly. [TDC 2.075 - 2.090]

**APPLICABLE CRITERIA**

Listed below are governing standards that shall apply:

- *Troutdale Development Code (TDC): Ch. 1* Introductory Provisions; **Ch. 2** Procedures for Decision Making; **Sec. 3.113** Low-Density Residential (LDR-2); **Sec. 5.050** Fences, Walls and Windscreens; **Sec. 6.1325** Type III Variance; **Ch. 17** General Provisions.
- *City of Troutdale Comprehensive Land Use Plan*
- *Construction Standards for Public Works Facilities*
- Building and Fire Codes

CITY OF TROUTDALE | STAFF REPORT

REVIEW ENTITY COMMENTS

Listed below are review entities who received the Notice. If the entity provided comments, they can be found in a corresponding attachment.

| Review Entity | Comments                             | Review Entity                     | Comments   |
|---------------|--------------------------------------|-----------------------------------|------------|
| Planning      | See Findings of Fact and Final Order | Gresham Fire & Emergency Services | No Comment |
| Building      | No Comment                           |                                   |            |

OTHER COMMENTS

The City received comments from nearby property owners during the comment period. Please see the Findings of Fact and Exhibits 1 and 2 for more details.

RECOMMENDATION

For this application, Staff recommends Planning Commission vote for *approval with conditions*.

Staff has prepared a draft *Findings of Fact and Final Order* document, outlining how the decision criteria for this application were satisfied, along with proposed conditions of approval as outlined by the review entities. Any subsequent approvals from the City shall not be issued until all conditions listed in the attachments are adequately addressed as determined by the appropriate review entity. Planning Commission reserves the right to amend the draft and proposed conditions unless other governing documents or agreements state otherwise.

PROPOSED CONDITIONS OF APPROVAL

City of Troutdale Planning Division

1. Applicant shall be required to satisfy the comments made by review entities included in the corresponding staff report or shall work with Staff to reach an agreement between the parties.
2. The approval of case file LU-0012-2024 shall expire automatically two (2) years from the effective date of the decision unless the approval is enacted either through construction, establishment of use, or recordation of plat or survey within the specified time period. The effective date of the decision shall be the date of the Notice of Decision, unless such decision is appealed.
3. The applicant shall relocate the fence to be fifteen (15) feet from the street curb line to maintain the clear vision area and ensure compliance with TDC 5.050.

GENERAL INQUIRIES

For more information, please contact Nik Ramstad at 503-674-7261 or [nik.ramstad@troutdaleoregon.gov](mailto:nik.ramstad@troutdaleoregon.gov).



FILE NUMBER / NAME **LU-0012-2024 1557 SW Wright PI**

APPLICATION TYPE Type III Variance

PROJECT APPLICANT Asmamaw Misikir PROPERTY OWNER Same as applicant

PROJECT LOCATION 1557 SW Wright PI TAX MAP / TAX LOT # 1N3E35AA -05907

COMPREHENSIVE PLAN DESIGNATION Low Density Residential (LDR) LAND USE ACTIVITY Variance

ZONING DISTRICT Low-Density Residential (LDR-2) OVERLAY DISTRICT None

**PROPOSAL**

The Applicant is seeking **Variance** approval to deviate 33% over the maximum allowed fence height within the front setback (TDC 5.050 (A)(2)) at the subject property. This will be a retroactive variance as the fence and gate are already built, prior to receiving approval. The fence under review has been placed along the entirety of the applicant’s front property line and extends along a brief segment of the side property lines before connecting with the previously existing (and code compliant) fence. Where the property line intersects the driveway is a gate that allows the fence to open and close, so vehicles can access the property. The fence and gate in question is composed of black chain-link fence with black slats and is approximately 6 feet in height. The Troutdale Development Code (TDC) states that fences within residentially zoned properties may not exceed four (4) feet in height if located in a required front setback. The applicant is requesting a fence of six (6) feet in height in the required front setback. 1557 SW Wright PI is located in the LDR-2 zoning district and has a 20 foot front setback requirement.

**PROCEDURE**

This application will undergo a Type III quasi-judicial procedure. [TDC 2.060] This procedure requires a Public Hearing and Planning Commission review in order to be adopted. The Planning Commission is the decision-making entity for this application and may approve, approved with conditions, or deny this application. Nearby property owners, relevant review entities, and other stakeholders have been notified accordingly. [TDC 2.075 - 2.090]

**APPLICABLE CRITERIA**

Listed below are governing standards that shall apply:

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- *City of Troutdale Comprehensive Land Use Plan*
- *Construction Standards for Public Works Facilities*
- Building and Fire Codes

**PUBLIC COMMENTS**

**HongAnh Nguyen, June 19 2024, Exhibit #1**

**Summary of Comment:** The submitted comment includes concerns of the height and color of the fence not being consistent with the character of the neighborhood, as well as general comments about the nature of 1557 SW Wright being a care home facility. Notably, the concerns regarding the use of a care home are related to a client’s behavior. The comment notes that the gate to the driveway is rarely closed. HongAnh Nguyen submitted this comment, however there are 6 other signatures of neighboring residents who concur with the submitted comment. See exhibit #1 for more details.

**Staff Response:** The color and materials of the applicant’s fence are permitted per TDC 5.050 (A)(4). “Fences and retaining walls shall be constructed of wood, brick, masonry cement, chain link, plastic, wrought iron, or similar residential-type materials. The use of barbed wire, sheet metal, or other non-residential materials are prohibited.”

The use of a care home (or residential facility) is an outright permitted use within the LDR-2 zone (TDC 3.120), provided that the applicant has obtained the necessary and required license from the state. The applicant has provided their 24 hour residential facility license from the Oregon Department of Human Services as a part of their submittal materials for this application.

**Ronda Judd, June 21, 2024 Exhibit #2**

**Summary of Comment:** The comment expresses concurrence with the above public comment provided by HongAnh Nguyen. In addition, the comment raises concern over a black pole installed along the curb in front of 1557 SW Wright Pl. See Exhibit 2 for more details.

**Staff Response:** Upon inspection of the black pole, it appears to be the post of a retired basketball hoop. Using the data archive of provided by google street view, the pole has been in this location since at least 2007 and is not a product of the applicant.

**FINDINGS OF FACT**

- Planning Commission received public testimony from Staff, the Applicant, and members of the public at the July 10, 2024 hearing.
- The Findings of Fact contained herein are derived from the specific decision criteria outlined in Section 6.1300 of the Troutdale Development Code and are hereby adopted as the Findings of Fact in this matter.
- The Final Order has been reached and [REDACTED] of the application [REDACTED] is hereby issued.

**FINDINGS OF FACT–CONDITIONAL USE [TDC 6.320]**

**6.1325** The Planning Commission may grant a variance under the Type III procedure if the request involves expansion or reduction of a quantifiable provision in this Code by more than fifteen (15%); or if the request is referred to the Planning Commission in accordance with Section 6.1335 of this Chapter. The variance shall be granted only if the Planning Commission determines that the criteria in Section 6.1315 of this Chapter are met.

- A. Special circumstances or conditions including, but not limited to, lot size, lot shape, topography, or size of shape of building, apply to the property, development, or to the intended use and are not typical of the general conditions in the surrounding area; and**

**FINDING:** The applicant has indicated that 1557 SW Wright Pl is a care home that retains a client whose behavior includes running out to traffic and injuring himself and others. The client has been diagnosed on the autism spectrum and is unaware of traffic and environmental danger. A letter has been provided by a licensed professional counselor (Courtney Slater, MS, LPC, BrigaCare) recommending that the client live in a home surrounded by a 6 foot or higher fence (see attachment). The applicant has indicated that the distance from the driveway to the sidewalk is short, and that the client may hurt themselves, or others, due to reasons related to their diagnosis. This particular situation is not typical of the neighborhood and can be aptly characterized as a special circumstance. **As such, this criterion is met.**

- B. The variance authorized will not be injurious to adjacent properties or the surrounding neighborhood or otherwise detrimental to the public welfare; and**

**FINDING:** Approving the fence within the front setback to 6 feet may be injurious to the nearby property owners because the fence is currently within the clear vision triangle per TDC 5.040 (B)(2). The clear vision triangle is intended to maintain safety for pedestrians walking by, bicyclists riding by, and for automobiles accessing the subject property or driving by the house. By installing a 6 foot fence up to the curb, it becomes difficult for not only pedestrians, bicyclist, and motorists to determine if vehicle traffic is leaving the driveway of 1557 SW Wright Pl,

CITY OF TROUTDALE | Findings of Fact & Final Order

but it is also dangerous for any individual leaving the subject property’s driveway due to the lack of vision the fence creates. It is therefore recommended that the applicant move the fence back 15ft from the street curb line per TDC 5.040(B)(2) to ensure compliance with the City of Troutdale’s clear vision standards.

The applicant argues that increasing the height of the fence within the front setback will ensure the safety of the neighborhood by keeping the above referenced client contained. Moving the fence out of the clear vision triangle will still allow for the fence to secure the property per the professional counselor’s recommendation, with the additional boon of increasing visibility and safety for all who pass by or utilize the driveway of 1557 SW Wright Pl.

**As such, this criterion can be conditionally met.**

- C. The variance authorized will be consistent with the general purpose and intent of the provision from which a variance is sought; and**

FINDING: The general purpose of a fence is to enclose and provide privacy. If the variance is authorized, the general purpose and intent of the fence can still be achieved. **As such, this criterion is met.**

- D. The variance is the minimum necessary to relieve a practical difficulty with full compliance and to avoid or minimize the resulting hardship.**

FINDING: Increasing the fence height in the required setback from 4 ft to 6 ft is the minimum necessary avenue for relief from the provisions of this code. Per the licensed professional counselor’s recommendation, a 6 ft fence is required to enclose the house for not only the client’s safety, but for those nearby as well, due to their diagnosis. No other remedy, or relief, from the code’s provisions offers as simple and straightforward of a solution to the special circumstance outlined in criteria A, than the variance that is currently being sought. **As such, this criterion is met.**

**FINAL ORDER & DECISION**

**FINAL ORDER**

Based upon the foregoing Findings of Fact, the Troutdale Planning Commission [redacted] the Variance for Case File No. LU-0012-2024 1557 SW Wright Pl on the count of all decision criteria being met, subject to the conditions of approval as stated herein.

**DECISION**

The Planning Commission hereby adopts these Findings of Fact as stated and has voted to approve the Application as described in the Final Order above and subject to the conditions of approval as stated herein.

This decision shall expire two (2) years from the date of this Final Order.

**YEAS:**

**NAYS:**

**ABSTAINED:**

**ABSENT:**

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Tanney Staffenson, Planning Commission Chair

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Date

### **CONDITIONS OF APPROVAL**

#### **City of Troutdale Planning Division**

1. Applicant shall be required to satisfy the comments made by review entities included in the corresponding staff report or shall work with Staff to reach an agreement between the parties.
2. The approval of case file LU-0012-2024 shall expire automatically two (2) years from the effective date of the decision unless the approval is enacted either through construction, establishment of use, or recordation of plat or survey within the specified time period. The effective date of the decision shall be the date of the Notice of Decision, unless such decision is appealed.
3. The applicant shall relocate the fence to be fifteen (15) feet from the street curb line to maintain the clear vision area and ensure compliance with TDC 5.050.

Exhibit #1 Public Comment

June 19, 2024

File number/Name: LU-0012-2024 1557 SW Wright Place

To The City of Troutdale

We are residents living along the 1500 block of SW Wright Place in Troutdale Oregon. As a group, we would like to formally complain about the fence enclosing the front part of the property at 1557 SW Wright Place.

The fence was installed in May 2024 by the owner without giving notice to the neighbors. With the structure being higher than permitted by Residential zoning. The fence in question is approximately six feet high and was covered black materials. It is not in keeping with the general appearance consistent with a residential neighborhood.

When various neighbors addressed the fence and its structure to the property owner, Mr. Asmamaw Misikir. He responded that it was to protect the neighborhood from a resident in his facility who is "mentally delayed" and is violent. This adult resident appeared to be a young gentleman, had caused property damage to his facility and threw rocks which damaged the neighbor's car. We understand his concern, however the gate is rarely closed. Despite the fence, police have still shown up to the property to address this resident's disrupted and violent behavior. The structure of the fence is characteristic of a storage facility, which is out of keeping with the residential character of the neighborhood.

Our neighborhood is zoned for residential single-family housing. The current residents are a mix of retired individuals, mature families and young families with multiple children. We are concerned about the safety environment of our neighborhood, given the stated purpose of the fence as well as the related response required from the police and sheriff.

In conclusion, we just want this fence built Compliance with current zoning requirements.

① Hong Anh Nguyen  
1568 SW Wright Place  
503-975-0484

② Trinitiy Sage  
1558 SW Wright Pl.  
503-888-7101

③ Jim & Sheryl Gilbert  
1050 SW 14th Cir.  
Troutdale, OR 97060  
~~503~~ 360-608-0270

⑦ Jim & Jennifer Kelley  
998 SW 15th Ct.  
Troutdale, OR 97060

④ Jim Jones 1495 SW Wright Pl.  
503-267-7778

⑤ Mark & Sue Baheme  
1010 SW 14th Creech  
Troutdale, OR 97060  
(503) 809-7358 (Sue)

⑥ Duat Nguyen  
1561 SW Wright Pl  
Troutdale, OR 97060  
503-491-0108

~~210-108~~ 503-512-8621

## Exhibit #2 Public Comment

**From:** [Ronda Judd](#)  
**To:** [Nikolas Ramstad](#)  
**Subject:** Neighbors Fence and Associated Black Pole next to Curb Strip  
**Date:** Friday, June 21, 2024 12:24:23 PM

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To the City of Troutdale

We are one of the neighbors living close to the fence in question on SW Wright. I was not available when the other neighbors signed the letter of complaint and would like you to know that we are in total agreement with every thing stated.

We would also like to bring your attention to a matching black pole which was installed in curb strip and has no apparent purpose. It is next to the purple car in picture. It is as tall as the black fence and of the same materials.

We would assume that the City has control of what is placed in that area. Based on the rules surrounding what trees they required to be planted.

We would appreciate that pole be considered also at that hearing.

Thank you for your consideration.

Steve and Ronda Judd  
1535 SW Wright Place