



## **CITY of THE DALLES**

313 COURT STREET  
THE DALLES, OREGON 97058

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(541) 296-5481 ext. 1125  
COMMUNITY DEVELOPMENT DEPARTMENT

# **AGENDA**

## **CITY OF THE DALLES PLANNING COMMISSION**

CITY HALL COUNCIL CHAMBERS  
313 COURT STREET

THE DALLES, OREGON 97058

CONDUCTED IN A MEETING ROOM IN COMPLIANCE WITH ADA STANDARDS

**THURSDAY, AUGUST 2, 2018**

**6:00 P.M.**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. APPROVAL OF AGENDA**

**IV. APPROVAL OF MINUTES – June 21, 2018**

**V. PUBLIC COMMENT**

**VI. LEGISLATIVE HEARING**

Application Number: ZOA 97-18 by City of The Dalles. This application is a request to amend The Dalles Municipal Code, Title 10 Land Use and Development. The purpose is to bring the City's development regulations into compliance with state law and to encourage the development of a range of needed types of housing. The changes seek to remove unnecessary barriers to the development of accessory dwelling units, townhomes, duplexes and triplexes, while maintaining important standards that regulate the form and character of new development.

**VII. RESOLUTION**

Resolution 576-18 approving ZOA 97-18: Recommendation for City Council approval of various housing code amendments to the The Dalles Municipal Code, Title 10 – Land Use and Development

**VIII. STAFF COMMENTS**

Next regularly scheduled meeting: August 16, 2018

**IX. COMMISSIONER COMMENTS OR QUESTIONS**

**X. ADJOURNMENT**



## **CITY of THE DALLES**

313 COURT STREET  
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125  
PLANNING DEPARTMENT

# **MINUTES**

## **CITY OF THE DALLES PLANNING COMMISSION**

CITY HALL COUNCIL CHAMBERS

313 COURT SREET

THE DALLES, OREGON 97058

CONDUCTED IN A MEETING ROOM IN COMPLIANCE WITH ADA STANDARDS

**THURSDAY, JUNE 21, 2018**

**6:00 P.M.**

### **CALL TO ORDER**

Chair Lavier called the meeting to order at 6:00 p.m.

### **ROLL CALL**

Commissioners Present: Sherry DuFault, Bruce Lavier, Mark Poppoff, Jeff Stiles and Steve Ross

Commissioners Absent: John Nelson and Brent Bybee

Staff Present: Planning Director Steve Harris and City Attorney Gene Parker

Public in Attendance: Two

### **APPROVAL OF AGENDA**

Commissioner Stiles moved to approve the agenda as written. Commissioner Ross seconded the motion; the motion passed unanimously.

### **APPROVAL OF MINUTES**

Commissioner DuFault moved to approve the minutes of May 3, 2018; Commissioner Stiles seconded the motion. The motion passed unanimously.

### **PUBLIC COMMENT**

None.

### **DISCUSSION**

Director Harris stated a new Planning Commissioner was appointed, Brent Bybee.

Director Harris introduced City Manager, Julie Krueger. Krueger presented Effective Meeting Techniques. The presentation included bad and good habits, procedural rules, commission and staff rules and responsibilities, and parliamentary procedure. Krueger provided "Parliamentary Motions – Quick Reference," Exhibit 1, and "Questions to Improve Discussions," Exhibit 2.

Director Harris asked the Commission if they would like to explore adoption of bylaws or rules of procedure. Chair Lavier stated he would prefer to retain flexibility in the meetings. Commissioner Stiles noted the option to extend the meeting would remain. Commission consensus was to review rules of procedure for possible adoption.

### **STAFF COMMENTS**

Director Harris stated the next regularly scheduled meeting is July 5, 2018; there are no public hearings scheduled. The subsequent meeting is scheduled July 19, 2018. At this time there are no hearings scheduled.

Director Harris said a public workshop may be scheduled to receive input and share information on proposed code amendments. Tentative dates were July 10-12, 2018, or July 19, 2018.

The Blum appeals are scheduled for City Council, one on June 25, 2018, and one on July 9, 2018.

A new Associate Planner has been hired. A job offer was made for a Planning Tech position. If accepted, the position will begin in late July.

### **COMMISSIONER COMMENTS OR QUESTIONS**

Commissioner Stiles asked why a stop sign was installed on 19<sup>th</sup> Street in front of Dry Hollow. Director Harris will follow up with Public Works.

Chair Lavier asked if there was any feedback on the Dry Hollow School project. Harris replied it was successful. Staff has received public comments. The School District will report back to the Commission this summer.

Chair Lavier asked what mechanism was in place to make a decision on the traffic plan. Harris replied two aspects were involved: financing and mechanics. The decision will come from the City Engineer and the School District.

Commissioner Ross shared input from his employees. Employee consensus was the first couple of days were chaotic, but then improved significantly. They were most appreciative for police presence and the manner in which the police interacted with the community. Commissioner Stiles said he had received similar comments.

Commissioner Stiles stated some property owners on E. 19<sup>th</sup> Street were concerned they would lose property. City Manager Krueger replied that was never part of the City's proposal.

### **ADJOURNMENT**

Chair Lavier adjourned the meeting at 7:06 p.m.

Respectfully Submitted  
Paula Webb, Planning Secretary

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Bruce Lavier, Chair

## Parliamentary Motions – Quick Reference

### THIRTEEN RANKING MOTIONS

**PRIVILEGED MOTIONS** relate to the rights or privileges of the organization or individual members rather than to particular items of business. They are of such urgency that they are entitled to immediate consideration.

**SUBSIDIARY MOTIONS** may be applied to another motion for the purpose of modifying it, delaying action on it, handling its consideration, or disposing of it.

**MAIN MOTIONS**, the basis of all parliamentary procedure, bring business before the assembly for consideration and action. They can be introduced only when no other business is pending.

NAME OF MOTION		May it interrupt when another has the floor?	Does it require a second?	Is it debatable?	Is it amendable?	What vote is required for adoption?	May it be reconsidered?
Privileged	Fix the Time to Which to Adjourn	No	Yes	No	Yes	M	Yes
	Adjourn	No	Yes	No	No	M	No
	Recess	No	Yes	No	Yes	M	No
	Raise a Question of Privilege	Yes	No	No	No	C	No
	Call for the Orders of the Day	Yes	No	No	No	C	No
Subsidiary	Lay on the Table	No	Yes	No	No	M	Neg Only
	Previous Question	No	Yes	No	No	2/3	Yes
	Limit or Extend Limits of Debate	No	Yes	No	Yes	2/3	Yes
	Postpone to a Certain Time (Definitely)	No	Yes	Yes	Yes	M	Yes
	Commit (Refer to a Committee)	No	Yes	Yes	Yes	M	Yes
	Amend	No	Yes	Yes*	Yes	M	Yes
	Postpone Indefinitely	No	Yes	Yes	No	M	Aff Only
MAIN MOTION		No	Yes	Yes	Yes	M	Yes

\* Is debatable if applied to a debatable motion

M = Majority

C=Chair handles

The privileged and subsidiary motions have precedence in the order listed, from highest to lowest, when a main motion is pending. Several of the privileged and subsidiary motions may also be made when no business is pending, in which case they are main motions. The unqualified motion to adjourn is generally privileged whether or not a main motion is pending. Further details about all of these motions may be found in RONR.  
(Based on Robert's Rules of Order Newly Revised (RONR) 11<sup>th</sup> edition)

## Parliamentary Motions – Quick Reference

### Incidental and "Bring Back" Motions

**INCIDENTAL MOTIONS** are made in response to a variety of situations that may arise during the consideration of a pending question. They must be resolved before business can continue. They have no rank.

**MOTIONS THAT BRING A QUESTION AGAIN BEFORE THE ASSEMBLY**, sometimes called "**Bring Back**" Motions, return a question to the assembly for further consideration and action.

Listed below are the motions of these classes that are used most often.

NAME OF MOTION		May it interrupt when another has the floor?	Does it require a second?	Is it debatable?	Is it amendable?	What vote is required for adoption?	May it be reconsidered?
Incidental	Point of Order	Yes	No	No	No	C	No
	Appeal from a Decision of the Chair	Yes	Yes	Yes**	No	M-	Yes
	Suspend the Rules	No	Yes	No	No	2/3	No
	Objection to Consideration of a Question	±	No	No	No	2/3-	Neg. only
	Division of a Question	No	Yes	No	Yes	M	No
	Consideration by Paragraph or Seriatim	No	Yes	No	Yes	M	No
	Division of the Assembly	Yes	No	No	No	C	No
	Parliamentary Inquiry – Requests Parliamentary Advice	Yes	No	No	No	C	No
	Request for Information – Requests Factual Information	Yes	No	No	No	C	No
Bring Back	Take from the Table	No	Yes	No	No	M	No
	Rescind/Amend Something Previously Adopted	No	Yes	Yes	Yes	2/3 M	Neg. only
	Reconsider	±	Yes	Yes*	No	M	No

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± Is in order if another has been assigned the floor but has not begun to speak

\* Is debatable if applied to a debatable motion

\*\* Is usually debatable, see RONR

M-

Majority in the negative is required to reverse the

decision of the chair

2/3 in the negative is required to sustain the objection

2/3 or majority of the membership without notice or

majority with notice

Majority

Chair handles

## **Questions to Improve Discussions**

### **To Open Discussion**

“Could we clarify the terms connected with this topic?”

“What do you think the general idea or problem is?”

“What are the elements essential to understanding the topic?”

“Would anyone care to offer suggestions on information needed to better understand the topic or problem?”

### **To Broaden Participation**

“Now that we’ve heard from some of the members, would others who haven’t spoken like to add their ideas or concerns?”

“How does the information presented so far sound to those of you who have been thinking about it?”

### **To Limit Participation**

“Your comments are appreciated, but it would be nice to hear from some of the others who haven’t spoken yet.”

“You’ve made some good statements. Is there someone else who may want to add something?”

“Would you please hold your comments until some of the other members have had an opportunity to speak?”

### **To Focus Discussion**

“Where are we in relation to our goal for this discussion?”

“Would you like me to review (or recap) my understanding of the discussion and the progress we’ve made?”

“I appreciate your comment, but it may not be on target for the issue we’re discussing. Could we re-focus our attention to the issue?”

#### To Help the Group Move Forward

“Have we resolved this problem well enough to shift our attention and consider this additional portion of the question?”

“In view of the lengthy agenda, should we look at the next question (issue) before us?”

“Do we need additional information before this question can be decided? Should this item be postponed?”

#### To Help the Group Reach a Decision

“Am I correct in sensing there is agreement on these points/this question?”

“Since we seem to be moving toward a decision, should we discuss what it will mean if we decide in this way?”

“What have we accomplished in our discussion so far?”

“Has everyone presented their concerns at this time?”

#### To Lend Continuity to a Discussion

“Since we considered this question at the last meeting, would someone like to review what was already discussed?”


“Since we can’t reach a decision at this meeting, what are some of the points for discussion at the next meeting?”

“Would someone care to suggest points needing further clarification or study?”

**City of The Dalles  
Planning Commission Staff Report**

**Amendments to the Municipal Code,  
Title 10 - Land Use and Development**

**ZOA 97-18**

Prepared by: Dawn Marie Hert, Senior Planner 

Procedure Type: Legislative

Hearing Date: August 2, 2018

Request: Housing Needs Analysis Code Amendments to the Municipal Code, Article 10 -Land Use and Development

Properties: All properties within the City of The Dalles Urban Growth Boundary

Applicant: City of The Dalles – Community Development Department

**BACKGROUND INFORMATION**

The City of The Dalles Municipal Code, Title 10- Land Use and Development, previously referred to as the Land Use and Development Ordinance 98-1222 or (LUDO), is the City's regulatory code for all land use located in The Dalles Urban Growth Boundary. The attached memorandum entitled ***Housing Needs Analysis Code Amendments - City of The Dalles*** refers to the previous code name of Land Use and Development Ordinance (LUDO).

In 2017, the City of The Dalles completed a Housing Need Analysis (HNA) which considered and recommended a range of proposed amendments to the land use code. Staff worked with Angelo Planning Group to identify and prioritize specific areas of the land use code that would be amended for short-term implementation. The objective for this group of amendments is to provide more housing options to meet the needs identified in the adopted HNA; ensure that our land use code is consistent with statewide housing goals, administrative rules and statutes; and reduce barriers for development of specific housing types which are already allowed and supported by the City and State.



This group of amendments was presented at two work sessions of the Planning Commission on April 19, 2018 and May 17, 2018. Comments from that session have been reviewed and incorporated in the amendments, where appropriate. A public Open House was also held on July 19, 2018 at the Civic Auditorium.

This application is a legislative action under the provisions of Article 3.110 - Ordinance Amendments – 10.3.110.020 – Review Procedures and 10.3.020.060(A)(2) – Ordinance Amendments.

## **NOTIFICATION**

Notice of this public hearing was published in The Dalles Chronicle on July 21, 2018.

## **COMMENTS**

Discussion at the public Open House included questions on accessory dwelling units, duplexes and increased density.

### **A. CITY OF THE DALLES MUNICIPAL CODE – TITLE 10 - LAND USE AND DEVELOPMENT**

#### **I. PROCEDURE**

##### **a. Article 10.3.010.040 Applications:**

**FINDING #1:** This application is initiated by the Director pursuant to the provisions of Section 10.3.010.040 F.

##### **b. Article 10.3.020.060 Legislative Actions:**

###### **Section A. Decision types. 2. Ordinance Amendments:**

**FINDING #2:** This application is for Ordinance Amendments per Article 10.3.110.

**Section B. Public Hearings.** The Commission shall hold at least one legislative public hearing to review applications for legislative actions and, by duly adopted resolution, make a recommendation to the Council to approve, approve with conditions, or deny the request.

**FINDING #3:** The public hearing has been set for August 2, 2018.

##### **d. Article 10.3.020.060 Legislative Actions:**

**Section C. Notice of Hearing.** At least 10 days before the legislative hearings, notice of the hearing shall be published in a newspaper of general circulation.

**FINDING #4:** A notice of hearing containing the information required was published in The Dalles Chronicle on July 21, 2018.

##### **e. Notice of Hearing as required by ORS 227.186.**

ORS 227.186 requires that all property owners whose property is rezoned must be provided notice at least 20 days, but no more than 40 days, prior to the date



of the first hearing. For purposes of this provision, rezone includes any change that limits or prohibits uses previously allowed in a zone.

**FINDING #5:** Staff has determined that none of the proposed amendments comes within the definition of rezone as contained in the statute. Notices were not required.

**f. Notice of Amendments as required by the State of Oregon, Department of Land Conservation and Development.**

The Department of Land Conservation and Development requires a 35 day advance notice of any proposed amendments.

**FINDING #6:** The required notice was sent on June 28, 2018.

**g. Section 10.3.020.070(A)(3) Staff Report.**

A staff report shall be presented which identifies the criteria and standards applying to the application and summarizes the basic findings of fact. The staff report may also include a recommendation for approval, approval with conditions, or denial.

**FINDING #7:** The staff report has identified the criteria and standards as they relate to this application and has summarized the basic findings of fact. The staff report does include a recommendation for approval.

**II. REVIEW**

**a. Section 10.3.110.030 Review Criteria**

Proposed text amendments shall be consistent with the Comprehensive Plan, and State Laws and Administrative Rules.

**FINDING #8:** The City of The Dalles has broad discretion to adopt zoning textual changes. Each of the proposed amendments is consistent with the Comprehensive Plan, State Laws, and Administrative Rules.

**B. COMPREHENSIVE PLAN**

**1. Goal #1. Citizen Involvement. To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.**

**Policy 3. The land-use planning process and policy framework shall include opportunity for citizen input as a part of the basis for all decisions and actions related to the use of land.**

**FINDING #9:** This proposal is consistent with goals and policies of the Comprehensive Plan. A notice of public hearing has been published, and the public has an opportunity to provide testimony on the proposed changes to the Commission. The Commission can make alterations to the proposed amendments based on testimony at this hearing. There will be another public hearing before the Council, and that body will also have the opportunity to consider testimony from citizens and make changes.

**2. Goal #2. Land Use Planning. To establish a land use planning process and policy framework as a basis for all decisions and actions related to use**

of land and to assure an adequate factual base for such decisions and actions.

**Policy 6. Implement this Plan through appropriate ordinances and action. Implementing measures shall be developed to allow administrative review and approval authority.**

**FINDING #10:** These amendments update the existing zoning code, following the directive of the Comprehensive Plan.

**3. Goal #10. Housing. To provide for the housing needs of citizens of the state.**

**Policy 1. Plan for more multi-family and affordable home ownership opportunities, including small lot single family residential, townhomes and manufactured housing development consistent with the City's Housing Needs Analysis.**

**FINDING #11:** These proposed amendments are consistent with the Comprehensive Plan policy #1 by increasing the opportunity for multi-family, townhomes and small lot single family residential lots in accordance with the 2017 Housing Needs Analysis.

**Policy 2. Plan for the more efficient use of vacant land by encouraging infill development which is sensitive to existing neighborhoods and by encouraging new development which achieves the density allowed by the comprehensive plan.**

**FINDING #12:** These proposed amendments are consistent with the Comprehensive Plan policy #2 by expanding the opportunities for Accessory Dwelling Units (ADU's) in residential zones, reducing the lots sizes for housing types as well as providing clear and objective design criteria for infill development. These proposed changes will allow for infill development to help achieve the density as allowed by the Comprehensive Plan.

**Policy 8. Flexibility in implementing ordinances is needed to accommodate infill and to foster a variety of development scenarios and housing options.**

**FINDING #13:** These proposed amendments are consistent with the Comprehensive Plan policy #8 by providing flexibility for a variety of housing types and development scenarios. Proposed amendments include reductions in minimum lot area, minimum site area per dwelling unit as well as a reduction in minimum lot width in residential zones. The proposed changes to the standards will encourage the development of ADU's, Duplexes, Triplexes, and Townhomes.

Also to ensure compliance with the Fair Housing Act and state law, Residential Care Homes are being added as 'Primary Uses Permitted Outright'.

**Policy 9. Provide for development of a wide range of housing types which may include single-family detached and attached housing, townhouses, apartments and condominiums, and manufactured housing. Housing types shall allow for a variety of price ranges to meet the needs of low, medium, and high income groups.**

**FINDING #14:** These proposed amendments are consistent with the Comprehensive Plan policy #9 by increasing the opportunities for development of a wide range of housing types.

**Policy 16. Development standards in all density areas shall be revised in order to permit more flexibility in site planning and development. New standards shall consider flexibility for lot sizes, setbacks, accessory residential uses on the same lot, parking, alleyways and other development features.**

**FINDING #15:** These proposed amendments are consistent with the Comprehensive Plan policy #16 by revising the land use code to allow for flexibility by allowing reduced lot sizes and setbacks to encourage duplexes, triplexes and townhomes as well as expanding ADU allowances.

### **C. DISCUSSION**

The attached memorandum entitled ***Housing Needs Analysis Code Amendments - City of The Dalles*** details the proposed amendments to the code, which include a variety of changes.

All of the proposed amendments are subject to revision or deletion. The Commission will forward a recommendation on the amendments to the City Council. The final decision on all the proposed amendments will be made by the City Council.

### **STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission recommend to the Council the approval of the amendments as shown on the attached memorandum entitled ***Housing Needs Analysis Code Amendments - City of The Dalles***, with any additional changes from the Commission.



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MEMORANDUM

## Housing Needs Analysis Code Amendments City of The Dalles

DATE July 25, 2018  
TO City of The Dalles Planning Commission  
FROM Steven Harris and Dawn Hert, City of The Dalles  
Matt Hastie and Jamin Kimmell, Angelo Planning Group

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The purpose of this memo is to propose amendments to the City of The Dalles Land Use and Development Ordinance (LUDO) to implement housing strategies to support current and future housing needs. These strategies were identified as part of the City's Housing Needs Analysis (HNA), which was updated in 2017. The HNA considered and recommended a range of regulatory and non-regulatory strategies and the amendments proposed herein were prioritized for short-term implementation. The main objectives of these amendments are to:

- Provide more housing options to meet the needs identified in the City's adopted Housing Needs Analysis
- Ensure consistency with statewide housing goals, administrative rules and statutes
- Reduce barriers to developing specific types of housing which are already allowed and supported by the City and state

This memo is organized into five sections corresponding to five strategies that were selected for implementation. The purpose of each strategy is described below. The associated number of the strategy in the Housing Strategies Report of the HNA is provided for reference.

1. **Accessory Dwelling Units:** Amend development standards and other requirements to encourage development of Accessory Dwelling Units (LUDO Strategy #6 in HNA).
2. **Duplexes, Triplexes, and Townhomes:** Make selected amendments to development standards to encourage development of these attached single-family and multi-family housing types (LUDO Strategy #3 in HNA).
3. **Residential Care Facilities:** Revise use regulations to ensure compliance with the Fair Housing Act and state law (LUDO Strategy #1 in HNA).
4. **Neighborhood Compatibility Standards:** Revise standards to ensure compliance with state requirements for clear and objective standards that regulate needed housing (LUDO Strategy #2 in HNA).

5. **Expedited Permitting for Affordable Housing:** Provide expedited permitting for qualifying affordable housing projects to facilitate development and ensure compliance with the recently enacted Oregon Senate Bill 1051 (Non-Regulatory Strategy #3 in HNA). This strategy can be implemented by adoption of an ordinance and does not necessitate amendments to LUDO.

The proposed LUDO amendments are presented in each section in ~~strikeout~~/underline format (~~deleted or moved~~/added) format. Sections not amended are omitted unless needed for context.

## 1. ACCESSORY DWELLING UNITS

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### PROPOSED AMENDMENTS

#### CHAPTER 6: GENERAL REGULATIONS

##### Section 6.030: Accessory Development

##### 6.030.030 Accessory Dwellings

- A. Purpose. Accessory Dwelling Units (ADU) are allowed in certain situations to:
- Create new housing units while respecting the look and scale of single-family development;
  - Increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives;
  - Allow more efficient use of existing housing stock and infrastructure;
  - Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
  - Provide a broader range of accessible and more affordable housing.
- B. Applicability. An ADU may be located in a detached accessory structure, an attached addition to a primary dwelling, or within a space internal to a primary dwelling, such as a converted basement. A garage may be converted to an ~~accessory dwelling unit~~ ADU provided that the off-street parking requirement for the primary dwelling unit continues to be met. ADUs are permitted subject to the following provisions:
1. In the RL zone, ~~Accessory dwellings one ADU are is allowed permitted~~ outright as an accessory use to a permitted single-family ~~residential development~~ dwelling.
  2. In the RM, RH, NC, and CBC zones, ADUs are permitted as follows:
    - a) One ADU may be permitted outright as an accessory use to a permitted single-family attached or detached dwelling.
    - b) Two ADUs may be permitted on the same lot as a permitted single-family attached or detached dwelling if one ADU is in a detached accessory structure and the other ADU

is either internal to the house or in an addition attached to the house, and the lot has a minimum area of 5,000 square feet. An application for a second ADU on a single lot must be reviewed as an Administrative Action.

c) Duplex. One detached ADU is permitted outright as an accessory use to a duplex if the lot has a minimum area of 5,000 square feet. An application for an ADU on a lot with an existing duplex must be reviewed as an Administrative Action.

3. In the CG and CLI zones, one ADU is permitted outright as an accessory use to an existing non-conforming single-family dwelling.

C. Development Standards. In addition to the applicable standards in the zoning district, ADUs must meet the following development standards.

~~A. Occupancy. The owner of the lot must occupy either the principal residence or the accessory unit unless otherwise exempted by the Director.~~

~~B. 1. Drainage, Sanitary Sewer and Water. Adequate provision shall be made for drainage, water and sewage waste.~~

~~C. 2. City Ordinances. The accessory dwelling unit ADU shall meet all applicable City Ordinances.~~

~~E. 3. Lot Requirements. The lot requirements (width, depth, area, coverage, etc.) on which the principal residence primary dwelling and accessory dwelling unit ADU are located shall be met.~~

4. Front Setbacks. Detached ADUs must be located behind a line established parallel with the front building line of the primary dwelling.

5. Rear Setbacks. The minimum rear setback for an ADU may be reduced to 5 feet if the structure is less than 15 feet in height or the rear lot line abuts an alley.

~~G. 6. Entrances. The entrance to the accessory dwelling unit shall be oriented to minimize impacts on and protect the privacy of adjacent properties.~~ Privacy Standards. The following standards are intended to protect the privacy of adjacent properties. Privacy standards are required along wall(s) of a detached ADU, or portions thereof, that are within 20 feet of a side or rear lot line that faces a residential property. A detached ADU meets the privacy standard if either of the following standards is met.

(a) All windows on a wall are placed in the upper third of the distance between a floor and ceiling. This standard applies to windows on exterior doors.

(b) Visual screening is provided along the portion of a property line that faces the wall of the ADU, plus an additional 10 lineal feet beyond the corner of the wall. The screening shall be opaque; shall be at least 6 feet high; and may consist of a fence, wall, or evergreen shrubs. Newly planted shrubs shall be no less than 5 feet above grade at time

of planting, and they shall reach 6 feet high within 1 year. Existing features on the site may be used to comply with this standard

~~E. Design Compatibility. The accessory dwelling unit shall be compatible with the primary dwelling unit through the use of similar exterior design and materials, color and roof pitch.~~

~~F. 7. Accessory Unit Maximum Size. The accessory dwelling unit's gross floor area of the ADU shall not exceed 60~~75% ~~of the gross floor area of the primary dwelling unit (exclusive of garage[s] and unfinished basements) up to a maximum floor area of 6800 square feet. All areas being used as living space shall be counted toward the maximum allowance of 6800 square feet, whether or not those areas were originally built or intended to be used for habitation. In the case of a duplex, the size of the accessory dwelling unit may be no more than 75% of the living area of the smaller of the two primary units or 800 square feet, whichever is less. Two exceptions to this maximum size are permitted:~~

~~a) Basement ADUs. The total floor area of a basement of the primary dwelling may be used as the ADU, provided the basement area does not exceed the size of the primary dwelling.~~

~~b) Large Lots. On lots zoned RL that are at least 10,000 square feet and include an existing primary dwelling, the gross floor area of the ADU may be up to 1,000 square feet or 60% of the living area of the primary dwelling, whichever is less.~~

~~H. 8. Parking. No off-street parking needs to be provided for the accessory dwelling unit for one ADU on a single lot, so long as the parking requirement for the primary dwelling units is are met. A second ADU on a single lot must provide one off-street parking space in addition to the spaces required for the primary dwelling unit. However, should If off-street parking be is provided, the parking area shall not be located within any required front or side yard, other than existing and/or approved driveways.~~

~~I. Garage Conversions. A garage may be converted to an accessory dwelling unit provided that the off-street parking requirement for the primary dwelling unit continues to be met~~

~~J. Accessory Dwellings Allowed per Lot. Only one accessory dwelling unit shall be allowed per lot, or per contiguous lots under one ownership which are developed as one lot.~~

~~K. 9. Addressing. The accessory dwelling ADU shall be legally addressed with the street address of the primary dwelling plus the designation "Suite B".~~

~~L. Accessory dwellings are allowed in duplexes only with a Conditional Use Permit.~~



## 2. DUPLEXES, TRIPLEXES AND TOWNHOMES

### PROPOSED AMENDMENTS

#### CHAPTER 5: ZONE DISTRICT REGULATIONS

##### Section 5.010: RL - Low Density Residential District

###### 5.010.060 Development Standards

RL Low Density Residential	Standard
Lot Size Single Family Detached Corner Duplex Small Lot Single Family Attached Row House	5,000 sq. ft. minimum <del>42,500</del> sq. ft. per dwelling unit 4,000 sq. ft. minimum with density transfer 3,200 sq. ft. minimum with density transfer
Lot Width Lot Width - Corner Duplex	50 ft. minimum <del>325</del> ft. minimum per dwelling, each unit shall front on a separate street
Lot Depth	65 ft. minimum average

##### Section 5.020: RH - High Density Residential District

###### 5.020.060 Development Standards

RH High Density Residential	Standard			
	One Dwelling Unit per Lot	Two Dwelling Units per Lot	Three Dwelling Units per Lot	Four or More Dwelling Units per Lot
Minimum Lot Area	3,500 sq. ft. <b>OR</b> <del>2,850</del> sq. ft. for small lot and townhouse clusters (3-8 units)	<del>54,000</del> sq. ft.	<del>86,000</del> sq. ft.	10,000 sq. ft.
Minimum Site Area per Dwelling Unit	3,500 sq. ft. <b>OR</b> <del>2,850</del> sq. ft. for small lot and townhouse clusters (3-8 units)	2,500 sq. ft.	2,500 sq. ft.	1,500 sq. ft.
Minimum Lot Width	35 ft. <b>OR</b> <del>285</del> ft. for small lot and townhouse clusters (3-8 units)	<del>540</del> ft.	<del>7560</del> ft.	75 ft.
Minimum Lot Depth	65 ft.	65 ft.	85 ft.	85 ft.

###### 5.020.080 Open Area

Open Area requirements shall apply to all development with ~~34~~ or more dwelling units per lot.

A minimum of 30% of the gross lot area shall be developed as permanent open area. [...]

### Section 5.030: RM - Medium Density Residential District

#### 5.030.060 Development Standards

RM Medium Density Residential	Standard			
	One Dwelling Unit per Lot	Two Dwelling Units per Lot	Three Dwelling Units per Lot	Four or More Dwelling Units per Lot
Minimum Lot Area	4,000 sq. ft. <b>OR</b> 3,500 sq. ft. for small lot and townhouse clusters (3-8 units)	<del>6</del> 5,000 sq. ft.	<del>8</del> 7,050 sq. ft.	10,000 sq. ft.
Minimum Site Area per Dwelling Unit	4,000 sq. ft. <b>OR</b> 3,500 sq. ft. for small lot and townhouse clusters (3-8 units)	2,500 sq. ft.	2,500 sq. ft.	2,000 sq. ft.
Minimum Lot Width	40 ft. <b>OR</b> 35 ft. for small lot and townhouse clusters (3-8 units)	50 ft.	<del>80</del> 75 ft.	80 ft.
Minimum Lot Depth	65 ft.	65 ft.	85 ft.	100 ft.

#### 5.030.080 Open Area

Open Area requirements shall apply to all development with ~~3~~4 or more dwelling units per lot.

A minimum of 30% of the gross lot area shall be developed as permanent open area. [...]

### Section 5.040: NC – Neighborhood Commercial Overlay

#### 5.040.050 Development Standards

NC Neighborhood Commercial	Standard		
	Commercial Only	Residential Only	Mixed Commercial/ Residential
Minimum Lot Area	None	4,000 sq. ft. <b>OR</b> 2,850 sq. ft. per lot for small lot and townhouse clusters (3-8 Units)	4,000 sq. ft.
Minimum Site Area per Dwelling Unit	N/A	2,500 sq. ft.	2,000 sq. ft.
Minimum Lot	None	40 ft. <b>OR</b>	40 ft. <b>OR</b>

Width		285 ft. per lot for small lot and townhouse clusters (3-8 Units)	285 ft. per lot for small lot and townhouse clusters (3-8 Units)
Minimum Lot Depth	None	60 ft.	60 ft.

## CHAPTER 6: GENERAL REGULATIONS

### Section 6.010: Landscaping Standards

#### 6.010.070 Required Landscaping by Zone

ZONE	SITE REQUIREMENT
RL	Site landscaped according to 6.010.020
RH 1, 2, or 3 Family 34+ Family	Site landscaped according to 6.010.020 Equal to 1.5 times the first floor area of all structures minimum
RM 1, 2, or 3 Family 34+ Family	Site landscaped according to 6.010.020 Equal to first floor area of all structures minimum
NC 1, 2, or 3 Family Residential Only 34+ Family Residential Only Commercial Only Mixed Residential/Commercial	Site landscaped according to 6.010.020 Equal to the first floor area of all structures minimum Equal 10% of the first floor area of all structures minimum Equal to .5 times the first floor area of all structures minimum

## CHAPTER 7: PARKING STANDARDS

### Section 7.060: Minimum and Maximum Parking Standards

Use Type	Auto Parking		Bike Parking
RESIDENTIAL	Minimum	Maximum	
One, two, and three dwelling units	2 spaces per dwelling unit	None	None
Four to twelve units (multifamily)	6 spaces, plus 1.5 spaces per dwelling unit in excess of three units	None	1 space per dwelling unit
Thirteen or more units (multifamily)	20 spaces, plus 1 space per dwelling unit in excess of 12 units	None	1 space per dwelling unit

In multifamily ~~units~~ developments, ~~the applicant may elect to apply a minimum parking requirement of one parking space will be required~~ for every two bedrooms, but not less than one parking space per dwelling unit.

### 3. RESIDENTIAL CARE HOMES AND FACILITIES

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#### PROPOSED AMENDMENTS

#### CHAPTER 5: ZONE DISTRICT REGULATIONS

##### Section 5.010: RL - Low Density Residential District

##### 5.010.020 Permitted Uses

###### A. Primary Uses Permitted Outright.

[...]

###### 4. Other Use Types:

a) Wireless Communication Facilities, subject to the provisions of *Section 6.140: Wireless Communication Facilities*.

b) Residential Care Home, as defined in Chapter 2 - Definitions.

[...]

###### B. Accessory Uses Permitted Outright.

[...]

~~6. Residential Care Home, as defined in Chapter 2 - Definitions.~~

##### Section 5.020: RH - High Density Residential District

##### 5.030.020 Permitted Uses

###### A. Primary Uses Permitted Outright.

[...]

###### 5. Other Use Types:

a) Wireless Communication Facilities, subject to the provisions of *Section 6.140: Wireless Communication Facilities*.

b) Residential Care Home, as defined in Chapter 2 - Definitions.

[...]

###### B. Accessory Uses Permitted Outright.

[...]

~~6. Residential Care Home, as defined in Chapter 2 - Definitions.~~

**Section 5.030: RM - Medium Density Residential District**  
**5.030.020 Permitted Uses**

**A. Primary Uses Permitted Outright.**

[...]

**5. Other Use Types:**

a) Wireless Communication Facilities, subject to the provisions of *Section 6.140: Wireless Communication Facilities*.

b) Residential Care Home, as defined in *Chapter 2 - Definitions*.

[...]

**B. Accessory Uses Permitted Outright.**

[...]

~~6. Residential Care Home, as defined in *Chapter 2 - Definitions*.~~

**Section 5.040: NC – Neighborhood Center Overlay**  
**5.040.020 Permitted Uses**

**A. Primary Uses Permitted Outright.**

[...]

**5. Other Use Types:**

a) Residential Care Home, as defined in *Chapter 2 - Definitions*.

[...]

**B. Accessory Uses Permitted Outright.**

[...]

~~7. Residential Care Home, as defined in *Chapter 2 - Definitions*.~~

**Section 5.050: CBC – Central Business Commercial District**  
**5.050.020 Permitted Uses**

**A. Primary Uses Permitted Outright.**

[...]

~~20. Residential Care Facility and Group Homes, located in permitted single family residential structures, as defined in *Chapter 2 – Definitions*, and subject to the limitations on residential uses specified in subsection (A)(19).~~

21. Residential Care Home, as defined in *Chapter 2 – Definitions*, and subject to the limitations on residential uses specified in subsection (A)(19).

[...renumber remaining...]

**B. Accessory Uses Permitted Outright.**

[...]

~~7. Residential Care Home, as defined in Chapter 2 – Definitions.~~

**Section 5.060: CG – General Commercial District**

**5.060.020 Permitted Uses**

**A. Primary Uses Permitted Outright.**

[...]

~~22. Residential Care Facility and Assisted Living, as defined in Chapter 2 – Definitions, and subject to the limitations on residential uses specified in subsection (A)(20).~~

~~23. Assisted Living Facility, subject to the limitations on residential uses specified in subsection (A)(20).~~

~~24. Residential Care Home, as defined in Chapter 2 – Definitions, and subject to the limitations on residential uses specified in subsection (A)(20).~~

[...renumber remaining...]

**B. Accessory Uses Permitted Outright.**

[...]

~~7. Residential Care Home, as defined in Chapter 2 – Definitions. Must be accessory to a permitted residential use.~~

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**4. NEIGHBORHOOD COMPATIBILITY STANDARDS**

**PROPOSED AMENDMENTS**

**CHAPTER 3: APPLICATION REVIEW PROCEDURES**

**Section 3.040: Neighborhood Compatibility Review**

**3.040.050 Review Criteria**

**B. Design Standards - All Development.**

1. ~~Scale Façade Articulation. Buildings with walls greater than~~ Street-facing facades that are over 80 feet in length shall include street facades that are varied and articulated at regular 20, 30, 40 or 50 foot intervals design features such as offsets, jogs, variation of finishes, projections, windows, bays, porches, traditional storefront elements, entries, variation in rooflines, or similar elements to provide the appearance of smaller buildings that break up otherwise long, uninterrupted elevations. Such elements shall occur at a minimum interval of 30 feet.

[...]

10. Trim ~~and Details~~. Trim of a minimum width of three and a half inches shall be used around the windows, doors, frieze, and corners of buildings. ~~Details shall be used around the porch, fascia board, and window and door tops.~~

### **C. Design Standards - Residential.**

In addition to the design standards for all development, the following standards shall apply to the different types of residential development:

1. Two Family Structures, ~~and~~ Three Family Structures, and Attached Single Family Structures (2 units). Where there are covered front porches on more than 65% of the residential structures on the block (both sides of the street), these attached dwellings shall be designed and constructed to have the appearance of a single house with a combined front porch and combined roof pitch.
2. Town Houses (3-5 or 3-8 attached units). Where there are covered front porches on more than 65% of the residential structures on the block (both sides of the street), Town Houses may shall be required to combine roof lines and front porches in pairs of two units, rather than having separate roof pitches and front porches for each unit, in order to be more in character with the surrounding existing neighborhood.

## **5. EXPEDITED PERMITTING FOR AFFORDABLE HOUSING**

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### **PROPOSED ORDINANCE**

#### **ORDINANCE NO. XX-XXX**

#### **AN ORDINANCE PROVIDING EXPEDITED PERMIT REVIEW FOR QUALIFYING AFFORDABLE HOUSING DEVELOPMENTS**

WHEREAS, on [insert date], 2017, the City of The Dalles conducted a Housing Needs Analysis that identified a critical need for development of affordable housing to serve low income residents; and

WHEREAS, the Housing Needs Analysis found that an expedited development review process could reduce the regulatory costs of affordable housing and encourage greater development; and

WHEREAS, on August 23, 2017, the Oregon State Legislature made effective Senate Bill 1051, requiring cities with population greater than 5,000 to review and decide on applications for certain housing developments containing affordable housing units within 100 days;

THE PEOPLE OF THE DALLES ORDAIN AS FOLLOWS:

Section 1. All City permit applications for multi-family residential buildings that qualify for final action within the 100-day timeline, as established in ORS 197.311, shall be processed ahead of all other applications.

Section 2. The Planning Director of the City of The Dalles is hereby designated Permit Coordinator and will expedite and assist in the approval of all local permits for applications qualifying under ORS 197.311.



WHEREAS, a qualifying development may apply for City permits at any time, an emergency is declared to exist and this Ordinance shall go into full force and effect immediately upon its passage and approval.



## CITY of THE DALLES

313 COURT STREET  
THE DALLES, OREGON 97058

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(541) 296-5481 ext. 1125  
COMMUNITY DEVELOPMENT DEPARTMENT

### RESOLUTION NO. P.C. 576-18

#### A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING CITY COUNCIL APPROVAL OF VARIOUS HOUSING CODE AMENDMENTS TO THE DALLES MUNICIPAL CODE, TITLE 10 - LAND USE AND DEVELOPMENT

**WHEREAS**, an application was submitted for Zoning Ordinance Amendment #97-18 proposing various amendments to the City of The Dalles Municipal Code, Title 10 - Land Use and Development; and

**WHEREAS**, the City Planning Commission conducted a public hearing on August 2, 2018 to take public testimony on the proposed Zoning Ordinance Amendment #97-18; and

**WHEREAS**, the Planning Commission has considered the public testimony and reviewed the proposed legislative amendments set forth in Zoning Ordinance Amendment #97-18, and based upon the proposed findings of fact and conclusions of law in the staff report and testimony presented during the hearing, the Planning Commission voted to recommend the legislative amendments be forwarded to the City Council for their review and adoption;

#### **NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION AS FOLLOWS:**

Section 1. The Planning Commission recommends that the proposed Zoning Ordinance Amendments #97-18 be approved and forwarded to the City Council for its review and adoption.

Section 2. This Resolution shall be effective upon its passage and approval. The Secretary of the Commission shall (a) certify to the adoption of the Resolution; (b) transmit a copy of the Resolution to the Applicant.

APPROVED AND ADOPTED THIS 2<sup>ND</sup> DAY OF AUGUST, 2018

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Bruce Lavier, Chair  
Planning Commission

I, Steven Harris, Community Development Director for the City of The Dalles, hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Planning Commission, held on the 2<sup>nd</sup> day of August, 2018.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Steven Harris, AICP  
Community Development Director  
City of The Dalles