



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
PLANNING DEPARTMENT

AGENDA

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, MARCH 15, 2018

6:00 P.M.

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. ELECTION OF OFFICERS
- V. APPROVAL OF MINUTES: February 15, 2018
- VI. PUBLIC COMMENT
- VII. DISCUSSION
 - A. Proposed LUDO Amendments – Housing Strategies Report Implementation
- VIII. QUASI-JUDICIAL HEARINGS
 - A. REQUEST: ADJUSTMENT 18-033 – Roy W. Haskins
Requesting a 50% reduction of garage/carport entrance setback
LOCATION: Property is located at 2101 E. 14th Street and is further described as 1N 13E 4 CD tax lot 12200. Property is zoned High Density Residential – RH.
 - B. REQUEST: ADJUSTMENT 18-034 – Michael Gibney
Requesting 73% lot coverage allowance
LOCATION: The property is located at 1428 E. 11th Street and is further described as 1N 13E 3 DD tax lot 13818. Property is zoned High Density Residential – RH.
- IX. STAFF COMMENTS
- X. COMMISSIONER COMMENTS OR QUESTIONS
- XI. ADJOURNMENT

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PLANNING DEPARTMENT

MINUTES CITY OF THE DALLES PLANNING COMMISSION

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CONDUCTED IN A MEETING ROOM IN COMPLIANCE WITH ADA STANDARDS

THURSDAY, FEBRUARY 15, 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, John Nelson, Mark Poppoff, April Moore

Commissioners Absent: Steve Ross, Jeff Stiles

Staff Present: Planning Director Steve Harris, City Attorney Gene Parker, Senior Planner Dawn Hert and City Engineer Dale McCabe

Public in Attendance: Nine

APPROVAL OF AGENDA

Chair Lavier noted that Agenda Item VII. A. had been withdrawn from the agenda. Commissioner Nelson moved to approve the agenda as amended. Commissioner Poppoff seconded the motion; the motion passed unanimously.

ELECTION OF OFFICERS

Commission consensus was to postpone the Election of Officers to a future meeting.

APPROVAL OF MINUTES

Commissioner Nelson noted the the Minutes of February 1, 2018, Action Item B, should read "Commissioner Ross moved that Conditional Use Permit #180-16, Heath RV Park, 3021 W. 10th Street, remain in effect through August 22, 2018."

Commissioner DuFault moved to approve the minutes as corrected; Commissioner Nelson seconded the motion. The motion passed unanimously.

PUBLIC COMMENTS

None.

QUASI-JUDICIAL HEARINGS

Chair Lavier read the rules for a quasi-judicial hearing. He then asked if the Commission had any ex parte contact, conflict of interest or bias which would prevent an impartial decision.

Chair Lavier opened the public hearing at 6:10 p.m.

A. Adjustment 18-032 – John Hutchison

Director Harris stated the application was withdrawn. The public right-of-way adjoining the property was actually a private easement, therefore, the street side setback reduction was not required.

B. Minor Partition 348-18 – Donnell J. Smith, III

Senior Planner Hert presented the staff report.

Commission discussion included easements, shadow platting and consent to annex with a waiver of one year. Also discussed were potential ramifications to utilities if a subdivision was to be developed.

Proponents:

Donnell J. Smith, III, 8707 NE 86th, Vancouver, Washington

Smith stated his intention was to partition lots to help his parents stay in their home. He had no desire to develop the land.

Marlys Rufener, 2650 Three Mile Road, The Dalles, Oregon

Rufener currently has a private easement along Laurel Road for access to her property. She also has an easement along East 20th to a small barn. Rufener would support the partitioning, but had a concern. She would like to see the unpaved section of E. 21st Street paved to support additional traffic.

Hert stated the City could not require improvements with a minor partition.

Opponents:

None.

Jacob LeRoux, 1900 E 23rd Street, The Dalles, Oregon

LeRoux asked if his easement would now go over the Smith property. Hert replied it would not.

LeRoux asked if East 21st Street was developed, would it go down to his private drive and be access for the utility company. Hert replied it would depend on the future developers, but an easement would be maintained for anyone with rights to that easement. Easements on private property are between the landowners, the City does not facilitate them.

Hert stated the easement across East 21st Street is on the private property of the Smith's. The easement for Stroud will terminate when East 21st Street is accepted by the City.

Marlys Rufener, 2650 Three Mile Road, The Dalles, Oregon

Rufener stated the easement is drawn on the map as a straight line, but does not follow the topography. She asked if the easement would be moved to the north. Hert replied that would be answered when or if a subdivision was created.

Email from Dennis Conley, 2108 Claudia Lane, The Dalles, Oregon, Exhibit 1.

Conley shared his concern about narrow streets, snow removal and water pressure.

City Engineer Dale McCabe stated the installation of the Vista Reservoir had eliminated water pressure problems. Current pressures at the end of the line are 88 psi, pressure at East 20th Street is 110 psi. Higher water pressure is available to landowners.

Chair Lavier closed the Public Hearing at 6:51 p.m.

RESOLUTION

Resolution 571-18: Approving Minor Partition 348-18 of Donnell J. Smith, III, to divide one parcel into three parcels

Commissioner Nelson moved to approve Minor Partition 348-18, Donnell J. Smith, III, to divide one parcel into three in accordance with the findings of fact and subject to the nine conditions of approval as written in the staff report. Commissioner Moore seconded the motion; the motion passed unanimously.

STAFF COMMENTS

Director Harris stated two public hearings were scheduled for the March 1, 2018, Planning Commission meeting. Tentatively scheduled for the March 15, 2018, meeting was a presentation and discussion on code amendments.

Harris stated the Urban Renewal Agency Board agenda would include the Tokola Development and Disposition Agreement and an Exclusive Negotiating Agreement for a hotel proposal.

COMMISSIONER COMMENTS OR QUESTIONS

None.

ADJOURNMENT

Chair Lavier adjourned the meeting at 6:56 p.m.

Respectfully Submitted
Paula Webb, Planning Secretary

Bruce Lavier, Chair

Dawn Hert

From: RustyandKowon <Rustyandkowon@charter.net>
Sent: Thursday, February 08, 2018 9:10 AM
To: Dawn Hert
Subject: Donnell Smith application to divide parcels

I will be out of town on the day of your planning commission meeting.

It appears that Donnell Smith wants to split one parcel into 3 parcels. However, it remains to be determined the size of the parcels. Wish I knew.

If I understand correctly this is currently County property that most likely will be annexed into the City. This causes me concern for two reasons:

1. The city streets in this subdivision are narrower than standard city streets which in itself causes issues especially in the wintertime, i.e. snow removal or lack of. A snow plow has been down Claudia Lane 4 times in 40 years, the rest of the time we have to deal with the snow ourselves.
2. Water pressure issues. Having lived here for 40 years I know about low water pressure. Currently the city has me at 40 psi, more housing higher up on the hill will most likely cause issues for me and the neighbors.

Before allowing more dwellings into our neighborhood please consider what impact it will have to the current residents.

Dennis Conley
2108 Claudia Lane
The Dalles, Or

Sent from [Mail](#) for Windows 10



MEMORANDUM

Housing Needs Analysis Code Amendments City of The Dalles

DATE March 7, 2018
TO Steven Harris, City of The Dalles
FROM Matt Hastie and Jamin Kimmell, Angelo Planning Group

The purpose of this memo is to propose amendments to the City of The Dalles Land Use and Development Ordinance (LUDO) to implement strategies to support needed housing and comply with state and federal housing requirements. 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.

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 density standards, development standards, and minimum parking requirements 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.

More background information on each of these strategies is provided in each section. The proposed LUDO amendments are presented in strikeout/underline format (~~deleted or moved~~/added) format.

1. ACCESSORY DWELLING UNITS

BACKGROUND

Accessory Dwelling Units (ADUs) are smaller, ancillary dwelling units located on the same lot as a primary residence. ADUs may take multiple forms: a separate structure detached from the primary house, an addition to the primary house, a conversion or addition to a garage, or a conversion of a basement (Figure 2). Their small scale, minimal impact on neighbors, and suitability on a wide range of properties give ADUs the potential to play a significant role in meeting local housing needs and increasing land use efficiency. Given that ADUs are usually built by individual homeowners with limited experience or financial resources, code provisions can have a significant influence on the feasibility of their development.

The purpose of the proposed amendments is to encourage development of ADUs while retaining and strengthening regulations that mitigate potential impacts on neighbors or neighborhood character. The development standards of the base zone will continue to apply to ADUs, including total lot coverage and building setbacks.

Figure 1. Diagram and Examples of Accessory Dwelling Units (ADUs)



Image Credits: City of Minneapolis, AccessoryDwellings.org

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.

These purpose statements establish that ADUs are consistent with City housing policies and an important component of the housing stock.

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

The use allowances in the RL, CG, and CLI zones mirror existing regulations. In the other zones (Section 2), the allowance for up to two ADUs (or a duplex and an ADU) is consistent with the allowance for multi-family development. The density of this type of development is approximately 26 units per acre (3 units/5,000 sq. ft.), slightly higher than the RH zone's planned density of 10-25 units per acre. Given that the RH zone permits single-family detached development and much of the existing single-family development is unlikely to be redeveloped soon, this density allowance is unlikely to increase overall density of the zone beyond the planned limit of 25 units per acre.

C. General Requirements. In addition to complying with the specific requirements of the zoning district, ~~accessory dwelling units~~ ADUs are subject to the following provisions:

A.1. Occupancy. The owner of the lot must occupy either the principal residence or the accessory unit unless otherwise exempted by the Director.

Discussion Item: This owner occupancy requirement is common for ADUs. A survey of ADU regulations in cities in Oregon found that most cities have this requirement. However, the City may wish to reconsider this requirement for a few reasons:

1. The requirement may limit options for financing ADUs. If the owner is required to live on site, then appraisers must use a "sales comparison approach" to valuation of the property. If both the primary dwelling and ADU can be rented, this allows an appraiser to use an "income-based valuation", which often results in a higher valuation than a sales comparison approach. This higher valuation may allow a larger loan, which can determine whether one can purchase a house with an ADU or finance the addition of an ADU to an existing house.¹
2. State legislation related to ADUs was passed in 2017 (SB 1051) that could be interpreted to prohibit cities from holding this requirement. The legislation amended ORS 197.312 to establish that cities must permit one ADU on a lot wherever a single-family dwelling is permitted subject to "reasonable local regulations relating to siting and design". If this provision is interpreted to limit regulations of ADUs narrowly to "siting and design", the owner occupancy requirement would not be allowed.
3. This requirement does not apply to duplexes, which are functionally similar to an ADU, and are permitted on all lots in the RH and RM zones and on corner lots in the RL zone.
4. Most owners are likely to continue to live on-site. The cities of Portland and Ashland do not have this requirement, and research by the Oregon Department of Environmental Quality

¹ Spevak, Eli and Kovacs, Madeline. "Character-Compatible, Space-Efficient Housing Options for Single-Dwelling Neighborhoods", Oregon Department of Environmental Quality (DEQ), Oregon Department of Land Conservation and Development (DLCD) and Oregon Department of Transportation (ODOT) Transportation & Growth Management Program (TGM) (May 2016), <http://www.oregon.gov/LCD/TGM/docs/SpaceEfficientHousingReport.pdf>

(DEQ) found that the owner lived on site on approximately 70-80 percent of properties with ADUs.

5. The requirement is difficult to enforce because the City does not monitor occupancy.

The City may wish to consider the purpose of the regulation and determine if there are alternative methods for addressing this purpose.

~~B. 2.~~ Drainage, Sanitary Sewer and Water. Adequate provision shall be made for drainage, water and sewage waste.

~~C. 3.~~ City Ordinances. The ~~accessory dwelling unit~~ ADU shall meet all applicable City Ordinances.

~~E. 4.~~ 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.

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

6. 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.

The front setback standard ensures detached ADUs are not placed in a front yard, which has more potential to alter neighborhood character. The rear setback standard provides more flexibility for one-story ADUs or lots with alleys.

~~G. Entrances. The entrance to the accessory dwelling unit shall be oriented to minimize impacts on and protect the privacy of adjacent properties.~~

This standard for the location of entrances is not clear and objective and may unnecessarily limit flexibility in the design and placement of an ADU.

~~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.~~

This standard may limit good design options and may not be desirable if the design of the primary dwelling is not attractive. The standard that detached ADUs be set back from the street or behind the dwelling may mitigate the need for this requirement.

F. 7. Accessory Unit Maximum Size. The accessory dwelling unit's gross floor area of the ADU shall not exceed 80% of the gross floor area of the primary dwelling unit (exclusive of garage[s] and unfinished basements) up to a maximum floor area of 800 square feet. All areas being used as living space shall be counted toward the maximum allowance of 800 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 80 percent 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.

Discussion Item: This allowance for slightly larger ADUs can significantly increase their utility and encourage development. A review of ADU regulations in cities across the Pacific Northwest indicates that many cities allow ADUs up to 800 square feet, including the cities of Hood River, Portland, Eugene, Gresham, Milwaukie, and Wilsonville.² The proposed size limit as a proportion of the primary dwelling (80%) will ensure that the scale of an ADU does not match or exceed a smaller existing primary dwelling. The provision allowing for basement ADUs to exceed the maximum floor area standard recognizes that the basement ADUs have little to no visual impact on neighborhood character. The provision for ADUs up to 1,000 square feet on large lots (at least 10,000 square feet) recognizes that a slightly larger ADU will have a limited visual impact when sited on a large lot.

ADUs would continue to be subject to minimum setbacks, maximum height, and maximum lot coverage standards of the base zone to control their scale and placement. This increase in maximum size could allow for two-bedroom ADUs in some cases, which could cause increase need for parking; however, most ADUs would likely continue to be studio or one-bedroom units.

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 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.

² This review was conducted by the Green Building division of the Oregon Department of Environmental Quality. The information is available on the DEQ website: <http://www.oregon.gov/deq/mm/Pages/Green-Building.aspx>

This amendment would require a second ADU to provide one off-street parking space.

~~I. Garage Conversions.~~

~~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.~~

Sections I, J, and L are replaced by the new Section B (Applicability).

2. DUPLEXES, TRIPLEXES AND TOWNHOMES

BACKGROUND

A key finding of the HNA is that The Dalles has a sufficient capacity of buildable land for a range of housing types; however, much of the capacity for residential development is in the form of parcels with potential for development of single-family attached and multi-family housing. Single-family attached and small multi-family housing (four or less units) is projected to account for 14% of the City’s total housing need. To fulfill this need, the City’s lands zoned for high-density and medium-density must be built out at higher average densities than have been historically developed.

Figure 2. Example of Townhomes and a Small Side-By-Side Duplex

Code regulations can affect the economic viability of single-family attached and multi-family housing in many ways. For the purposes of this project, it is recommended that the City focus on amending regulations that affect townhomes (single-family attached), duplexes, and triplexes. The development and design regulations that apply to larger multi-family developments (four or greater

units) are more complex and have greater potential for impact on neighbors and neighborhood character. Accordingly, it is suggested that these regulations be amended as part of a larger future development code amendment project that includes a more detailed evaluation of these impacts.

The purpose of the proposed amendments is to encourage development of townhomes, duplexes, and triplexes where these housing types are currently permitted. Generally, the amendments are intended to enable these housing types to be developed on a wider range of lots (as infill development) and generally use land more efficiently. Further, the reductions in minimum lot sizes, landscaping requirements, and minimum parking requirements encourage development of smaller unit sizes, which were identified as a need in the HNA due to demographic trends.

PROPOSED AMENDMENTS: LOT SIZE AND DENSITY STANDARDS

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	5,000 sq. ft. minimum
Corner Duplex	42,500 sq. ft. per dwelling unit
Small Lot Single Family	4,000 sq. ft. minimum with density transfer
Attached Row House	3,200 sq. ft. minimum with density transfer
Lot Width	50 ft. minimum
Lot Width - Corner Duplex	325 ft. minimum per dwelling, each unit shall front on a separate street
Lot Depth	65 ft. minimum average

This allowance for lower minimum lot sizes and lot width for a corner duplex both allows development on a wider range of lots and can ensure that the scale of duplexes is compatible with single-family development. Requiring duplexes to be sited on lots twice as large as single-family homes encourages development of duplexes that are twice the floor area of a single-family home. To ensure compatibility, no changes to setbacks, lot coverage, or height are recommended.

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. OR 2,8 <u>5</u> 00 sq. ft. for small lot and townhouse clusters (3-8 units)	5 4,000 sq. ft.	8 6,000 sq. ft.	10,000 sq. ft.
Minimum Site Area per Dwelling Unit	3,500 sq. ft. OR 2,8 <u>5</u> 00 sq. ft. for small lot and townhouse clusters (3-8 units)	2,5 <u>0</u> 00 sq. ft.	2,5 <u>0</u> 00 sq. ft.	1,500 sq. ft.
Minimum Lot Width	35 ft. OR 28 <u>5</u> ft. for small lot and townhouse clusters (3-8 units)	540 ft.	7 5 <u>6</u> 0 ft.	75 ft.
Minimum Lot Depth	65 ft.	65 ft.	85 ft.	85 ft.

These amendments reduce minimum lot size and width to allow development on smaller lots, but remain consistent with planned densities.

5.020.080 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. [...]

This amendment exempts triplexes from the requirement that 30% of the lot area be landscaped or open area. On small lots, this standard may be difficult to meet while also accommodating required off-street parking and building unit sizes that are large enough to be marketable. Alternatively, it is proposed that triplexes be subject to the landscaping standards that apply to one- and two-family dwellings (landscaping required in front yard). Maximum lot coverage (60%) and minimum setbacks will continue to apply to control the overall bulk and scale of triplexes.

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. OR 3,500 sq. ft. for small lot and townhouse clusters (3-8 units)	6 5,000 sq. ft.	8 7,0 <u>5</u> 00 sq. ft.	10,000 sq. ft.

Minimum Site Area per Dwelling Unit	4,000 sq. ft. OR 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. OR 35 ft. for small lot and townhouse clusters (3-8 units)	50 ft.	80 <u>75</u> ft.	80 ft.
Minimum Lot Depth	65 ft.	65 ft.	85 ft.	100 ft.

These amendments reduce minimum lot size and width to allow development on smaller lots, but remain consistent with planned densities.

5.030.080 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. [...]

This amendment exempts triplexes from the requirement that 30% of the lot area be landscaped or open area. See note under RH zone for more background.

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. OR 2, 85 <u>00</u> 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 Width	None	40 ft. OR 28 <u>5</u> ft. per lot for small lot and townhouse clusters (3-8 Units)	40 ft. OR 28 <u>5</u> ft. per lot for small lot and townhouse clusters (3-8 Units)

Minimum Lot Depth	None	60 ft.	60 ft.
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These amendments reduce minimum lot size and width to allow development on smaller lots, but that remains consistent with planned densities.

PROPOSED AMENDMENTS: LANDSCAPING STANDARDS

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 3+ 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 3+ 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 3+ 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

These amendments exempt triplexes from the more intense landscaped area standards that apply to larger multi-family developments. The existing standard effectively limits the lot coverage of a triplex to approximately 40% by requiring that an area equal to 1.5 times the first-floor area be dedicated to landscaping. The maximum lot coverage of most residential zones is 60%.

PROPOSED AMENDMENTS: PARKING STANDARDS

CHAPTER 7: PARKING STANDARDS

Section 7.060: Minimum and Maximum Parking Standards

<u>Use Type</u>	<u>Auto Parking</u>		<u>Bike Parking</u>
<u>RESIDENTIAL</u>	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, one parking space will be required for every two bedrooms, but not less than one parking space per dwelling unit.

Discussion Item: The City may consider amending and simplifying these residential parking standards. A few items for discussion are presented below.

- **One, two, and three dwelling units:** The requirement for these developments is higher on a per-unit basis (2 per unit) than for multi-family developments (1-2 spaces per unit). There are two related issues to consider:
 - The rationale for the higher per-unit standard may be that these housing types are likely to include with larger unit sizes/bedroom counts, which could increase parking needs on a per-unit basis. This is likely true for single-family detached homes, but unit sizes/bedroom counts may be smaller for townhomes, duplexes, and triplexes, and more similar to multi-family developments.
 - Compared to multi-family developments, these housing types can more effectively utilize on-street parking to fulfill part of the parking need. The amount of street frontage available per unit is relatively high (20-25 feet per unit).
- **Multi-family developments.** Two issues to consider:
 - There are two separate standards for multi-family (per unit and one space per 2 bedrooms). It is unclear which standard applies. If the per-bedroom standard applies, the per-unit requirement is likely to be lower than the per-unit standard, as most multi-family units are 2 bedrooms or less. Therefore, the effective per unit standard may be closer to 1 to 1.5 spaces per unit.
 - The per-unit standards are tiered, with reductions for larger developments. It is unclear that parking demand would reduce with the size of a development. Larger

developments may be associated with smaller unit sizes; however, if the City would like to base parking requirements on unit size, then this per-unit standard may be unnecessary.

A few questions for the City to consider:

- Should parking requirements be based on the number of units or the number of bedrooms?
 - Is there a clear rationale for different per-unit or per-bedroom standards based on the size of the development?
 - To what degree should on-street parking play a role in fulfilling parking needs?
-

4. RESIDENTIAL CARE HOMES AND FACILITIES

BACKGROUND

Residential Care Homes and Residential Care Facilities are housing types defined by the city to specifically address Fair Housing requirements. A Residential Care Home is defined as: “A residential treatment or training home, or an adult foster home duly licensed by the State of Oregon which provides residential care alone or in conjunction with treatment or training for 5 or fewer individuals who need not be related.” Residential Care Facilities are similarly defined but can house between 5 and 16 people. Pursuant to ORS 197.665 and 197.667, residential homes must be permitted in any residential or commercial zone where single-family dwellings are permitted and residential facilities must be permitted in any zone where multi-family dwellings are permitted.

The Dalles zoning code designates Residential Care Homes as a permitted accessory use in every zone where single-family dwellings are a permitted use. Accessory uses are defined as “a use on the same lot with and of a nature customarily incidental and subordinate to the principal use”. This provision could be interpreted to mean that a conventional household living use must be in place before a Residential Care Home can be operated on a site. ORS 197.665(2) stipulates that cities may not impose zoning requirements on residential homes that are more restrictive than those imposed single-family dwellings in the same zone. Limiting Residential Care Homes to an accessory use could be interpreted as a more restrictive requirement than those applied to single-family dwellings.

Residential Care Facilities are a permitted use in every zone where multi-family dwellings are permitted. However, the provisions for these uses in the Central Business Commercial District (CBC) zone may be unclear. The code lists the use as “Residential Care Facilities and Group Homes”. Group Homes may be understood as synonymous with Residential Care Homes but are not defined in the code.

The purpose of these proposed amendments is to permit Residential Care Homes as a Primary Use wherever single-family dwellings are permitted and to clarify regulation of Residential Care Facilities in the CBC zone.

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.~~

It is recommended to eliminate use of the term “group homes” as it is not defined in the code and unclear if it is distinct from a Residential Care Facility or Residential Care Home.

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.~~

5. NEIGHBORHOOD COMPATIBILITY STANDARDS

BACKGROUND

ORS 197.307 requires that cities apply “clear and objective standards” to needed housing types. Needed housing, pursuant to ORS 197.303, includes single-family detached dwellings, single-family attached dwellings, manufactured dwellings (standalone and in parks), government-assisted housing, and farmworker dwellings.

Clear and objective standards are generally available for development of needed housing in The Dalles, but some existing Neighborhood Compatibility Standards could be strengthened to provide more clear direction and reduce overly discretionary criteria.

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~~ Facade 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.

[...]

These amendments clarify the applicability of this requirement (street-facing facades over 80 feet in length) and replaces the range of potential intervals between articulating elements with a minimum interval (30 feet). The requirement for regular intervals at specific distances may be unnecessarily restrictive. Additionally, the allowance for a 50-foot interval between articulating features may not achieve the purpose of the regulation to provide sufficient articulation.

10. ~~Trim and Details~~. Trim of a minimum width of four 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.~~

This amendment clarifies the minimum width of required trim and removes the requirement for “details” because it is discretionary and may be difficult to enforce.

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.

The existing standard to “have the appearance of a single house” is unclear and may be difficult to administer. Additionally, in some cases, this standard may be unnecessary if there is sufficient architectural variety among nearby single-family dwellings. This amendment would establish a criterion for when this standard applies (65% of houses on block have front porches) to limit the standard to situations where it is necessary for compatibility purposes. This criterion is used currently to establish when a front porch is

a required element (3.040.050.B.9). Additionally, the amendment defines the “appearance of a single house” as having a combined front porch and 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.

This existing language allows for significant discretion in determining when this standard applies. This amendment uses the same criterion as applied above to provide a more objective standard of applicability.

5. EXPEDITED PERMITTING FOR AFFORDABLE HOUSING

BACKGROUND

In 2017, the Oregon State Legislature passed SB 1051, which requires cities and counties to complete land use decisions for qualifying affordable housing developments within 100 days after the application is deemed complete. State law currently requires decisions within 120 days for all land use actions. Qualifying developments meet the following criteria:

1. A multifamily residential building containing five or more units;
2. At least 50 percent of the units must be affordable to households with an income at or below 60 percent of Median Family Income; and
3. The units must be affordable for at least 60 years.

Time limits for application reviews are currently established in the LUDO and conform with this requirement:

- Ministerial Actions: 21 days from application acceptance (3.020.030.D)
- Administrative Actions: 45 days from application completeness (3.020.030.D)
- Quasi-Judicial Actions: Hearing scheduled within 45 days of completeness, decision within 5 days from hearing (3.020.050.C and G)

The purpose of the 100-day timeline in SB 1051 is to reduce development costs and facilitate construction of affordable housing. Permitting delays add costs by requiring developers to hold land longer and incur more “soft” costs, such as financing and professional services. These costs can be significant, and the risk of a permitting delay may even discourage investment in some cases.

Affordable (income-restricted) housing was identified as a critical need in the City’s HNA. To further support affordable housing development, it is recommended that the City provide an expedited

permitting process for developments that qualify under the 100-day timeline of SB 1051. This process would both facilitate affordable housing development and ensure conformance with the 100-day limit.

The City currently provides an expedited permitting process for developments in the City's Enterprise Zone, adopted in 1986 (Ordinance NO. 86-1075). The ordinance proposed below is modeled on the language of this ordinance.

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.

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**PLANNING COMMISSION
STAFF REPORT
CITY OF THE DALLES**

PLANNING DEPARTMENT

Adjustment No. 18-033

Roy W. Haskins

Prepared by: Garrett McAllister, Planner

Procedure Type: Quasi-Judicial

Hearing Date: March 15, 2018

Assessor's Map: Township 1 North, Range 13 East, Map 2 CD

Tax Lot: 12200

Address: 2101 E 14th St

Comprehensive Plan Designation: "RH" Residential High Density

Zoning District: "RH" Residential High Density

Request: Applicant is requesting a 50% reduction of garage/carport entrance setback (facing street) from 20 feet to 10 feet to accommodate a pre-existing, unpermitted 25' wide x 24' deep x 14' tall carport on the subject property. The applicant intends to move the current structure back to 10' 8" from the property line. The structure is situated on an earthen berm and moving it back more than the minimum requested would push the structure off the berm, rendering it no longer useful for its intended purposes. Previous actions at subject property include a 1997 structural permit application through Oregon State Building Codes. That application was for a portable carport structure and it was denied.

NOTIFICATION

Property owners within 300 feet and Site Team meeting with City Engineer and City Development Inspector.

COMMENTS RECEIVED

No comments were received as of March 8, 2018.

RECOMMENDATION

Staff has opted to not make a recommendation and allow the Planning Commission to review the criteria and make their decision based on the information provided in this staff report, as well as the information that will be presented by the applicant at the Public Hearing. Upon closure of public hearing, staff suggests that the Planning Commission direct staff to prepare a resolution of approval with conditions or denial detailing the reasons the application does not meet the criteria. If Planning Commission were to approve request, staff has prepared suggested conditions of approval.

LAND USE AND DEVELOPMENT ORDINANCE 98-1222:

Section 3.010.040 Applications

B. Completeness.

FINDING #1: The application was found to be complete on January 23, 2018.
Criterion met.

Section 3.020.050 Quasi-Judicial Actions

Subsection A. Decision Types.

- **FINDING #2:** This application is for an adjustment per Section 3.080. The specific request is for the allowance of up to a 50% reduction in the garage/carport entrance setback from 20 feet to 10 feet to accommodate a pre-existing 25' wide x 24' long x 14' tall carport on the subject property. A carport is an accessory use permitted outright in RH zone as per Section 5.020.020 Permitted Uses (B) 2. This request follows the quasi-judicial adjustment procedure – as per Section 3.080.020 (D).
Criterion met.

Subsection B. Staff Report.

Staff shall prepare a staff report which identifies the criteria and standards that apply to the application and summarizes the basic findings of fact. The staff report will also include a recommendation for approval, with conditions or denial.

FINDING #3: This document serves as the staff report. **Criterion met.**

Subsection C. Public Hearings. *Complete applications for quasi-judicial planning actions shall be heard at a regularly scheduled Commission or Council meeting within 45 days from the date the application is deemed complete.*

FINDING #4: Application deemed complete January 23, 2018 and public hearing set for Thursday, March 1, 2018 at 6:00PM. **Criterion met.**

Subsection D. Notice of Hearing. *To be completed at least 10 days before scheduled quasi-judicial public hearing.*

FINDING #5: Appropriate mailings were sent to property owners within 300 feet and notice to affected departments and agencies were made on February 16, 2018.
Criterion met.

Section 3.080.040 Applications

A. Review Criteria.

An adjustment will be approved if the review body finds that the applicant has shown that either approval criteria 1 through 5 or 6 through 8 below, has been met.

1. *If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area.*

FINDING #6: The subject property is located in the RH – High Density Residential District – which allows for residential uses in this area. As per Section 5.020.060 Development Standards, the minimum setback for garage/carport entrances in the RH district is “20 feet minimum (corner lots and interior lots)”. The structure’s detracting from livability or appearance of the residential area shall be determined by the Planning Commission. The subject property has two driveways/entrances and meets the requirements set in Section 6.060 Driveway and Entrance Standards. The reduced setback will not impact vision clearance requirements and parking is accommodated on the subject property both under the carport structure and in the primary driveway/entrance. No comments were received from neighboring property owners. **Staff is requesting that the Planning Commission use their discretion to determine if the criterion is met.**

2. *If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone.*

FINDING #7: Only one adjustment is requested. **Criterion not applicable.**

3. *City designated scenic resources and historic resources are preserved.*

FINDING #8: There are no known scenic or historic resources in this area. **Criterion not applicable.**

4. *Any impacts resulting from the adjustment are mitigated to the extent practical.*

FINDING #9: The setback reduction is on the south side of the subject property along 14th Street and will not have negative impacts on the neighboring properties. In addition, there are no major environmental impacts caused by the location of the structure or by the structure itself. The City Engineer commented that precautions shall be taken to mitigate storm water, either by retaining it on site or by diverting it into City storm system. In addition, LUDO Section 6.060.040 Surfacing, drives and entrances from local streets shall be surfaced with pavers, asphalt, or concrete, concrete runways, chip seal, or other surface approved by the City Engineer. **Staff is requesting that the Planning Commission use their discretion to determine if the criterion is met.**

5. *If in an environmental sensitive area, the proposal has as few detrimental environmental impacts on the resource and resource values as is practicable.*

FINDING #10: There are no known environmentally sensitive areas at this site. **Criterion not applicable.**

6. *Application of the regulation in question would preclude all reasonable economic use of the site.*

FINDING #11: There are no known reasons that the regulation in question would preclude all reasonable economic use of the site. **Criterion not met.**

7. *Granting the adjustment is the minimum necessary to allow the use of the site.*

FINDING #12: The adjustment is the minimum necessary to both accommodate the current carport structure *and* meet minimum adjusted setback requirements on the

subject property. Aside from outright removal of the structure, there are a few potential solutions in addition to the setback adjustment:

- 1) A smaller carport (14' deep) could be placed on the lot, which would meet minimum standard setback requirements of 20'.
- 2) The current structure could potentially be modified to meet 20' minimum standard setbacks by removing 10' of the 24' deep structure.
- 3) The structure could be moved back on the lot to meet the full 20' minimum standard setback requirements. This option may require a significant addition to the earthen berm on which the structure is currently situated. **Staff is requesting that the Planning Commission use their discretion to determine if the criterion is met.**

Section 3.080.050 Conditions of Approval:

If granting the adjustment, the Approving Authority may attach any reasonable conditions deemed necessary to insure that the review criteria are met.

FINDING #13: Staff has opted to not make a recommendation and allow the Planning Commission to review the criteria and make their decision based on the information provided in this staff report, as well as the information that will be presented by the applicant at the Public Hearing. Staff suggests that the Planning Commission direct staff to prepare a resolution of approval with conditions or denial detailing the reasons the application does not meet the criteria. If the Commission were to approve the adjustment request, staff recommends the following conditions of approval.

If Approved, Suggested Conditions of Approval

1. The garage/carport setback shall be reduced from 20' to 10' to accommodate a pre-existing 25' wide x 24' long x 14' tall carport structure on the subject property.
2. A building permit shall be required.
3. Precautions shall be taken to monitor and mitigate any potential storm water runoff, either by retaining it on site or by diverting it into City storm system.
4. In accordance with Land Use and Development Ordinance 98-1222 Section 6.060.040 "Surfacing", the driveway surface under carport shall be improved with pavers, asphalt, or concrete, concrete runways, chip seal, or other surface approved by the City Engineer.
5. Except as modified by this decision, all development must be completed in accordance with Land Use Development Ordinance 98-1222, as amended.

ADJUSTMENT APPLICATION

CITY OF THE DALLES
Community Development Department
313 Court Street
The Dalles, OR 97058
(541) 296-5481, ext. 1125
Fax (541) 298-5490
www.ci.the-dalles.or.us

Date Filed 1-16-18
File# _____
Date Deemed Complete _____
Hearing Date _____
Approval Date _____
Permit Log # ADJ 18-033
Other Cross Reference# _____
fee paid 1-23-18

APPLICANT

Name ROY, W. HASKINS
Address 2101 E 14th
The Dalles, Ore
Telephone # 541-296-3556
E-Mail _____

LEGAL OWNER (If Different than Applicant)

Name _____
Address _____
Telephone # _____
E-Mail _____

*If applicant is not the legal owner, attach either [1] owner consent letter, or; [2] copy of earnest money agreement, or; [3] copy of lease agreement.

PROPERTY INFORMATION

Address 2101 E 14th The Dalles, Ore
Map and Tax Lot 1N 13E 2 CD 12200
Size of Development Site .209 acrs - 9,134 sq ft
Zone District/Overlay RH
Comprehensive Plan Designation RH

REQUEST

- New Construction Expansion/Alteration Change of Use Amend Approved Plan

Reduction of setback requirements

Brief Explanation: I request an adjustment due to cost of 20' setback. I was not aware of existing rules for car port. The car port does not detract from appearance of neighborhood. Request reduction of 15' from standard setback which would then meet the 20' setback. I have enclosed a list of adjoining neighbors would said they would comment if asked.

JUSTIFICATION OF REQUEST

Review Criteria for Adjustments are found in LUDO Section 3.080.040

For approval the applicant must satisfy the criteria in EITHER Section A or Section B. On a separate piece of paper provide sufficient information for the review body to determine each of the issues listed in the section chosen. The information may be written, photographic, or any other method which will provide useful information to the review body. Except for the application, information may be sent by fax or E-mail.

- A.
1. If in a residential zone, show that the proposal will not significantly detract from the livability or appearance of the residential area.
 2. If more than one adjustment is being requested, the cumulative affect of the adjustments results in a project which is still consistent with the overall purpose of the zone.
 3. City designated scenic resources and historic resources are preserved.
 4. Any impacts resulting from the adjustment are mitigated to the extent practical.
 5. If in an environmental sensitive area, the proposal has as few detrimental environmental impacts on the resource and resource values as is practicable.
- B.
1. Application of the regulation in question would preclude all reasonable economic use of the site.
 2. Granting the adjustment is the minimum necessary to allow the use of the site.
 3. Any impacts resulting from the adjustment are mitigated to the extent practical.
- C. If the applicant meets the approval criteria under either Section A or Section B, the review body may also take into consideration, when applicable, whether the proposal will:
1. Result in a more efficient use of the site.
 2. Provide adequate provisions of light, air, and privacy to adjoining property.
 3. Provide for accessibility, including emergency vehicles, per City standards.
 4. Result in a structure that conforms to the general character of the neighborhood or zone district.
 5. If a reduced number of parking is requested, provide adequate parking based on low demand users, or supplement on-site parking with joint use agreements.
- (The applicant may also provide comments on any of the issues in part C.)

There are no mandatory plans or other types of information required with this application. It is the applicant's responsibility to provide sufficient information and documentation on each of the issues for the review body to make a decision. Insufficient justification will result in a denial.

Signature of Applicant

Ray W. Hashis 1-18-18
Date

Signature of Property Owner*

Date

* Notarized Owner Consent Letter may substitute for signature of property Owner

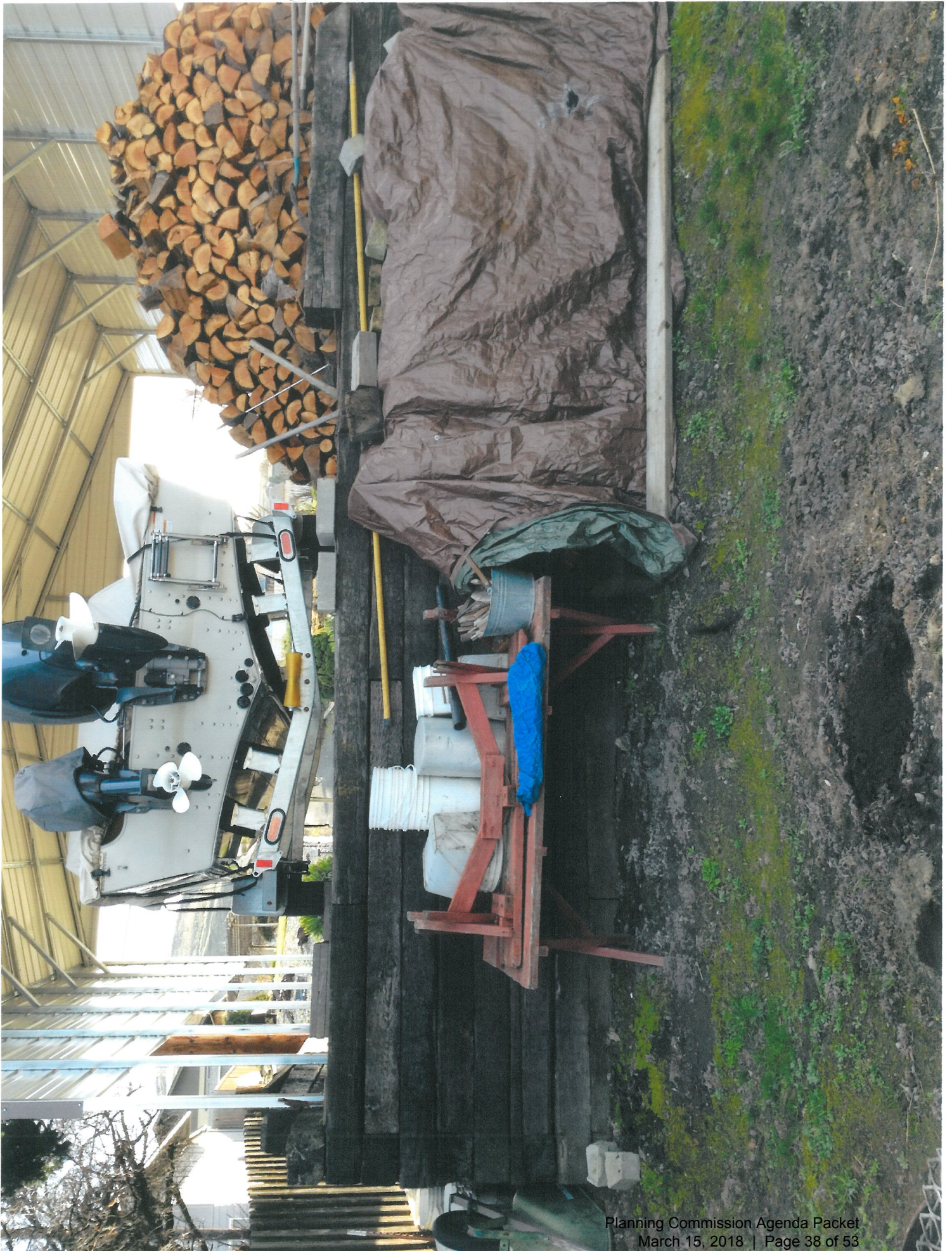
















CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 125
FAX: (541) 298-5490

January 11, 2018

Roy and Judy Haskins
2101 E 14th St
The Dalles, OR 97058

Dear Mr. and Mrs. Haskins:

This letter is a follow up from our conversation on Monday, January 8th. Unfortunately, the carport structure on your property at 2101 E 14th St is out of compliance with the City's Land Use and Development Ordinance (LUDO). As stated in the previous letter dated January 4th, the structure violates LUDO Section 6.030.020, which states that street facing garages and carports must be set back a minimum of 20 feet from the property line. Additionally, minimum side yard setbacks are 5 feet and the maximum height allowed for accessory structures is 80% of the primary structure's height or 18 feet, whichever is higher.

You may apply for an administrative or quasi-judicial adjustment, which would allow for adjustments in setback and height requirements. I have enclosed the adjustment application in this correspondence, as well as LUDO Section 3.080 Adjustments, which provides information on the adjustment process.

If you have any questions, please contact the Planning Department at gmcallister@ci.the-dalles.or.us or 541-296-5481 ext. 1132.

Regards,

Garrett McAllister, Planner

CC: Nikki Lesich, Code Enforcement Officer
Property File

ENC: LUDO Section 3.080 Adjustments

SCANNED

RECEIVED SEP 03 1997



Application for Structural Permit

Department of Consumer & Business Services
Building Codes Division

(Portable) Carport

Denied - write note
IN-13-2CD TL 12200

FOR DEPARTMENT USE ONLY	
Permit number:	
Date issued:	
Issue by:	
Office:	

JOB SITE INFORMATION	
Address:	2101 East 14th
City:	The Dalles
County:	Wasco
Directions to inspection site:	
Is property inside city limits?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

OWNER INFORMATION	
Name:	Roy + Judy Haskins
Address:	2101 East 14th
City:	The Dalles
State:	Or
ZIP:	97058
Phone:	(541) 296-3556
Fax:	
	286-3902 .12 to 1.

LOCAL GOVERNMENT APPROVALS		
Zoning Information verified? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Signature: <u>R Haskins</u>	Flood plain Required elevation: _____ Information verified? <input type="checkbox"/> Yes <input type="checkbox"/> No Signature: _____	Sanitation Information verified? <input type="checkbox"/> Yes <input type="checkbox"/> No Signature: _____

STRUCTURAL PERMIT FEES	
(1) Valuation information (a) Occupancy: _____ (b) Construction type: _____ (c) Square feet: _____ (d) Cost/sq. ft.: _____ (e) Multiplier (if different than \$1): _____ (f) Additional fixed amount: _____ (g) New/alteration/addition: <input type="checkbox"/> New <input type="checkbox"/> Alteration <input type="checkbox"/> Addition (h) Is this a foundation ONLY permit? <input type="checkbox"/> Yes <input type="checkbox"/> No (i) Is this a plan review ONLY? <input type="checkbox"/> Yes <input type="checkbox"/> No (j) Total valuation (C X D): _____	(2) Census information (a) Census class: _____ (b) Housing count: _____ (c) Building count (if other than 1): _____ (d) Privately owned: <input type="checkbox"/> Yes <input type="checkbox"/> No (e) Residential: <input type="checkbox"/> Yes <input type="checkbox"/> No
(3) Building fees (a) Permit fee: _____ (b) 5% state surcharge (permit fee X .05): _____	SUM
(4) Plan review fees (a) Plan review (permit fee X .65): _____ (b) Fire & life safety (permit fee X .40): _____ Enter total of fees above: _____	
(5) Miscellaneous fees (a) Seismic fee (permit fee X .01): _____ (b) Re-inspection-\$15/hr. (no. of hours X \$15): _____ (c) Investigative fees (equal to permit fee): _____	
GRAND TOTAL: _____	\$ _____

Applicant must hold an Oregon registration to conduct a construction business or be exempt from this requirement.

I hereby certify that, to my knowledge, the above information is true and correct. All work to be performed shall be in accordance with all governing laws and rules.

- I am the property owner doing my own work.
- I am the property owner hiring a construction contractor. License no.: _____ Expires: _____
- I am licensed with the Building Codes Division. License no.: _____ Expires: _____
- I am registered with the Construction Contractors Board. Registration no.: _____ Expires: _____



Contractor name: Self
 Address: 2101 E. 14th
 Signature: Judy Haskins
 Date: _____



A-FRAME 24'-0" WIDE CARPORT STYLE BUILDINGS

DESIGN NOTES

- ALL CONSTRUCTION SHALL BE PROVIDED IN ACCORDANCE WITH IBC 2012, OSHA, AISC 360, AISI 100, ASCE 7-10, AWS D 1.3 CODES AND ALL APPLICABLE LOCAL REQUIREMENTS.
- BASE CONNECTIONS SHALL BE PROVIDED AS SHOWN ON FOUNDATION DETAILS SHEET.
- ALL MATERIALS IDENTIFIED BY MANUFACTURER NAME MAY BE SUBSTITUTED WITH MATERIAL EQUAL OR EXCEEDING ORIGINAL.
- ALL SHOP CONNECTIONS SHALL BE WELDED CONNECTIONS.
- ALL FIELD CONNECTIONS SHALL BE TEKS #12 (1/4"x1").
- STEEL SHEATHING SHALL BE 29GA. CORRUGATED GALV. OR PAINTED STEEL - MAIN RIB HT. 3/4" (FY=80KSI) OR EQ.
- ALL STRUCTURAL LIGHT GAUGE TUBING AND CHANNELS SHALL BE GRADE 50 STEEL.
- STRUCTURAL TUBE TS2 1/2"x2 1/2" - 14GA. IS EQUIVALENT TO TS2 1/4"x2 1/4" - 12GA AND EITHER ONE MAY BE USED IN LIEU OF THE OTHER.

DESIGN CRITERIA

- PREVAILING CODE:** OSSC 2014 (IBC 2012)
USE GROUP: U (CARPORTS, BARN)
- DEAD LOAD (D)** $D = 4 \text{ PSF}$
 - ROOF LIVE/SNOW LOAD (Lr)** $Lr = 20 - 61 \text{ PSF}$
(AS PER SNOW LOAD SEE TABLE 4)
 - SNOW LOAD (S)**
GROUND SNOW LOAD $P_g = 20 - 90 \text{ PSF}$
IMPORTANCE FACTOR $I_s = 0.8$
THERMAL FACTOR $C_t = 1.2$
EXPOSURE FACTOR $C_e = 1.0$
ROOF SLOPE FACTOR $C_s = 1.0$
 - WIND LOAD (W)**
BASIC WIND SPEED $V_{ULT} = 105 - 180 \text{ MPH}$
EXPOSURE C
 - SEISMIC LOAD (E)**
DESIGN CATEGORY D
IMPORTANCE FACTOR $I_e = 1.00$

LOAD COMBINATIONS:

- $D + (LR \text{ OR } S)$
- $D + (0.6W \text{ OR } \pm 0.7E)$
- $D + 0.75 (0.6W \text{ OR } \pm 0.7E) + 0.75 (LR \text{ OR } S)$
- $0.6D + (0.6W \text{ OR } \pm 0.7E)$

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MANUFACTURED BY:



270 Old Highway 99
Maxwell, CA 95955
1-877-604-2777

ENGINEERED BY:



A&A ENGINEERING
CIVIL • STRUCTURAL
5911 Renaissance Place, Suite B • Toledo, OH 43628
Tel. 419-292-1983 • Fax. 419-292-0955
www.aa-engineers.com

DRAWING INFORMATION

PROJECT: 24'-0" WIDE BUILDINGS
 LOCATION: STATE OF OREGON
 PROJECT NO.: 232-16-1684
 SHEET TITLE:

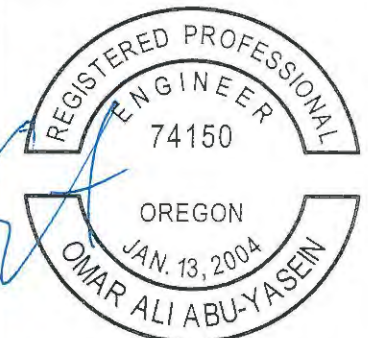
COVER SHEET

SHEET NO.: 1 / 11
 DRAWN BY: LAK DATE: 1/10/17
 CHECKED BY: OAA DATE: 1/10/17

LEGAL INFORMATION

- ANY DUPLICATION OF THIS DRAWING IN WHOLE OR PART IS STRICTLY FORBIDDEN. ANYONE DOING SO WILL BE PROSECUTED UNDER THE FULL EXTENT OF THE LAW. - DRAWINGS VALID UP TO 1 YEAR FROM DATE OF ISSUE.

SEAL:

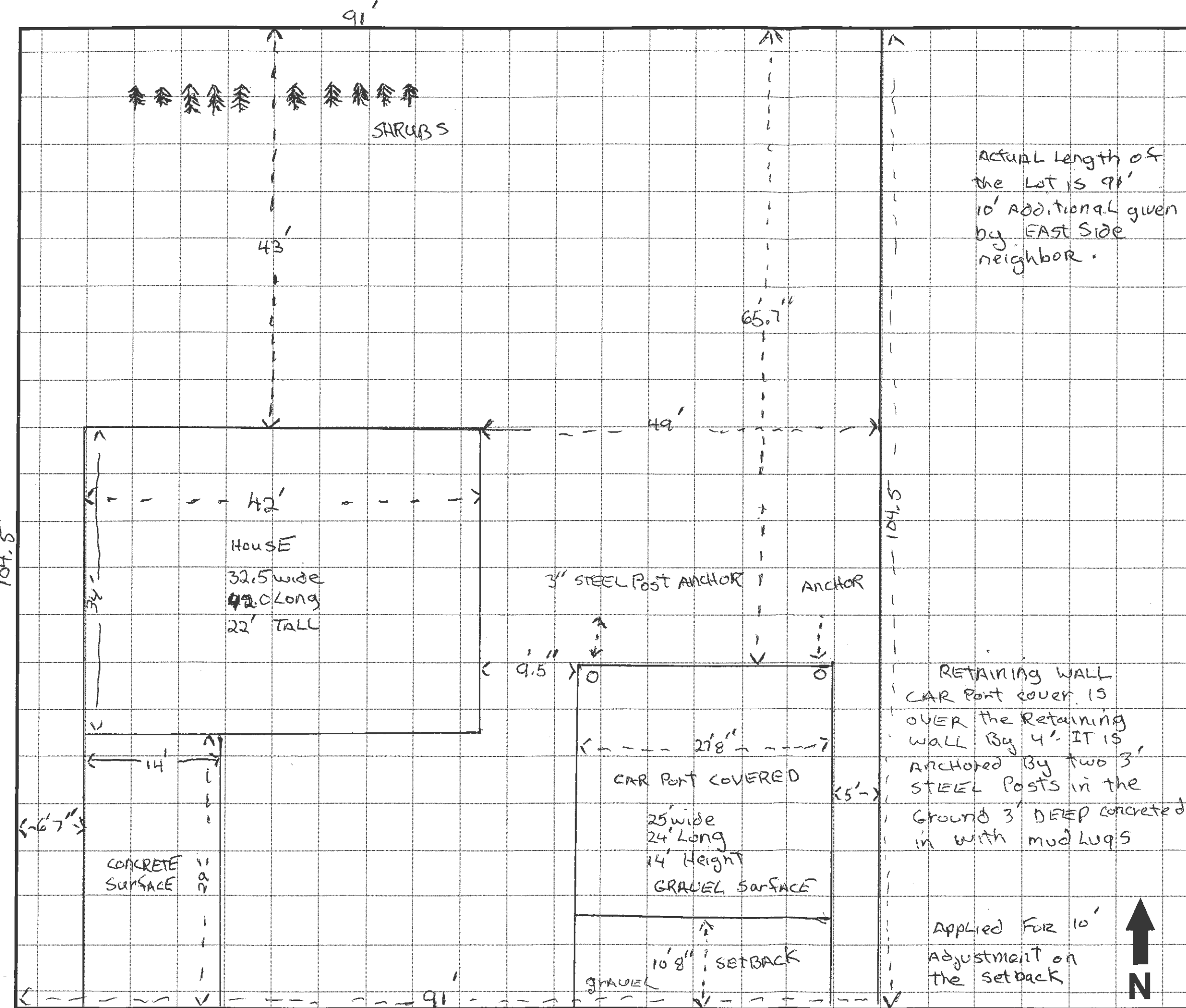


DATE EXPIRES: 12/31/2017

Planning Commission Agenda Item # 2017

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CUSTOMER INFORMATION	DESIGN LOADS	BUILDING INFORMATION	CERTIFICATION VALIDITY NOTICE
OWNER: _____ ADDRESS: _____	GROUND SNOW: _____ ROOF LIVE LOAD: _____ BASIC WIND SPEED: _____	WIDTH: _____ LENGTH: _____ HEIGHT: _____	FRAME TYPE: <input type="checkbox"/> A-FRAME <input type="checkbox"/> REGULAR ENCLOSURE TYPE: <input type="checkbox"/> FULL <input type="checkbox"/> PARTIAL <input type="checkbox"/> OPEN DATE OF ISSUE: JAN 16 2017 CERTIFICATION ON THESE DRAWINGS IS VALID FOR ONE YEAR FROM DATE OF ISSUE



Plot Plan

City of The Dalles
Planning Department

Map, Tax Lot: N 13E 2 CD 12200
132 CD 12, 200
 Applicant: ROY HASKINS
 Owner(s): ROY HASKINS
 Address: 2101 E 14th
THE DALLES, OR 97058
 Phone #: 541-296-3556
 Date: 1-23-18

Scale: (select one)

One Inch = 10 Feet

One Inch = 20 Feet

One Inch = 50 Feet

Planning Department Only:

File #: _____

Approval Date: _____

Signature: _____

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**PLANNING COMMISSION
STAFF REPORT
CITY OF THE DALLES**

PLANNING DEPARTMENT

Adjustment 18-034

1428 East 11th Street – Gibney

Prepared by: Dawn Marie Hert, Senior Planner

Procedure Type: Quasi-Judicial

Public Hearing Date: March 15, 2018

Assessor's Map: 1 North, 13 East, Map 3DD

Tax Lot: 13818

Addresses: 1428 East 11th Street

Comprehensive Plan Designation: RH - Residential High Density

Zoning District: RH - Residential High Density

REQUEST: Applicant is requesting lot coverage of 73%, which is 13% above the maximum lot coverage. The additional hard surface is concrete and does not include any structures.

NOTIFICATION: Property owners within 300 feet, City Departments and Franchise Utilities.

COMMENTS RECEIVED:

An email from Tonya Brumley of NW Natural Gas was received on March, 1, 2018. The email detailed the location of a gas lateral to the subject property. The service line serves the property front East 11th Street which is not in the area planned for additional lot coverage.

Response: The gas line location will be provided to the applicant.

No additional comments were received at the time the staff report was completed.

RECOMMENDATION: No recommendation. Upon conclusion of the public hearing, direct staff to prepare a resolution of approval with conditions or denial detailing the reasons the application does not meet the criteria.

A. LAND USE AND DEVELOPMENT ORDINANCE 98-1222:

Section 3.010.040 Applications

B. Completeness.

FINDING #1: The application was found to be complete on February 16, 2018. **Criterion met.**

Section 3.020.050 Quasi-Judicial Actions

A. Decision Types - Adjustments.

FINDING #2: This application is for an adjustment per Section 3.080. The specific request is for an increase in maximum lot coverage as stated in Section 5.020.060. This follows the Quasi-Judicial Adjustment procedure as per Section 3.080.020 (D)(4). **Criterion met.**

B. Staff Report. Staff shall prepare a staff report which identifies the criteria and standards that apply to the application and summarizes the basic findings of fact. The staff report will also include a recommendation for approval, with conditions or denial.

FINDING #3: This document serves as the staff report. **Criterion met.**

C. Public Hearings. Complete applications for quasi-judicial planning actions shall be heard at a regularly scheduled Commission or Council meeting within 45 days from the date the application is deemed complete.

FINDING #4: The 45 day deadline from the February 16th is April 2, 2018. This public hearing is scheduled for March 15, 2018. **Criterion met.**

D. Notice of Hearing.

FINDING #5: Appropriate mailings were sent to property owners within 300 feet and notice to affected departments and agencies were made on February 27, 2018. **Criterion met.**

Section 3.080.020 Applicability

D. The Quasi-Judicial Adjustment process may be used to change the following:

(4) Up to 20% increase in the maximum lot coverage.

FINDING #6: The request is for lot coverage of approximately 73%, which is 13% more than allowed in the RH zone district. The applicant is requesting the additional lot coverage for concrete that has been installed on the side and rear portions of his lot to assist in making the property low maintenance. The request is less than the 20% allowed with this review application. **Criterion met.**

Section 3.080.030 Review Procedures.

Review Procedures. *Quasi-judicial adjustment review procedures shall be the same as those specified for Quasi-Judicial actions in Subsection 3.020.020 (B)2.*

FINDING #7: The application has been reviewed as required in Subsection 3.020.020(B) 2, as show below. **Criterion met.**

Section 3.080.040 A. Review Criteria

Review Criteria. *An adjustment will be approved if the review body finds that the applicant has shown that either approval criteria 1 through 5 or 6 through 8 below, has been met.*

1. *If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area.*

FINDING #8: The proposed additional hard surface/concrete may not significantly detract from livability or appearance of the residential area: The current lot is approximately 4,600 square feet, which is larger than the minimum lot requirement; the areas with the additional hard surface are between the house and the fenced side and rear yards. The additional hard surface came to the Planning Department's attention due to a code enforcement complaint from an adjoining property owner regarding surface water run-off being directed onto the neighbor's property. The applicant has stated that they are working with a landscaper and plan to address the run-off and make necessary modifications to their hard surface to ensure that it will not sheet drain to the right-of-way or an adjacent property. If approved, staff would suggest that a condition be added that addresses the on-site containment of any storm water. **As this criterion is rather subjective – in what constitutes as significant impact – Staff is requesting that the Planning Commission use their discretion to determine if the criterion is met.**

2. *If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone.*

FINDING #9: One adjustment to the maximum lot coverage is requested with the application. The Quasi-Judicial Adjustment process provides the opportunity for the Planning Commission to use their discretion to determine if the overall purpose of the zone is still met by this requested adjustment. **Staff is requesting that the Planning Commission use their discretion to determine if the criterion is met.**

3. *City designated scenic resources and historic resources are preserved.*

FINDING #10: There are no known scenic or historic resources in this area. **Criterion not applicable.**

4. *Any impacts resulting from the adjustment are mitigated to the extent practical.*

FINDING #11: As stated earlier in this staff report, staff would suggest that a condition be added that addresses the on-site containment of any storm water. The Planning Commission may require this condition to an approval for mitigating the impacts from the additional lot coverage. **Staff is requesting that the Planning Commission use their discretion to determine if conditions should be added to mitigate the impacts of the additional lot coverage to meet this criterion.**

5. *If in an environmental sensitive area, the proposal has as few detrimental environmental impacts on the resource and resource values as is practicable.*

FINDING #12: The subject property is not located in a Geo-Hazard zone. There are no known environmentally sensitive areas at this site. **Criterion not applicable.**

6. *Application of the regulation in question would preclude all reasonable economic use of the site.*

FINDING #13: There is a single family home built on the parcel. The applicant has indicated that he desires to have a low maintenance property. The subject lot is slightly oversized but is not large enough for an additional housing unit. The “reasonable economic use of the site” is a subjective criterion and **staff is requesting that the Planning Commission use their discretion to determine if the criterion is met.**

7. *Granting the adjustment is the minimum necessary to allow the use of the site.*

FINDING #14: The applicant has submitted plans showing the request for 13% additional lot coverage. 27% of the lot contains landscaping and green space. **Staff is requesting that the Planning Commission use their discretion to determine if the criterion is met.**

8. *Any impacts resulting from the adjustment are mitigated to the extent practical.*

FINDING #15: The Planning Commission may require conditions to an approval for mitigating the impacts from the additional lot coverage. **Staff is requesting that the Planning Commission use their discretion to determine if conditions should be added to mitigate the impacts of the additional lot coverage to meet this criterion.**

B. Additional Criteria.

If the applicant meets the approval criteria above, then the Approving Authority may also take into consideration, when applicable, whether the proposal will:

1. *Result in a more efficient use of the site.*

FINDING #16: The applicant has indicated that the desire for the additional lot coverage is for low maintenance. The site is not large enough for an additional residential unit based upon the current standards. The additional lot coverage is not for a structure which could potentially increase the number of residents. **Staff is requesting that the Planning Commission use their discretion to determine if the criterion is met.**

2. *Provide adequate provisions of light, air, and privacy to adjoining property.*

FINDING #17: The request for additional lot coverage for concrete/hard surface does not include a structure and does not impose upon the light, air and privacy of the adjoining properties. **Criterion is met.**

3. *Provide for accessibility, including emergency vehicles, per City standards.*

FINDING #18: The parcel has street and alley access for both residential use and emergency vehicles. **Criterion met.**

4. *Result in a structure that conforms to the general character of the neighborhood or zone district;*

FINDING #19: The neighborhood is developed predominately with single family homes and a few duplexes in the immediate vicinity. The general character is mixed and the housing exists. **Criterion does not apply as there are no proposed structures with this request.**

5. *If a reduced number of parking is requested, provide adequate parking based on low demand users, or supplement on-site parking with joint use agreements.*

FINDING #20: No reduction in parking is requested with this adjustment. **Criterion is not applicable.**

Section 3.080.050 Conditions of Approval:

If granting the adjustment, the Approving Authority may attach any reasonable conditions deemed necessary to ensure that the review criteria are met.

FINDING #21: Staff is requesting that the Planning Commission use their discretion to determine if the criterion is met and the adjustment is granted.

Conclusion:

Staff suggests that the Planning Commission direct staff to prepare a resolution of approval with conditions or denial detailing the reasons the application does not meet the criteria.

If Approved, Suggested Conditions of Approval:

1. The additional lot coverage of 13% (total of 73%) will be allowed as provided in the submitted plans.
2. The applicant will be required to provide plans identifying how the storm water will be maintained onsite. Plans will need to be submitted to the Planning Department and be reviewed and approved by the City Engineer.
3. Except as modified by this decision, all development must be completed in accordance with Land Use Development Ordinance 98-1222, as amended.

ADJUSTMENT APPLICATION

CITY OF THE DALLES
Community Development Department
313 Court Street
The Dalles, OR 97058
(541) 296-5481, ext. 1125
Fax (541) 298-5490
www.ci.the-dalles.or.us

Date Filed _____
File# _____
Date Deemed Complete _____
Hearing Date _____
Approval Date _____
Permit Log # ADJ 18-034
Other Cross Reference# _____

APPLICANT

Name Michael Gibney
Address 1428 E 11th St
Telephone # 541.296.1690
E-Mail _____

LEGAL OWNER (If Different than Applicant)

Name _____
Address _____
Telephone # _____
E-Mail _____

*If applicant is not the legal owner, attach either [1] owner consent letter, or; [2] copy of earnest money agreement, or; [3] copy of lease agreement.

PROPERTY INFORMATION

Address 1428 E 11th St
Map and Tax Lot 1 N 13 E 3 00 13818
Size of Development Site 4,934 sq ft
Zone District/Overlay RH
Comprehensive Plan Designation RH

REQUEST

New Construction Expansion/Alteration Change of Use Amend Approved Plan

Brief Explanation: lot coverage adjustment (quasi-judicial)

JUSTIFICATION OF REQUEST

Review Criteria for Adjustments are found in LUDO Section 3.080.040

For approval the applicant must satisfy the criteria in EITHER Section A or Section B. On a separate piece of paper provide sufficient information for the review body to determine each of the issues listed in the section chosen. The information may be written, photographic, or any other method which will provide useful information to the review body. Except for the application, information may be sent by fax or E-mail.

- A.
 - 1. If in a residential zone, show that the proposal will not significantly detract from the livability or appearance of the residential area.
 - 2. If more than one adjustment is being requested, the cumulative affect of the adjustments results in a project which is still consistent with the overall purpose of the zone.
 - 3. City designated scenic resources and historic resources are preserved.
 - 4. Any impacts resulting from the adjustment are mitigated to the extent practical.
 - 5. If in an environmental sensitive area, the proposal has as few detrimental environmental impacts on the resource and resource values as is practicable.

- B.
 - 1. Application of the regulation in question would preclude all reasonable economic use of the site.
 - 2. Granting the adjustment is the minimum necessary to allow the use of the site.
 - 3. Any impacts resulting from the adjustment are mitigated to the extent practical.

- C. If the applicant meets the approval criteria under either Section A or Section B, the review body may also take into consideration, when applicable, whether the proposal will:
 - 1. Result in a more efficient use of the site.
 - 2. Provide adequate provisions of light, air, and privacy to adjoining property.
 - 3. Provide for accessibility, including emergency vehicles, per City standards.
 - 4. Result in a structure that conforms to the general character of the neighborhood or zone district.
 - 5. If a reduced number of parking is requested, provide adequate parking based on low demand users, or supplement on-site parking with joint use agreements.(The applicant may also provide comments on any of the issues in part C.)

There are no mandatory plans or other types of information required with this application. It is the applicant's responsibility to provide sufficient information and documentation on each of the issues for the review body to make a decision. Insufficient justification will result in a denial.

Signature of Applicant

1/23/18 _____
Date

Signature of Property Owner*

Michael E. Doherty _____
Date

* Notarized Owner Consent Letter may substitute for signature of property Owner



SITE PLAN MAP
JW Lot 18

Map, Tax Lot #: 1428 E 11th

Applicant: BK B Investments

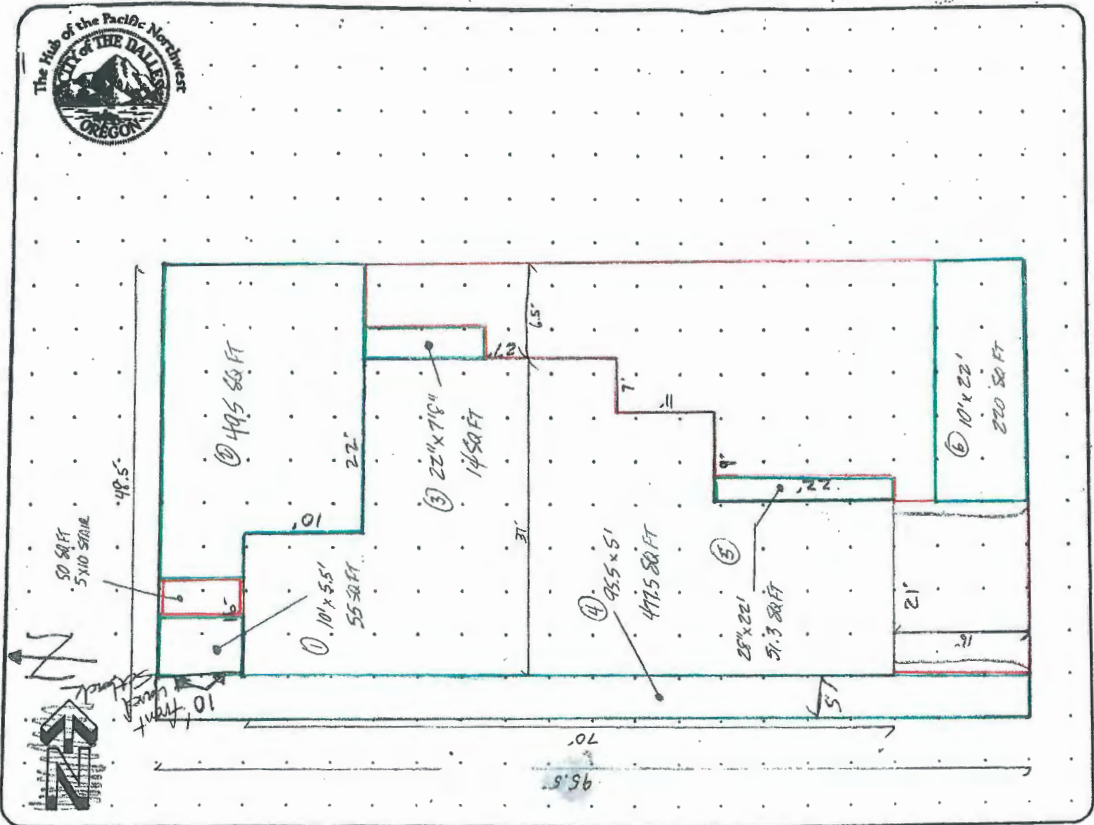
Owner(s): BK B Investments

Contact #: 541-400-0208

Date: 3.8.17

NOTE: Lot Dimensions and setbacks must be included numerically and drawn to the scale selected below.

* See back for required site plan information.



- SCALE: 1" = 10' (select one)
- 1:50
 - 1:100
 - 1:200

Planner Only:
File #: _____
Resized - No longer to scale



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
FAX: (541) 298-5490
PLANNING DEPARTMENT

October 31, 2017

Ton I. Gibney
PO Box 170
Husum, WA 98623

Re: 1428 East 11th Street, The Dalles, OR 97058 – Tax Lot 1N 13E 3DD tax lot 13818

Sir/Madam;

It has recently come to my attention that extensive concrete construction work has been undertaken at the property located at the above address in apparent violation of the City's Land Use and Development Ordinance (LUDO) regulations for maximum lot coverage. Pursuant to LUDO Section 5.020.060 the High Density Residential Zone has a maximum lot coverage standard of 60%. Lot coverage is calculated by adding the square footages of all hard surfaces (driveway, walkway, patio, building, etc.) and dividing by the square footage of the lot (e.g., 2,000 square feet of hard surface divided by 5,000 square foot equals 40% lot coverage)

From observations conducted from the public right-of-way staff has estimated a lot coverage of approximately 73%. Staff also observed surface water runoff from the subject property onto the adjacent property, which is also a violation of the LUDO.

Therefore, please consider this letter as a formal request to conduct a site inspection of the property to properly determine the lot coverage resulting from the concrete work. During the inspection City staff will also discuss possible actions to correct the situation.

Please contact the City Planning Department at (541) 296-5481 for additional information and to schedule an appointment.

Thanking you in advance for your cooperation.

Respectfully,

Steven K. Harris, AICP
Planning Director

Cc: Dawn Hert, Senior Planner
Nikki Lesich, Codes Enforcement Officer
Gene Parker, City Attorney
Property file