



## 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, AUGUST 2, 2018**

**6:00 P.M.**

## CALL TO ORDER

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

## ROLL CALL

Commissioners Present: Brent Bybee, Sherry DuFault, Bruce Lavier, John Nelson, Steve Ross and Jeff Stiles

Commissioners Absent: Mark Poppoff

Staff Present: Planning Director Steve Harris, City Attorney Gene Parker, Senior Planner Dawn Hert, Associate Planner Riley Marcus, Planning Technician Joshua Chandler

Public in Attendance: Six

## APPROVAL OF AGENDA

Commissioner Nelson 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 June 21, 2018 as amended; Commissioner Stiles seconded the motion. The motion passed 5-0, Nelson abstained.

## PUBLIC COMMENT

*Daliea Thompson, 724 E. 20<sup>th</sup> Street, The Dalles*

Thompson stated she was pleased and encouraged to see the Planning Commission look at a variety of housing options for our community.

## LEGISLATIVE HEARING – Zoning Ordinance Amendment 97-18, 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

(ADUs), townhomes, duplexes and triplexes, while maintaining important standards that regulate the form and character of new development.

Chair Lavier asked if any Commission member wished to make a disclosure or abstain from participating or voting on the matter being heard due to possible financial gain resulting from legislative action. Hearing none, Chair Lavier opened the Legislative Hearing at 6:05 p.m.

Director Harris introduced the new Commissioner, Brent Bybee.

Senior Planner Hert presented the Amended Staff Report, Exhibit 1.

Chair Lavier asked how the comments provided would impact the request.

Hert reviewed the Fair Housing Council's letter dated August 2, 2018, submitted jointly by the Housing Land Advocates and the Fair Housing Council of Oregon; Exhibit 2. Hert stated the Amended Staff Report included the information requested by the Fair Housing Council relating to Goal 10 of the Statewide Planning Goals.

An email submitted by Benjamin Beseda on behalf of Chenoweth Water PUD stated their support of City efforts to streamline the development process, Exhibit 3.

Hert summarized documents sent by Mrs. Lorene Hunt to Angelo Planning Group and forwarded to City Staff, Exhibit 4. Documents included a letter dated May 30, 2018, and two faxes dated June 1, 2018, and August 2, 2018. Hunt voiced concerns about ADUs, owner occupancy, and standard units per acre in the Residential Low Density Zone. Hunt also said inconsistencies were not addressed and public input was discouraged by the City. City Attorney Parker clarified these documents had been submitted previously at the Public Hearing.

Matt Hastie, Angelo Planning Group, provided a presentation on Housing Needs Analysis Code Amendments, Exhibit 5.

Chair Lavier invited questions or testimony.

*Lorene Hunt, PO Box 81, The Dalles*

Mrs. Hunt commented on:

- Lack of public involvement
- Difficulty locating an agenda
- Online survey in Beaverton in which over 500 people participated
- Various methods of engaging the public
- ADU densities

Mrs. Hunt distributed an unsigned commentary on ADUs (previously included in Exhibit 4).

Director Harris stated for the record that the two Planning Commission meetings discussing this item were properly noticed; the public was invited to attend and comment. The workshop held on July 19, 2018, was also properly noticed; agendas were available at the meeting.

*Daliea Thompson, 724 E. 20<sup>th</sup> Street, The Dalles*

Thompson said many new homes were built with an ADU as a feature. She asked if these ADUs were also being considered.

Hert responded that ADUs are currently permitted outright, with a maximum size of 600 sq. ft. or 60% of the gross floor area of the primary structure. Under consideration is an increased square footage allowance and removal of homeowner occupancy. Homeowner occupancy becomes an enforcement issue for the City.

Hert clarified that an attached ADU was not the same as a duplex; a duplex does not have the size limitation. Hastie further stated that a duplex is defined specifically in the Code. A duplex requires separate electrical and water meters. An ADU would function as a separate unit, but would not be defined as a duplex.

*Lorene Hunt, PO Box 81, The Dalles*

Hunt commented the ADUs would not be duplexes, but would serve as rental units.

Hunt said it was important to note there were many options to increase density. She suggested ADUs be included in Medium and High Density zones.

Commissioner Ross noted the intent of the amendments was to bring our code into compliance with State law, and to encourage development in a manner that meets current standards.

*Jonathan Blum, 403 E. 8<sup>th</sup> Street, The Dalles*

Blum stated he is very supportive of the changes considered by the Planning Commission to allow for better development and increased housing in the community.

*John Windsor, 1916 W. 13<sup>th</sup> Street, The Dalles*

Windsor asked if the Commission was changing low density to high density. Hert replied the Commission was not changing zoning or density allowances. The purpose of the amendments was to remove barriers to allow for infill, which will increase the possibility of meeting density requirements. ADUs had been permitted outright since 1998 yet the number of applicants had been very low.

Windsor stated large lots with fewer homes attracted him to the area. If everyone chose to increase density, it would make a major change to the neighborhood.

*Vern Beito, 1914 W. 13<sup>th</sup> Street, The Dalles*

Beito stated he had lived in the community for 50 years and watched the community get worse; attracting more people to the community was not good planning. More infrastructure is needed before making these changes.

Hastie clarified the only proposed change to the Low Density Residential zone was to reduce lot size for duplexes on corner lots. All remaining changes relate to the Medium and High Density zones. Removal of the owner occupancy requirement would increase available rental properties.

Commissioner Nelson stated it was not a new thing to split a large lot or allow ADUs.

Commissioner Stiles said it could be a headache to manage ADU properties with shared utilities.

*Daliea Thompson, 724 E. 20<sup>th</sup> Street, The Dalles*

Thompson disagreed with Commissioner Stiles' comment.

Thompson stated that when discussing increased densities, we were not talking about bringing in the poor; we were talking about taking care of our community. The community needs clean, sustainable, affordable housing.

In response to Commissioner Bybee's inquiry, Hert stated the public is notified by publication in The Dalles Chronicle, the City's website, and the City's Facebook page.

*Lorene Hunt, PO Box 81, The Dalles*

Hunt said the City should look at Beaverton's public outreach. Hunt chose their property for the air quality to benefit their son.

A brief discussion covered notification requirements, live streaming and public participation. Currently, the public is unable to comment interactively during the Commission meeting. The public is welcome to comment in person, by mail or email.

*Jonathan Blum, 403 E. 8<sup>th</sup> Street, The Dalles*

Blum stated from an outside point of view, it may seem suspect that the proposed amendments directly relate to his project on West 13<sup>th</sup> and Perkins Streets. He clarified that the land use changes pre-date his purchase of the property.

Chair Lavier invited Commissioner comments or questions.

Commissioner Stiles stated he liked development and a growing city, but does not want to change the ambiance of The Dalles with "Portland-like" changes. The proposed changes are not required, the Commission can make the choice.

Commissioner Bybee stated as proposed, only corner lots are affected. Landowners have a choice; this will be a gradual process. Bybee shared his personal difficulty finding a home; it's important to consider affordable housing in The Dalles.

Commissioner DuFault stated the housing available is "sad". She stated consistent, legal, quantifiable, distinct guidelines will assist the Planning Commission when making decisions.

Commissioner Nelson seconded DuFault's opinion. He appreciated the work done by Angelo Planning and the process that allowed for comment and changes. Nelson said this was all about language, looking at our Code and making it work for changes to State law.

Commissioner Ross mirrored Nelson's comments. He further stated there is a tidal wave of housing need coming. The Commission needs to look 15-20 years forward to responsibly develop for future needs. Clear, definable language is not a step backward.

Chair Lavier closed the Public Hearing at 7:56 p.m.

Commissioner Nelson moved to recommend to the City Council approval of the various housing code amendments to The Dalles Municipal Code, Resolution 576-18, approving ZOA 97-18. Commissioner DuFault seconded the motion. The motion passed 5-1, Stiles opposed, Poppoff absent.

## **STAFF COMMENTS**

Director Harris stated the next regularly scheduled meeting was August 16, 2018. There were no Public Hearings scheduled.

The School District update would be held in a September meeting.

The updated plans for CUP 180-16, Heath RV Park, 3821 W. 10<sup>th</sup> Street, were in Public Works for review. Staff will report back with the status in September.


Harris introduced Associate Planner, Riley Marcus, and Planning Technician, Joshua Chandler.

Harris stated two applications were appealed to City Council, one on E. 19<sup>th</sup> Street and one on W. 13<sup>th</sup> and Perkins Streets. The City Council upheld Planning Commission approval.


## ADJOURNMENT

Chair Lavier adjourned the meeting at 8:04 p.m.

Respectfully Submitted  
Paula Webb, Planning Secretary

  
Bruce Lavier, Chair

**City of The Dalles**  
**Planning Commission Staff Report**  
**\*AMENDED\***  
**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.

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 to 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. An 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.

## **REVIEW**

### **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 ordinance, 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 duplexes, triplexes, townhomes, and Accessory Dwelling Units (ADU), in accordance with the City's 2017 Housing Needs Analysis (HNA).

The HNA found that the housing types identified above are projected to make up a significant share of new housing development:

- 27% of new housing units are projected to be some form of attached housing.
- Single family attached units (townhomes) are projected to meet 3% of future need. These are defined as units on separate tax lots, attached by a wall but separately metered, the most common example being townhome units.
- Duplex through four-plex units are projected to represent an additional 11% of the total need. Duplex units would include a detached single-family home with an accessory dwelling unit on the same lot.

The HNA found that there is enough land zoned for these housing types in the City; however, land zoned for these housing types must be developed at a higher density than in the past:

- The new housing unit capacity was estimated for the buildable lands identified in the City of The Dalles. There is a total remaining capacity for nearly 3,689 units.
- There is a total forecasted need for 1,769 units over the next 20 years. This is below the estimated capacity of 3,689 units.
- There is currently sufficient buildable capacity within The Dalles to accommodate projected need; however, much of this capacity is in the form of parcels with the potential for development or infill with future multi-family units. The size of the available remaining

capacity assumes that some high-density and medium-density zoned lands are built out at higher average densities than these areas have traditionally achieved in the past.

The Housing Strategies Report, part of the HNA, found that land zoned for duplexes, triplexes, townhomes, and Accessory Dwelling Units may not be developed for these housing types due to the barriers presented by certain regulatory standards. The proposed amendments are intended to reduce these barriers and facilitate development of these housing types.

**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 ADUs 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. Additionally, 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 provide flexibility by reducing lot sizes for duplexes, triplexes and townhomes, so they may be developed on a wider range of lots. The proposed amendments also provide more flexibility for development of ADUs by removing unnecessary or overly restrictive requirements.

### 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.

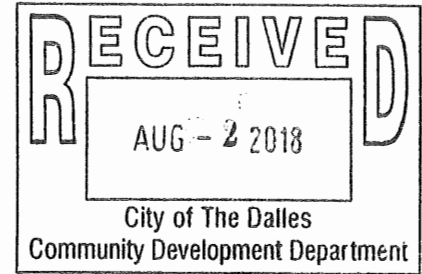
All of the proposed amendments are subject to revision or deletion. The Commission will forward a recommendation on the amendments to the City Council. The final decision on all the proposed amendments will be made by the City Council.

### 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.



Exhibit 2



August 2, 2018

City of The Dalles Planning Commission  
313 Court Street  
The Dalles, Oregon 97058

**Re: Amendments to the Municipal Code, Title 10; ZOA 97-18**

Dear Commissioners:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians. FHCO's interests relate to a jurisdiction's obligation to affirmatively further fair housing. Please include these comments in the record for the above-referenced proposed amendment.

As you may know, all amendments to the Comprehensive Plan Map and Zoning map must comply with the Statewide Planning Goals. ORS 197.175(2)(a). When a decision is made affecting the residential land supply, the City must refer to its Buildable Land Inventory (BLI), in addition to its Housing Needs Analysis (HNA), to show that an adequate number of needed housing units (both housing type and affordability level) will be supported by the residential land supply after enactment of the proposed change.

The staff report for the proposed amendment refers to its intent to create more housing—a need revealed by the City's recent HNA. The report, however, does not include findings for Statewide Goal 10 to demonstrate that the amendment's effects do not leave the City with less than adequate residential land supplies in the types, locations, and affordability ranges affected. *See Mulford v. Town of Lakeview*, 36 Or LUBA 715, 731 (1999) (rezoning residential land for industrial uses); *Gresham v. Fairview*, 3 Or LUBA 219 (same); see also, *Home Builders Assn. of Lane County v. City of Eugene*, 41 Or LUBA 370, 422 (2002) (subjecting Goal 10 inventories to tree and waterway protection zones of indefinite quantities and locations). Only with a complete

analysis showing any gain in needed housing as compared to the BLI can housing advocates and planners understand whether the County is achieving its goals through code amendments.


In particular, this is an opportunity to dig back into the HNA and make findings showing that the goals and information are being applied through the proposed code amendments. In this way, the City will start to meaningfully track the goals in the HNA with its subsequent land use actions. For example, increasing density within zones by lowering minimum lot sizes might accomplish some of the goals in the HNA, but on reading the staff report, all we can observe is that more housing is better and that is enough to meet Goal 10. Instead, the findings should explain in words that rely on the HNA how these changes will result in increased density and achieve the goals of the HNA. To do otherwise is the start of allowing the HNA to gather dust when it has only just been written.

As such, HLA and FHCO urge the Commission to defer adoption of the proposed amendment until Goal 10 findings include reference to the Buildable Land Inventory. Thank you for your consideration. Please provide written notice of your decision to, FHCO, c/o Louise Dix, at 1221 SW Yamhill Street, #305, Portland, OR 97205 and HLA, c/o Jennifer Bragar, at 121 SW Morrison Street, Suite 1850, Portland, OR 97204. Please feel free to email Louise Dix at [ldix@fhco.org](mailto:ldix@fhco.org).

Thank you for your consideration.



Louise Dix  
AFFH Specialist  
Fair Housing Council of Oregon



Jennifer Bragar  
President  
Housing Land Advocates

cc: Kevin Young ([kevin.young@state.or.us](mailto:kevin.young@state.or.us))

**Paula Webb**

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**From:** Dawn Hert  
**Sent:** Thursday, August 02, 2018 4:29 PM  
**To:** Paula Webb  
**Subject:** FW: Thursday's Planning Commission Meeting

**From:** Ben Beseda [<mailto:BBeseda@tennesoneng.com>]  
**Sent:** Thursday, August 2, 2018 4:27 PM  
**To:** Dawn Hert <[dhert@ci.the-dalles.or.us](mailto:dhert@ci.the-dalles.or.us)>  
**Cc:** [districtmanager@chenowithwater.com](mailto:districtmanager@chenowithwater.com)  
**Subject:** RE: Thursday's Planning Commission Meeting

Good afternoon Dawn. I am writing this email on behalf of Chenowith Water PUD. The District Manager and I have reviewed and discussed proposed ZOA 97-18 Housing Code Amendments. Chenowith Water supports these efforts to stream line the development process in the City and UGB. We hope that the Planning Commission passes the proposed amendments.

Thanks, Ben

Benjamin B. Beseda PE, PLS, Enigneer of Record, Chenowith Water PUD  
Tenneson Engineering Corporation  
3775 Crates Way  
The Dalles Or. 97058  
(541)296-9177

Public Comment provided to Angelo Planning Group from Ms. Lorene Hunt,  
PO Box 81, The Dalles, OR 97058:

- Letter dated 5/30/2018
- Fax dated 6/01/2018
- Fax dated 08/02/2018



Matt,

May 30

Several items were omitted from the mailing yesterday needing explanation, lending understanding to the contents and a few glaring omissions which may have raised questions.

-Names of contributors were not included because the developer has already reduced the concerns of many to the concerns of a few, minimizing the wide-spread concern. To avoid a recurrence, content is the focus, not the writers.

-The issue of ADUs was barely touched in the commentary by a citizen. For ADUs not to count as an increase in density is fair if the ADU is a mother-in-law unit (in the family). If the condition of owner occupancy is removed, as proposed, and one unit is no longer owner occupied, then density must be said to increase, since two unrelated family units can occupy 2 units. This should rightfully be called a duplex. *With this scenario, a duplex could be placed anywhere, thus circumventing the condition of corner lots only for duplexes in the RL zone.* This would be inconsistent with the standard for units per acre in the RL zone, other inconsistencies/problems not addressed here. Importance of retaining owner occupancy with an ADU cannot be overemphasized.

-Dialogue with citizens has not been invited; in fact, has been discouraged...a very concerned person having been told at the city planning office that the May 17 meeting was "to adopt current rulings into official code - not to discuss any planned changes to the code - which is disturbing" (per email) - so persons with that information did not come to the meeting May 17, disheartened.

-When the city does not respond in good faith to citizen input/involvement, the developer is witness to a model that does not bode well for the welfare of the neighborhood. An opportunity still exists to recognize the importance of local citizens, especially those citizens living near proposed development that does not meet city code and does not meet approval of neighbors. Since the city has not successfully included the community in planning stages of proposals that have huge impact, it is hoped the Angelo Planning Group will guide the city to realize the importance of GOAL 1 of Oregon's Statewide Planning Goals and Guidelines: CITIZEN INVOLVEMENT - the 1st paragraph stating "citizens to be involved in all phases of the planning process." Who believes a public hearing at the end of the proposal stage meets that standard? particularly taking into account results of the public hearings reported in the May 4 document? (good faith responses to citizen input absent) Adequate? A resounding "no".

*Thank you for your efforts  
with difficult matters  
involving landuse + citizen concerns*





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Planning Commission Minutes

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Date 6/1

This FAX transmission contains 2 pages (not including this cover sheet)

To: Name Matt H.  
 (CT referred you as project manager)  
 Company Angelo Planning Group  
 FAX ( 503 ) 227-3679

The attached letter is a replacement for one you may (or may not) have received dated 5/30.

Notes: A priority envelope with information about The Dalles project was mailed on 5/29 & mis-dialed. After 1 1/2 hours at the post office today, the supervisor said 2 mistakes were made - will not arrive until Monday due to unfortunate delay.

Matt,

Amended replacement for the letter dated 5/30

Several items were omitted from the priority mailing 5/29 concerning code changes in The Dalles. Explanation will lend understanding to the contents and address a few glaring omissions which may have raised questions.

-Names of contributors were not included because the developer has already reduced the concerns of many to the concerns of a few, minimizing wide-spread concern. To avoid a recurrence, content is the focus, not the writers.

-The issue of ADUs was barely touched in the commentary by a citizen. For ADUs not to count as an increase in density is fair if the ADU is a mother-in-law unit (in the family). If the condition of owner occupancy is removed, as proposed, and one unit is no longer owner occupied, then density must be said to increase, since two unrelated family units can occupy 2 units. This should rightfully be called a duplex. *With this scenario, a duplex could be placed anywhere, thus circumventing the condition of corner lots only for duplexes in the RL zone.* This would be inconsistent with the standard for units per acre in the RL zone, other inconsistencies/problems not addressed here.

**Importance of retaining owner occupancy with an ADU in RL zones cannot be overemphasized.**

-Dialogue with citizens has not been invited; in fact, has been discouraged...a very concerned person having been told at the city planning office that the May 17 meeting was "to adopt current rulings into official code - not to discuss any planned changes to the code - which is disturbing" (per email) - so persons with that information did not come to the meeting May 17, disheartened.

-When citizen input/involvement from immediate neighborhoods is not included until the end (hearing phase), the process becomes adversarial when citizens express reasons why proposals are not in the best interests of persons who have already invested much in their properties. In addition, the persons having worked on the proposals internally are less likely to hear/adapt to the input of citizens at the end of the process, minds already made up. Results of the May 3 hearing provide a dramatic example of the failure of one hearing at the end of the proposal process to adequately factor in citizen input/involvement, unanimous in protest, the Commission siding with internal staff rather than giving adequate credence to the multitude of dissenting views presented by the citizens of the immediate neighborhoods. Unfortunately, the developer is witness to a model that does not bode well for the welfare of neighborhoods, local citizens' concerns not given the legitimacy deserved.

**An opportunity still exists to recognize the importance of local citizens, especially those citizens living near proposed development that does not meet city code and does not meet support and approval of neighbors.** Since the city has not successfully included the community in planning stages of proposals that have huge impact, it is hoped the Angelo Planning Group will guide the city to realize the importance of GOAL 1 of Oregon's Statewide Planning Goals and Guidelines: CITIZEN INVOLVEMENT - the 1st paragraph stating "citizens to be involved in all phases of the planning process." A public hearing at the end of the proposal stage does not provide a reasonable platform for citizen input, setting up an adversarial situation. Citizen input should instead take place in a cooperative way throughout the planning process, meeting goals of both the State and the Planning Commission and leading to results that better serve neighborhoods and towns.

NOTE: The Beaverton Land Use Element, adopted in Oct. 2017 and your project, is a model that provides adequate citizen input/involvement. The Dalles greatly needs such a model...an online survey (in which over 500 people participated) - why not in The Dalles?...engagement with neighborhood groups? - why not in The Dalles?... online interactive map and summary of proposed changes? - why not in The Dalles?...allowing people to submit comments, including official testimony, online? - why not in The Dalles?

For a project that will result in code changes, impacting nearly all of the city's citizens, why haven't even one of these modes of including the persons being impacted been used? **PLEASE consider several of these ways of including at least those citizens most impacted before a hearing phase (see comments above about a cooperative way of including citizens throughout the planning process - done in Beaverton).**

(Note: **Several citizens contributed this additional information as critical to understanding difficulties in The Dalles. This demonstrates what can happen when citizens are included in the discussion/planning phase)**

*Thank you for your efforts*

Last night, I sat in on the meeting of you and your partner with The Dalles Planning Commission. Since no public input was solicited by the Planning Commission at the meeting after your discussion with them about proposed changes in the city code, citizens did not feel comfortable approaching you or commission members to provide input on measures spoken to at the meeting, hence a phone call the following day was made to the Angelo Group. CJ suggested contacting you as the project manager, this written material presented in an attempt at "citizen involvement", awkward at best. Only because of a hearing with the Commission on May 3 with those concerned about proposed developments in RL neighborhoods was there any awareness of a meeting taking place regarding proposed amendments to the LUDO. After the experience of citizens as described in the joint letter (with signatures of those in one neighborhood who are opposed to lowering standards in RL for development of a duplex included, both neighborhoods working together in expressing needs of citizens to be heard, both gathering signatures of those in agreement), it is no surprise that there was little motivation for involvement in further matters considered by the Commission, unanimous and multi-faceted citizen opposition expressed at the hearing having been rebuffed in the decisions of the Commission just this month.

Last night's meeting provided some insight into one reason the Commission might have found it necessary to overrule unanimous citizen protest to measures that are not in compliance with current code and objected to widely by homeowners in the immediate areas next to the proposed developments, that reason being pressure to conform to an uncertain degree to the state goals. How to do that was in question, expressed by one Commission member who asked at one point (paraphrased), "Is this change required by the state?" The 'process' occurring is very troubling to those who are directly impacted by recommended code changes...those being homeowners/families with a wide range of reasons for objecting. Some homeowners in the target RL neighborhoods have grown up and lived in The Dalles all their lives, in some cases moving to an RL zoned area specifically to get away from higher density areas in The Dalles. In other cases, families have more recently moved to The Dalles from higher density cities, carefully and painstakingly choosing locations for their homes to support important reasons for those choices, including health reasons i.e. air quality considerations (needing to be near purer country air and a lower trafficked area to avoid toxins which are life-altering for some individuals).

The importance of citizen involvement in the development of proposed changes that impact them directly, so apparently important (on paper) in the mission of the Planning Commission and also given priority in the Angelo Planning Group material, would seem to be critically necessary for a number of reasons that should not need further enumeration. The use of the Comprehensive Planning Goals rather than current city code to determine RL development (as reflected in the staff reports and occurring in both Planning Commission decisions on May 3 overruling unanimous citizen protest) may be an unintended and far-reaching consequence of focus on state goals without adequate citizen input, particularly important in smaller towns such as The Dalles. The importance of citizen input is directly referred to on p. 38 of the Housing Strategies Report in LUDO #3 referring to "updating density standards" in the Notes: "This is one of the more significant code recommendations in terms of potential impact and community interest or concern. It should be done in concert with additional community engagement." The community has spoken, clearly and with unified voice, at hearings where citizens are directly involved in proposed density changes. From all results thus far, "community engagement" can be questioned as a real/meaningful goal in The Dalles. Most discouraging was a statement by one Planning Commission member to the developer in the hearing (paraphrased): "Why don't you wait 5 or 6 months to do this? Then this won't be necessary!!!" indicating the city code will have been changed to allow his adjustments!!! SO MUCH FOR COMMUNITY ENGAGEMENT/CITIZEN INVOLVEMENT!! The minds of some Commission members seem to have been already made up...what is the purpose of a public hearing under those circumstances?

Being new this month to the Comprehensive Planning Goals and the involvement of the Angelo Planning Group in recommending city code revisions, I am more than grateful for the phone interaction with CJ today, my first personal interaction with someone connected to the official process of city code revisions that lent a hearing ear and showed care/concern for impacted citizens. It was observed that few persons on the Planning Commission operated with awareness of the purposes of the Commission that refer to citizen involvement.

What the responsibility of the APG has in supporting/encouraging the Commission in honoring community involvement/citizen engagement is not known. If the Commission seems bent on ignoring citizen input in making decisions that impact family upon family, citizens have little recourse other than to spend additional time and money on efforts which could have been avoided\*\* had those citizens been heard, respected, and honored at the outset in the decision-making process. The efforts of citizens uniting for a common cause can be witnessed: in the document signed by citizens in 2 RL communities; in the letter to the developer expressing difficulties with the process even before the hearing, requesting a meeting; in the material of a concerned citizen researching the HSR and other documents, sharing a solution to proposed problems suggested on p. 18 that respects homeowners in RL neighborhoods; in the appeal to the city, work of multiple concerned citizens in consultation with lawyers. If there is any doubt that citizens in The Dalles care deeply about the direction of a city which overlooks citizen concerns, may the enclosed materials be evidence to the contrary. Recent public hearings have failed to produce evidence of good faith responses to citizen involvement.

To the Angelo Planning Group,

May 27, 3:30 a.m.

Most of the materials in this packet have been waiting to be sent for the labor of a concerned citizen addressing the Housing Strategies Report. That citizen also wrote the commentary on p. 18 of the HSR, prepared before the meeting in The Dalles on May 17 and brought to that meeting with the intention of sharing it as a contribution to the "citizen input" that was anticipated after the discussion, but was never invited. Why were persons at the May 3rd hearing invited to participate in the May 17 discussion of code changes and then not included in the discussion that evening? Is there another avenue to be used for feedback? The fact that citizen input has been so unsolicited in proposing code changes that impact families in major ways was upsetting to the person writing the commentary to such a degree that it took some days before it was possible for this person to return to the Housing Strategies Report for further comment. That further comment was completed on Friday - too late for mailing before the weekend. Because respect for individuals is a hallmark valued in this neighborhood, no pressure was applied. The voice of each individual is valued and valuable. Note the labor of that individual in studying the Housing Strategies Report and other documents, presenting insights that matter and information invaluable to those concerned, limiting the issues addressed to the 2 most important ones.

A member of this community suggested that information sent to your group would be incomplete without recommendations - to make it more likely to positively move forward in a way that includes citizen involvement in proposing changes in city code. Following are suggestions to facilitate citizen involvement:

- that community involvement/citizen input be solicited at the formative stage of proposals (a hearing at the end deemed totally inadequate after recent experiences with the Planning Commission)

- that homeowners in RL neighborhoods within the city be sent information regarding proposals being discussed that relate to increased density (the RM and RH zones already zoned for multi-family housing to greater degrees)

- that input be sought from these citizens regarding that information (could be a return mailing, person(s) to call about the proposals, etc.)

- that a meeting for citizen input be planned and notice be given in a more public way (newspaper, mailings) rather than online with folders that are difficult/ impossible to access for the average individual

- that meetings with committees discussing proposed changes be advertised i.e. in the paper, on TV,

- that such meetings have a time after such discussion for public input regarding topics discussed

Concerning code changes, you are urged to recommend:

- retaining owner occupancy as a condition of ADUs in RL zones in The Dalles

- retaining minimum lot size of 9,000 s.f. for duplexes in RL zones in The Dalles

Statements from more than one document support these recommendations, <sup>current</sup> recommended changes inconsistent with a number of statements and factual information related to goals, etc.

Refer to Goal 1: Citizen Involvement OAR 660-015-0000 (1)  
 ... citizen involvement... that insures... citizens to be involved in  
 all phases of the planning process

May 3, 6 p.m., The Dalles Planning Commission held a public hearing on application ADJ18-036, that hearing lasting 2 ½ hours. Not until 8:30 p.m. was another hearing held regarding ADJ18-037, homeowners wishing to speak to that application having sat through hours, hearing compelling arguments for rejection of ADJ18-036. Those arguments included: (1) promises made to purchasers of lots next to the lot under consideration; (2) easements; (3) nature of the the neighborhood (high end homes), the neighbors repeatedly expressing that only a single family dwelling on that lot be "compatible with the surrounding neighborhood (supposedly a consideration of the Commission); (4) traffic considerations, (5) property value considerations; (6) aesthetic considerations; (7) information about the developer, including his goal of having 100 rental properties before he turns 40, financial matters related to developer from online i.e. 'bigger pockets' etc.; and more. Goals of the developer and development are respected, but why not in cooperation with current homeowners?

The proposal in both cases involved reducing the minimum lot size, the application clearly stating the purpose: building dwellings on the reduced lots, affirmed by the developer as rentals. If all of the compelling arguments, in total, did not result in the rejection of application ADJ18-036, a more compelling case cannot be imagined. Homeowners might as well 'hang up their hats', no matter in which neighborhood they live. **It appears the city supports increasing density (reducing lot size to facilitate more dwellings in the same space) over maintaining standards "compatible with the neighborhood"**, this case setting a precedent which does not bode well for homeowners working to maintain standards "compatible with neighborhood", a series of new rentals on smaller lots next to larger lots with single family dwellings not only on the horizon, but actually being implemented (to the dismay of homeowners in both areas considered). Policies presented related to "infill" might be appropriate in larger cities i.e. Portland and Salem, but here in The Dalles and other smaller towns? Has the Commission considered that persons have purchased homes in The Dalles to avoid such higher density populated places? Certainly there must be areas in which rental units can be constructed in The Dalles which would be "compatible with the surrounding area". How can the neighborhood in application ADJ18-036 be considered one of them? Consider homes along 13<sup>th</sup> Street in application ADJ18-037. Astounding.

"Setting a precedent" was included in the discussion as a consideration in making a decision about ADJ18-036. Isn't supporting homeowners (for a variety of reasons, including the fact that they support the city with taxes) a precedent to set that will have far-reaching positive impact? For homeowners who have invested significant financial resources and time into purchase and improvement of their carefully-selected properties which they value and trusted the city to value, events last night with The Dalles Planning Commission are not encouraging.

Imagine being a homeowner speaking to application ADJ18-037 after 2 ½ hours including compelling arguments against accepting the proposed reduction in lot size (for the expressed purpose of building rentals), that proposal finally accepted with an additional condition not preventing the reduced lots. The condition simply will require the building permit to be presented to the Planning Commission, the same Planning Commission that did not hesitate to go against the choir of opposition by the impacted homeowners. Based on this track record, little hope can be had that the subsequent reviews will result in anything that actually recognizes the viewpoint and wishes of the neighboring community. Homeowners who wish to preserve their property values and family-oriented neighborhoods without packing people in on reduced lots are up against a Planning Commission that is not supportive of those values. A meeting regarding related matters was announced to be held on May 17. Considering the number of very concerned homeowners expressing arguments in opposition to the reduction in lot sizes, in many cases with compelling information, yet without positive results, attending the May 17 meeting might be as non-productive as the hearings on ADJ18-036 and ADJ18-037.

Homeowners who care about their neighborhoods – BEWARE (be wary).

The Planning Commission has a duty to the citizens of The Dalles. Their website at [http://www.ci.the-dalles.or.us/community\\_dev.htm](http://www.ci.the-dalles.or.us/community_dev.htm) says so itself. The role of the Planning Commission is as follows:

**Mission:** "PREPARING FOR THE FUTURE" a long-standing mission carried out for the benefit of this community's citizens and future generations through:

- Responsive, accurate, consistent, helpful and honest service to our citizens and customers
- Aggressively pursuing meaningful citizen involvement in all planning endeavors.
- Active staff support for our citizen volunteers serving on the Planning Commission, Historic Landmarks Commission, Urban Renewal, and Ad Hoc Committees.
- Determined implementation of adopted plans, programs and policies.
- Helping to foster a climate of cooperation among City personnel, local citizens, special interest groups, and State and Federal agencies.

On paper the above looks promising, yet what was witnessed during the hearing on 5/3/18 regarding the aforementioned adjustment requests was a far cry from the honorable roles that are mentioned on their website. Focusing on just one of their commitments, "Aggressively pursuing meaningful citizen involvement in all planning endeavors" shows a stark contrast in the commitment made, and in reality. A notice was sent out to individuals that may be impacted by the partition adjustments. The good citizens of the neighborhoods responded, believing their City representation would perform a fair and unbiased review of the situations, yet despite UNANIMOUS opposition to the adjustment requests by the citizens, the Planning Commission moved forward with the approval of the adjustments. What is the point of the hearing? Our voices weren't heard. It honestly felt that there wasn't much of a point to participate. The facts and neighborhoods' visions were laid out, in very reasonable fashion, and the Planning Commission ignored them, plain and simple. They are obligated, per their own definition, to engage and represent the good citizens of the The Dalles, and they failed.

Please consider this statement as a formal request to reopen and reconsider the cases referenced in ADJ18-036, and ADJ18-037. The Citizens of The Dalles are depending on you to do the right thing. Please don't let us down again.

→ Each signature obtained with personal contact. Original available if needed.

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Sandy Lane  
Perkins  
W1071



To the Developer,

May 7

Close to your property at 13th and Perkins, homeowners have been struggling with matters relating to your request for reduced lot size for the purpose of building a duplex, that purpose not included in the letter from the city to concerned parties. What has been most difficult is dealing with your verbally-stated purpose that came from a trusted neighbor, that trusted neighbor repeating to others that you said you were building a garage on that property. No-one objected to that, and had one person not gone to city hall to look at the documents there, no-one would have showed up at the hearing, believing you to be building a garage. A duplex is something altogether different with a host of concerning issues. Trusting your word would have resulted in completely eliminating the chance for an appeal, one person checking at the city stunned by the proposal as stated in the application, persons scrambling at the last minute to inform others. An already-difficult situation was made even more difficult by the fact that persons were not in any shape to address such difficult issues after 2 ½ hours of other proceedings, one person having worked a 10-hour day, another homeowner needing to leave at the 2 ½ hour break. At the hearing, it was stated repeatedly that you talked with neighbors at the 19<sup>th</sup> Street location, giving them a chance to talk with you before the hearing with full disclosure about your purpose. That did not happen here, one neighbor sharing your "purpose", that "purpose" trusted. Persons here do not feel valued or respected.

Persons in this neighborhood have expressed a desire to meet with you regarding concerns, your responses to them, and your vision for this loved neighborhood, as others in the 19<sup>th</sup> Street community had the opportunity to do outside the hearing setting. This would best be done as soon as possible, hopefully this week. An early evening time has been suggested as the best for most persons i.e. 6 p.m. Hopefully shared values will result in shared vision and cooperation.

Please respond as soon as possible (hopefully by Tuesday evening) so that neighbors can be informed of your presence and their opportunity to meet with you. Send your response to

Thanking you in advance.

[The Dalles Municipal Code (10.3.020.050)  
states in C.7.

"Prior to the public hearing the applicant is recommended (but not required) to conduct an outreach meeting with residents and others who may be affected by the development."

Did the city care about the neighborhood enough to recommend this to the applicant?  
If so, why did the applicant ignore so important a step?  
If not, why not?

The decision, based on the findings of fact and conclusions in the staff report of ADJ18-037 and after a hearing, should be reversed on the following grounds:

The developer wishes to place a duplex (defined in 10.2.030 as “two dwelling units located on a single lot...” ) on a corner lot. The lot in question measures, according to the application, .17 acres , or approximately 65.36 by 115 feet (7,475 sq. feet) According to city code 10.5.010.060, the required standard for a corner duplex in the RL zone is 4,500 sq. feet per dwelling unit, or at least 9,000 sq. feet, also confirmed as fact in the Staff Report under the heading 'Request'.

The developer filed an adjustment application seeking a reduction in the lot size required, to meet the actual lot size of approximately 7,500 sq. feet. This was apparently done in accordance with 10.3.080.020 D.3, for 'up to 20% reduction in required minimum area', or 10.3.080.020 D.7, where 'one- and two-family dwellings may qualify for a quasi-judicial adjustment exempting them from meeting the requirements of Section 10.5.010.060'.

However, 10.3.080.020 B clearly states that 'adjustments are prohibited for the following items: ...6. to allow an increase in density in the RL zone'. Density is defined in 10.2.030 as 'the number of dwelling units per acre'. The proposed adjustment, in reducing lot size for a duplex without decreasing the number of dwelling units, corresponds precisely to an increase in density. Therefore, this application seeks an adjustment that is specifically prohibited by The Dalles city code. (Refer to compliance standards in 1.100 of the LUDO).

Referring to the Planning Commission Staff Report for Adjustment 18-037, hearing date May 3, 2018, the following findings of fact do not apply because this adjustment is specifically prohibited by the city code as stated in Section 10.3.080.020 (B 6), invalidating use of the following: parts C and D of that same section (Finding #2 and Finding #6); use of Section 3.080.040, Applications, A. Review Criteria 1. Finding #7, Criteria 4, Finding #10, Criteria 7, Finding #13, Criteria 8, Finding #14.

In addition, the use of any review criteria, as addressed in the statement under 'A. Review Criteria' on p. 2 is irrelevant. An adjustment is prohibited and cannot be accepted under any review criteria based on 10.3.080.020 B.6.

Even if this adjustment were not specifically prohibited under The Dalles city code, other issues addressed at the quasi-judicial hearing May 3<sup>rd</sup> provide support for denial of the adjustment request: negative impacts on livability, appearance, traffic, safety, and property values.

Compatibility with the neighborhood, street condition and width, and purpose of the adjustment omitted from the hearing notice were also addressed at the hearing. Reliance in the staff report on suggested amendments rather than existing code as well as reliance also in the staff report of proximity to high density zoning rather than of actual low density zoning of the property in question and the predominance of low density housing in the immediate area do not support citizens living in the area.

This request was not properly decided in a quasi-judicial hearing. The proper way to address this applicant's request would have been an amendment to the comprehensive plan or a change in the zoning designation or a change in the development standards for residential low density housing.

*Commentary on last full PP on p. 18 to provide a reasonable solution to both issues raised.* Exhibit 4

On page 18 the housing strategies report states that the minimum lot size for corner duplexes in the RL zone is 9,000 square feet (according to city code), and then brings up two issues related to the minimum lot size.

One is that 'this minimum lot size may incentivize development of larger unit sizes, and thus a larger overall duplex structure', noting that 'this may result in buildings that are out of scale with nearby homes'. The document correctly identifies a solution to this issue, which is that 'regulations should prevent structures that are out of proportion with adjacent homes'.

The other is that the minimum lot size 'does not incentive [sic] development of more affordable, smaller units'. It then suggests lowering the minimum lot size to 2,500-3,000 sq. ft. per dwelling unit 'so it is equivalent to or only slightly higher than the minimum lot size for a single-family home'.

It is important to note that the second proposal cannot be considered a solution to the first issue. The problem of 'larger unit sizes... duplex structure... out of scale with nearby homes' cannot be rectified by making it possible to build corner duplexes on more, smaller lots. If anything, by increasing the supply of lots available for this use, reducing the minimum lot size would only exacerbate the problem.

The production of more affordable, smaller units seems a reasonable goal, but the emphasis on solving this with RL-zoned corner duplexes is curious because it would seem that medium and high density zones are specifically suited to address this issue.\* As noted in the housing and residential land needs assessment, page 36, 'The Dalles has ample mid-density and high-density residential zoned land, but these areas have traditionally experienced low-density development'.

Therefore, the proper solution to both of these issues is to regulate development in a way that maintains the purpose of zoning districts, instead of drastically altering density requirements to inappropriately shoehorn additional dwelling units into established neighborhoods where they do not adequately fit.

\*It is noted that the proposed amendment would fit well in medium or high density zones and actually corresponds precisely to the required area for two dwelling units per lot in those zones (2,500 sq. ft. per dwelling unit in RH, 3,000 sq. ft. per DU in RM)

Due to acute concern regarding land-use and development in 2 RL neighborhoods in The Dalles this month and after The Dalles Planning Commission sided with the developer rather than lending support to the concerns of citizens from the east and west sides of town all opposing the developments, the following brief statements address serious issues of concern in the Housing Strategies Report of April 2017.

One issue is that of ADU's (HSR page 21) and specifically the proposed city code changes related to them (HSR page 22). Consider the following situation: A developer obtains a 5,000 square foot lot somewhere in the RL zone. According to the current codes, this would seem ideal for a single-family residence, but the developer builds a house with basement addition and a separate external ADU. These could then be rented to three different families who would reside on that one relatively small lot, an aberration and departure from the predominant character of the present RL neighborhoods. Consider: this situation would not meet the intent and purpose of the city codes and zoning ordinances, but could happen unchecked with these proposed changes. Most concerning is the change recommended about the owner-occupancy requirement, particularly in the RL zone where it is much more likely that residents (in this case, those in surrounding properties) are homeowners. Who is concerned with these RL communities (homeowners/families)? **It seems unconscionable that such significant changes should be allowed for those whose interest and investment in these neighborhoods is primarily financial.**

It is important to note that rental duplexes are already allowed in RH and RM zones, and on corner lots in the RL zone, so this is already an option. However, rental duplexes are regulated with certain requirements in the city codes which could be amended if necessary in the RM and RH zones. It is only reasonable to keep the owner-occupancy requirement for ADUs in RL zones and change standards for rental duplexes in the RM and RH zones. This approach seems far more appropriate in RH and RM zones and more neighborhood-friendly in the RL zone. Many homeowners bought houses in RL zones because they wanted to live in an RL zone for important reasons unique to each household (health, density, traffic, quality of life, etc.)

Another issue to address is exactly that of rental duplexes on corner lots in the RL zone. On page 18 a suggestion is made to lower the minimum lot size to between 5,000-6,000 sq. ft. for these developments, representing a significant increase in potential density on these lots (the same paragraph notes that 5,000 sq. ft. matches the minimum lot size for a single-family home). This amendment would seem to fit well into the current standards of the RM and even RH zones, though the recommendations also call for duplex lots in those areas to be decreased. However, there is a significant difference between these changes in RL as opposed to RM and RH, and it concerns the underlying purpose behind the zoning ordinances. On page 16, in the second paragraph, it is stated **that 'neighborhoods in the RL zone are intended primarily for single-family development'**, unlike the RM and RH zones. Page 17 begins with 'per the city's comprehensive plan, multi-family development may not be appropriate in the RL zone generally, but the code makes exceptions for duplexes built on corner lots'. This statement highlights the idea that **corner lot duplexes are already an exception to the general requirements of the city code in the RL zone**, 'the only multi-family development allowed in the RL zone', noted on page 18. **To reduce the lot size required for a duplex in the RL zone is adding another exception to an already-existing exception, compromising compatibility of a corner duplex with a neighborhood in the RL zone to an unacceptable degree**, altering the character of a potential property in the RL zone to a drastic degree (consider properties on 13<sup>th</sup> St. west of Cherry Heights, the lots many times the size of the vacant lot on which a duplex has been proposed, that lot not large enough to meet current code for a duplex in RL zones. Why is this not seen as an amendment which does not honor the character of a neighborhood in an RL zone, changes proposed in another RL neighborhood also not in character with that area?)

Back on page 17, it is stated that 'the standards that govern corner duplexes [in the RL zone] could be adjusted to make their development feasible on more sites'. This may be true, but why? From page 16 we know that 'the RH and RM zones account for a significant portion of the city's total residential land'. Furthermore, these zones already allow multi-family housing in general, not just on the corner lots. **Why not put multi-family housing primarily on the land that is already widely available for that very purpose (in RM and RH zones) before altering low-density neighborhoods** in a neighborhood already well-established with single-family homes, preserving the unique character of present RL neighborhoods chosen for their unique character by families who have invested much to live in just such a neighborhood?

Those are the two issues impacting the very character and livability of neighborhoods in RL zones of particular concern in the Housing Strategies Report. Summary recommendations at the end of the HSR are a very important part of the document, as follows:

Considering the second issue first, there is no mention of corner lot duplexes in the RL zone in this summary, even in the section labeled Land Supply (page 40) which gives three suggestions regarding increasing density. The closest would probably be LUDO #3 (page 38), which recommends updating density standards, though the statement about a potentially broader mix of housing forms also is more appropriately aimed at RM and RH zones. This indicates that reducing lot size for corner duplexes in RL is not actually as important as one might conclude from a cursory reading of pages 17 and 18.

The issue of ADUs is mostly addressed in LUDO #6, the implications here of great concern. It is noted that 'relatively few ADUs have been developed or proposed recently', but if the owner-occupancy requirement is removed, that could change in unexpected ways negatively impacting RL neighborhoods. Because of this, the relative impact could be potentially high with less-than-desirable side effects. It is to be noted that all of the summary suggestions mentioned here are listed as optional.

Why are citizens (living in these RL neighborhoods and other than the Planning Commission) not included in the planning stages? Why are the citizens directly impacted by the implementation of these proposed changes not valued, their input sought and seriously considered. Land use and housing are important issues with no easy solutions to such questions. Hopefully these few paragraphs will **help in reconsidering some of the apparent solutions before they produce unintended consequences**. At the very least, the APG, aware of these issues, may **assist in implementing ideas in a way that those consequences are minimized, especially necessary in RL neighborhoods.**

(Name withheld by request)



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Date

8/2

This FAX transmission contains 2 pages (not including this cover sheet)

To: Name Matt + others

Department \_\_\_\_\_

Company APG

FAX (503) 227-3679

You are invited to a cookout  
supper at 1311 Perkins tonight at

5 p.m. -- indicate the # of persons +  
call 503-327-3454. If that is not possible,  
read at least the underlined parts of attached pages  
our RL neighborhood before proposing changes that  
will dramatically alter it.

Commentary on last full # on p. 18 to provide  
a reasonable solution to both issues  
raised.

On page 18 the Housing Strategies Report states that the minimum lot size for corner duplexes in the RL zone is 9,000 square feet (according to city code), and then brings up two issues related to the minimum lot size.

One is that 'this minimum lot size may incentivize development of larger unit sizes, and thus a larger overall duplex structure', noting that 'this may result in buildings that are out of scale with nearby homes'. The document correctly identifies a solution to this issue, which is that 'regulations should prevent structures that are out of proportion with adjacent homes'.

The other is that the minimum lot size 'does not incentive [sic] development of more affordable, smaller units'. It then suggests lowering the minimum lot size to 2,500-3,000 sq. ft. per dwelling unit 'so it is equivalent to or only slightly higher than the minimum lot size for a single-family home'.

It is important to note that the second proposal cannot be considered a solution to the first issue. The problem of 'larger unit sizes... duplex structure... out of scale with nearby homes' cannot be rectified by making it possible to build corner duplexes on more, smaller lots. If anything, by increasing the supply of lots available for this use, reducing the minimum lot size would only exacerbate the problem.

The production of more affordable, smaller units seems a reasonable goal, but the emphasis on solving this with RL-zoned corner duplexes is curious because it would seem that medium and high density zones are specifically suited to address this issue.\* As noted in the housing and residential land needs assessment, page 36, 'The Dalles has ample mid-density and high-density residential zoned land, but these areas have traditionally experienced low-density development'.

Therefore, the proper solution to both of these issues is to regulate development in a way that maintains the purpose of zoning districts, instead of drastically altering density requirements to inappropriately shoehorn additional dwelling units into established neighborhoods where they do not adequately fit.

\*It is noted that the proposed amendment would fit well in medium or high density zones and actually corresponds precisely to the required area for two dwelling units per lot in those zones (2,500 sq. ft. per dwelling unit in RH, 3,000 sq. ft. per DU in RM)

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presented at discussion on 5/17 - no opportunity  
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This situation would not meet the intent and purpose of the city codes and zoning ordinances, but it's easy to see it happening with these proposed changes. The potential change in the owner-occupancy requirement is most concerning, particularly in the RL zone where it seems more likely that residents (in this case, those in surrounding properties) are homeowners. These homeowners have invested not only money but in many cases significant time and effort in building and maintaining the communities where they themselves live. It seems improper that such significant changes should be allowed for those whose only interest in these neighborhoods is a financial one.

It is noted that rental duplexes are already allowed in RH and RM zones, and corner lots in the RL zone, so this is already an option. However, rental duplexes are regulated with certain requirements in the city codes, which could be adjusted if necessary. It should not be difficult to keep the owner-occupancy requirement for ADUs and change standards for rental duplexes. This approach seems far more appropriate.

Another issue is exactly that of rental duplexes on corner lots in the RL zone. On page 18 a suggestion is made to lower the minimum lot size to between 5,000-6,000 sq. ft. for these developments, representing a significant increase in potential density on these lots (the same paragraph notes that 5,000 sq. ft. matches the minimum lot size for a single-family home).

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On page 16, in the second paragraph, it is stated that 'neighborhoods in the RL zone are intended primarily for single-family development', unlike the RM and RH zones. Page 17 begins with 'per the city's comprehensive plan, multi-family development may not be appropriate in the RL zone generally, but the code makes exceptions for duplexes built on corner lots'. This statement highlights the idea that corner lot duplexes are already an exception to the general requirements of the city code in the RL zone, 'the only multi-family development allowed in the RL zone', noted on page 18.

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These two issues are also reflected in the Summary Recommendations at the end of the HSR document. Considering that second issue first, no mention is made of corner lot duplexes in the RL zone in this summary, even in the section labeled Land Supply (page 40) which gives three suggestions regarding increasing density. The closest would probably be LUDO #3 (page 38), which recommends updating density standards, though the statement about a potentially broader mix of housing forms also seems more aimed at RM and RH zones. This indicates that reducing lot size for corner duplexes in RL is not actually as important as one might conclude from reading pages 17 and 18.

The issue of ADUs is mostly addressed in LUDO #6, and the implications are severe. It is noted that 'relatively few ADUs have been developed or proposed recently', but if the owner-occupancy requirement is removed, that could change in unexpected ways. Because of this, the relative impact could be potentially high, though with some less-than-desirable side effects. It is also noted that all of the summary suggestions mentioned here for ADUs are listed as optional.

**Land use and housing are important issues, and the solutions may not be easy, but the effects of actions must be considered.** Hopefully these few paragraphs will help in reconsidering some of the apparent solutions before they produce unintended consequences, or assist in implementing them in a way that those consequences are mitigated to the extent possible.



TO: The Dalles City Council  
FROM: Lorene Hunt  
DATE: June 25, 2018

SUBJECT: Tonight's Hearing--5:30 pm

I am Lorene Hunt, PO Box 81, our home at the corner of 13th and Perkins which I share in The Dalles with my husband when I can be here, our son living in Eugene needing my presence at our other home, to which we moved to assist him when he was diagnosed during his first months of study for his Master's. He has been unable to work since going downhill during his studies, barely able to finish his Master's. His condition in Dec. of 2015 was so compromised that friends (and sometimes we) thought he would not survive his hospital stay. A team of doctors have instructed him regarding the importance of 3 conditions: avoiding toxins that impact his health (that includes exhaust fumes from vehicles and even foods that his body does not tolerate), adequate sleep, and low stress = these conditions key to controlling symptoms in addition to experimental medication that has made a difference in the past few years. His body seems to be acutely sensitive in many ways, his hearing tested this past Dec. due to an incident, his hearing confirmed to be extremely acute, a condition we had already considered as he was able to hear whispers from across our home, among other things. I will be leaving tomorrow morning, here only because of this appeal, our son needing me to prepare organic food and take care of other matters at our home there... his home that we provide.

I give you this background information because it relates to our search for a home in The Dalles to which my husband transferred in a management position in 2013, The Dalles a small town near where our other son lives. We looked 6 months for a home to purchase, focusing on low density areas that would provide conditions making it possible for our son to visit us or even live with us if necessary - quiet surroundings near country and cleaner air, yet close to my husband's work. We found that home along 13th Street, a one-way street with expansive properties offering low density and cleaner air, that street attracting us as less trafficked than other 2-way streets, limiting toxic fumes impacting our son. In 4 years and after putting much labor into an obviously distressed property inside and out (notices on the door about the yard before we purchased it, the inside unlivable without major work), we have grown to love this home, offering a peaceful neighborhood with no incidents of any kind to report. Neighbors have been quiet and caring, our son visiting occasionally, hopefully more often as his condition slowly improves, his health always uncertain.

This is our particular experience. Families, particularly along 13th Street, have chosen this area specifically because of what it offers, as did we - proximity to country, low density, peaceful surroundings, etc. One family moved from a high density area in The Dalles to this area not many years ago specifically because it is low density and close to country; other residents have lived here for longer than the developments on and near 10th street. Several residents in the homes we so love along 13th are

connected to city government in various ways and feel constrained to not become more involved in this matter, one person offering very helpful advice with a statement of the need to remain publicly uninvolved. Only one person has expressed neutrality as to the construction of a duplex, that person having mowed the developer's property for several years and receiving an additional payment shortly before the hearing May 3... difficulty understood and no pressure placed on that person. Others have been most supportive, a petition signed by many concerned persons having been sent to city council members after the May 3 hearing.

A garage (reported by a neighbor to have been the stated project of the developer) or single family dwelling across the street would have raised no concerns, but a duplex? 2 dwellings on such a small area? vehicles parking where? exiting onto Perkins, as was suggested at the hearing May 3? that area of street already in very compromised condition? Try turning from 13th onto Perkins or vice versa, right next to the proposed duplex, potholes on both sides of the street, the paved portion connecting with 13th less than 17 feet wide at the potholes!!! Daily negotiating that corner from 13th (our preferred route used from Steve's work and from downtown) to our home on the corner of Perkins and 13th requires serious effort to avoid the large depression on the east side of Perkins at that corner. Better yet, take a drive from Cherry Heights Road slowly along 13th, looking at the properties on both sides of the road, particularly homes on 13th. (Even the park-like setting and considerable setback behind trees hide West Park Orchards, at least 2 normally-sized tax lots away from 13th with that setback, senior citizens respectfully entering the neighborhood with reasonable speed). Note the size of the properties and landscaping on 13th, then turn onto Perkins making a wide but reasonable corner as you did onto 13th St (you will feel a significant bump as your tire enters the pothole). You are sincerely invited to stop at our home on the corner of 13th and Perkins and sit in the chair under our porch, looking up at 13th and the hills. Note the peacefulness and sounds of nature (even country animals can be heard in the distance occasionally).

All plants removed from former lush front entrance... only side entrance used by me to avoid activity prohibited by city code.

HOME IS NOT HOME ANYMORE. It's a "development."

Then - ask - would I want my efforts, my home, my family, my RL neighborhood, impacted by an uncharacteristic duplex squeezed onto a too-small lot, rentals at that, next to these homes and properties so loved by their owners? only 1 duplex down Perkins lived in by a family member and housing a person with special needs? Please take the time to drive this route; survey the construction site on the corner of 13th and Perkins (earth dug and forms laid 6 feet from the property line); sit at our home and get a feel for the neighborhood; drive to Walnut Street to get a feel for the section of 13th beyond Perkins; consider The Dalles Municipal Code and the section that states "Adjustments are prohibited for the following items: To allow an increase in density in the RL zone" - **THEN**, and only then, taking information above and that of others testifying at the hearing, **make a decision that will honor this neighborhood and those who have contributed to it for many years (in many cases).**

*Forene Hunt*

PO Box 81, The Dalles, OR 97058

Exhibit 4  
Commentary on last full P on p. 18 to provide  
a reasonable solution to both issues  
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(This page prepared by a concerned citizen to be  
presented at discussion on 5/17 - no opportunity  
provided for discussion with citizen)

ZOA-97-18

Distributed @  
8/2/18 PC mtg

Addressing the issue of ADU's (HSR page 21) and specifically the proposed city code changes related to them (HSR page 22), consider the following situation: A developer obtains a 5,000 square foot lot somewhere in the RL zone. According to the current codes, this would seem ideal for a single-family residence, but the developer builds a house with basement addition and a separate external ADU. These could then be rented to three different families who would reside on that one relatively small lot.

This situation would not meet the intent and purpose of the city codes and zoning ordinances, but it's easy to see it happening with these proposed changes. The potential change in the owner-occupancy requirement is most concerning, particularly in the RL zone where it seems more likely that residents (in this case, those in surrounding properties) are homeowners. These homeowners have invested not only money but in many cases significant time and effort in building and maintaining the communities where they themselves live. It seems improper that such significant changes should be allowed for those whose only interest in these neighborhoods is a financial one.

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**Land use and housing are important issues, and the solutions may not be easy, but the effects of actions must be considered.** Hopefully these few paragraphs will help in reconsidering some of the apparent solutions before they produce unintended consequences, or assist in implementing them in a way that those consequences are mitigated to the extent possible.

# Housing Needs Analysis Code Amendments

Planning Commission Public Hearing  
August 2, 2018



LAND USE PLANNING  
TRANSPORTATION PLANNING  
PROJECT MANAGEMENT



## Project Background

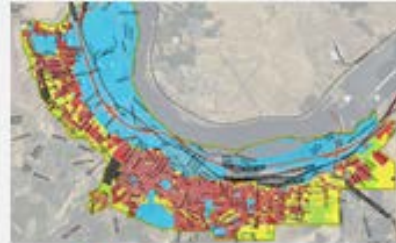
- Implementation of Housing Needs Analysis (HNA)
- Ensure compliance with Senate Bill 1051
- HNA identified 11 code amendment strategies (see *Housing Strategies Report*)
- Five strategies selected for implementation with this project





## Key Findings of the HNA

- The population is growing.
- Renters are burdened by high housing costs.
- There is a key need for more rental housing.
- Attached housing will make up greater share of new development.
- Demand for denser housing is rising
- Land is available but must be developed at higher densities to meet needs.

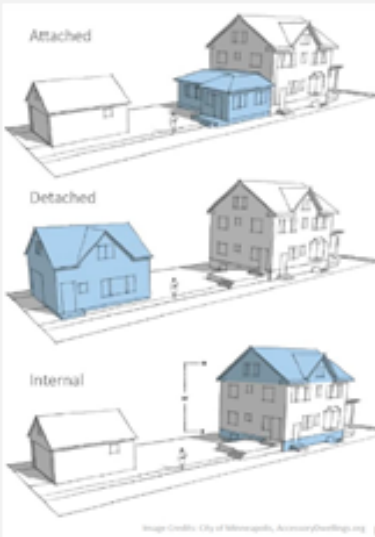


## Overview of Proposed Code Amendments

1. **Accessory Dwelling Units:** compliance with SB 1051, LUDO Strategy #6 in HNA.
2. **Duplexes, Triplexes, and Townhomes:** component of LUDO Strategy #3 in HNA.
3. **Residential Care Facilities:** compliance with state and federal fair housing laws, LUDO Strategy #1 in HNA.
4. **Neighborhood Compatibility Standards:** LUDO Strategy #2 in HNA)
5. **Expedited Permitting for Affordable Housing:** compliance with SB 1051, Non-Regulatory Strategy #3 in HNA

# Accessory Dwelling Units

- Purpose: encourage development of ADUs to meet a needed housing type
- Update multiple standards to remove barriers to development while improving some standards that address livability and character
- Comparison to DLCD Model Code (released March 12)



## Accessory Dwelling Units: Overview

Standard	Existing Code	Proposed Code
Max number of ADUs (per lot)	One per lot	One in RL zone, two in zones that allow multi-family housing
Max size (floor area)	600 square feet or 60% of main house (whichever is lower)	800 square feet or 75% of main house (whichever is lower)
Privacy standard	"Entrance shall be oriented to protect privacy"	Windows facing adjacent lot must be either (1) placed on upper third of wall or (2) screened by 6-foot high fence or shrubs
Special Setbacks (in addition to base zone)	No special setbacks	Front of ADU must be at least as far setback as main house
Design Style	"Compatible with primary dwelling"	No special design style requirement
Owner Occupancy (owner must live on site)	Yes	No

## ADUs: Allowance for Two Per Lot

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- Second ADU permitted on one lot in zones that allow multi-family development (RM, RH, NC, and CBC).
- One of the ADUs on site must be internal/attached.
- Second ADU must be reviewed as an **Administrative Action**.
  - Notice to property owners within 100 feet and 14 day comment period.
  - Option to elevate to Quasi-Judicial Action.
  - May be appealed to the Planning Commission.

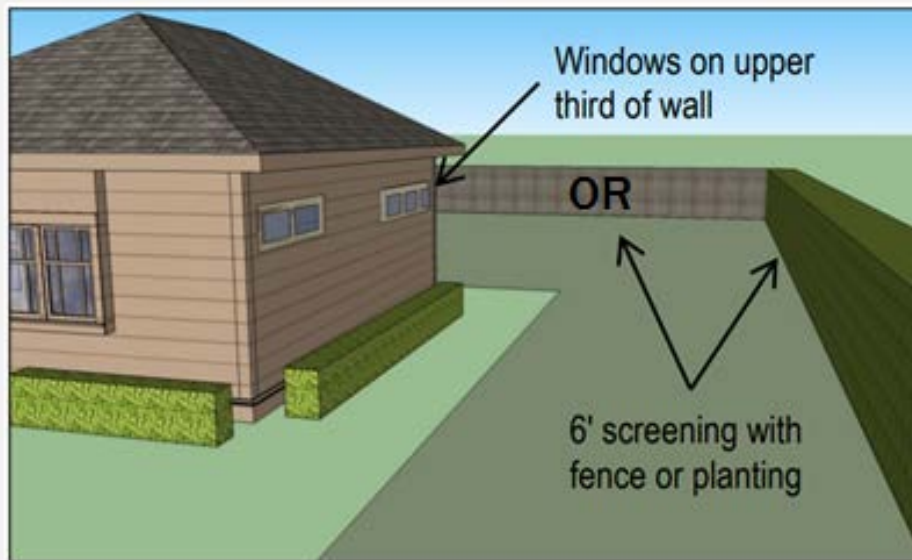
## ADUs: Owner Occupancy Requirement

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- Proposed amendment would remove this requirement.
- Disadvantages of the requirement:
  - Difficult to enforce;
  - May complicate financing for prospective buyers or existing owners that want to build an ADU;
  - Inconsistent with other regulations (duplexes).



## ADUs: Privacy Standard



## ADUs: Maximum Size

- Current: Lesser of 600 square feet or 60% of house
- Proposed: Lesser of 800 square feet or 75% of house
- Goal: Expand appeal of ADUs by allowing them to meet similar size needs as apartments:
  - Median size of new apartment unit (nationally): 1,031 square feet<sup>1</sup>
  - Only 31% of new apartments are below 1,000 square feet<sup>1</sup>

<sup>1</sup> Source: US Census Bureau, Annual 2016 Characteristics of New Housing

## ADUs: Maximum Size



APC Housing Needs Analysis Code Amendments

City of The Dalles 11

## Duplexes, Triplexes, and Townhomes

- Goal: Encourage development of duplexes, triplexes, and townhomes to help meet citywide housing density goals.
- Issue: Current lot size and minimum landscape requirements are a barrier to reaching density goals:
  - Effectively require development of larger units
  - May require acquisition of multiple lots



APC Housing Needs Analysis Code Amendments

City of The Dalles 12

## Duplexes, Triplexes, and Townhomes: Lot Sizes

Zone	Townhomes		Duplexes		Triplexes	
	Current	Proposed	Current	Proposed	Current	Proposed
RL	N/A	N/A	4,500 sf per unit <small>(corner lots only)</small>	2,500 sf per unit <small>(corner lots only)</small>	N/A	N/A
RM	3,500 sf	No change	6,000 sf	5,000 sf	8,000 sf	7,500 sf
RH	2,800 sf	2,500 sf	5,000 sf	4,000 sf	8,000 sf	6,000 sf

## Duplexes, Triplexes, and Townhomes: Lot Sizes

Zone	Townhomes		Duplexes		Triplexes	
	Current	Proposed	Current	Proposed	Current	Proposed
RL	N/A	N/A	4,500 sf per unit <small>(corner lots only)</small>	2,500 sf per unit <small>(corner lots only)</small>	N/A	N/A
RM	3,500 sf	No change	6,000 sf	5,000 sf	8,000 sf	7,500 sf
RH	2,800 sf	2,500 sf	5,000 sf	4,000 sf	8,000 sf	6,000 sf

## Examples: Duplexes on Smaller Lots

### Example: Corner Duplex, 5,000 sf lot



APC Housing Needs Analysis Code Amendments

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## Duplexes, Triplexes, and Townhomes: Lot Sizes

Zone	Townhomes		Duplexes		Triplexes	
	Current	Proposed	Current	Proposed	Current	Proposed
RL	N/A	N/A	4,500 sf per unit (corner lots only)	2,500 sf per unit (corner lots only)	N/A	N/A
RM	3,500 sf	No change	6,000 sf	5,000 sf	8,000 sf	7,500 sf
RH	2,800 sf	2,500 sf	5,000 sf	4,000 sf	8,000 sf	6,000 sf

APC Housing Needs Analysis Code Amendments

City of The Dalles 16

## Examples: Duplexes on Smaller Lots

RM Zone: Side-by-Side Duplex, 5,000 sf lot



## Duplexes, Triplexes, and Townhomes: Lot Sizes

Zone	Townhomes		Duplexes		Triplexes	
	Current	Proposed	Current	Proposed	Current	Proposed
RL	N/A	N/A	4,500 sf per unit (corner lots only)	2,500 sf per unit (corner lots only)	N/A	N/A
RM	3,500 sf	No change	6,000 sf	5,000 sf	8,000 sf	7,500 sf
RH	2,800 sf	2,500 sf	5,000 sf	4,000 sf	8,000 sf	6,000 sf



## Examples: Duplexes on Smaller Lots

### RH Zone: Side-by-Side Duplex, 4,000 sf lot



## Duplexes, Triplexes, and Townhomes: Lot Sizes

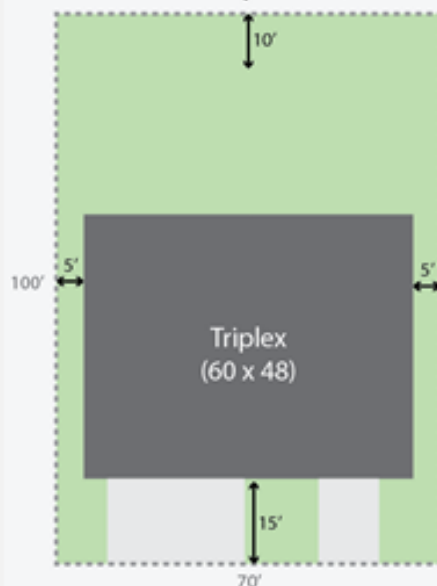
Zone	Townhomes		Duplexes		Triplexes	
	Current	Proposed	Current	Proposed	Current	Proposed
RL	N/A	N/A	4,500 sf per unit (corner lots only)	2,500 sf per unit (corner lots only)	N/A	N/A
RM	3,500 sf	No change	6,000 sf	5,000 sf	8,000 sf	7,500 sf
RH	2,800 sf	2,500 sf	5,000 sf	4,000 sf	8,000 sf	6,000 sf

## Triplexes: Landscaping Standard

- Background: Minimum landscape area standard apply to developments of over 3 units per lot (triplexes +).
  - RH Zone: 1.5 times the first floor area
  - RM Zone: 1 times the first floor area
- Issue: The standard may prevent development of triplexes on smaller lots.
- Proposal: Apply the same landscape standard that applies to single-family homes and duplexes to triplexes.
  - Landscape all undeveloped areas of front yard

### Triplexes: Landscaping Standard

RH Zone: Triplex, 7,000 sf lot



Lot size:	7,000 sf
Building footprint:	2,880 sf
Driveways:	558 sf
Remaining area for landscape:	3,562 sf

Current landscape standard: 4,320 sf  
(1.5x first floor footprint)

Source of drawing dimension information: HousePlans.org

## Residential Care Homes and Facilities

- ORS 197.665 and 197.667:
  - Residential Care Home (5 or fewer individuals) must be permitted in any residential or commercial zone where single-family dwellings are permitted
  - Residential Care Facilities (5-16 individuals) must be permitted in any zone where multi-family dwellings are permitted.
- LUDO: Residential Care Homes as a permitted accessory use in every zone where single-family dwellings are a permitted use.
- Classification as accessory use could be interpreted as a more restrictive than requirements of single-family dwellings

## Neighborhood Compatibility Standards

- ORS 197.307 requires that cities apply “clear and objective standards” to needed housing types.
- Proposed amendments preserve the intent of the standard, but revise to ensure it is clear and can be administered objectively:
  - Façade Articulation
  - Trim and Details
  - Duplexes, Triplexes, and Townhomes (2 units) must “have appearance of a single house”
  - Townhomes (3-8 units): “may be required to combine roof lines and front porches”



## Expedited Permitting for Affordable Housing

- SB 1051: cities must complete land use decisions for qualifying affordable housing developments within 100 days after the application is deemed complete (current standard is 120 days)
- Qualifying developments:
  - A multifamily building containing five or more units;
  - 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
  - The units must be affordable for at least 60 years.
- Existing time limits defined in LUDO are in compliance

## Expedited Permitting for Affordable Housing

- Purpose:
  - Facilitate affordable housing development by reducing costs of permitting delays.
  - Ensure compliance with 100-day limit defined by SB 1051
- Existing expedited permitting program in place for developments in the Enterprise Zone
- Implemented by ordinance:
  - Qualifying developments (defined by ORS 197.311) processed ahead of all other applications
  - Planning Director to act as “Permit Coordinator”