

AGENDA

PLANNING COMMISSION

March 18, 2021

5:30 p.m.

VIA ZOOM

Join Zoom Meeting

<https://zoom.us/j/92097719867?pwd=emh1RnV5bXdSY25lUDJwUEZlSFJyQT09>

Meeting ID: **920 9771 9867** Passcode: **020969**

Dial by your location: 669-900-6833 or 253-215-8782

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES – February 18, 2021
6. PUBLIC COMMENT
7. STAFF COMMENTS / PROJECT UPDATES
8. COMMISSIONER COMMENTS / QUESTIONS
9. QUASI-JUDICIAL PUBLIC HEARING

VAR 129-21: Meyer Sign Company of Oregon, 3123 Bret Clodfelter Way, 1N 13E
1 AB tax lot 400

REQUEST: Consideration of a variance application to install an additional sign on an existing freestanding sign, resulting in a total sign area exceeding the maximum allowed size on the subject property.

10. RESOLUTION

RES 596-21: Decision for VAR 129-21, Meyer Sign Company of Oregon

CITY OF THE DALLES

"By working together, we will provide services that enhance the vitality of The Dalles."

11. DISCUSSION ITEM

The Dalles Housing Code Update; House Bill 2001 – Middle Housing

Review summary of Batch No. 2 proposed Housing Code Amendments discussed at the February 18, 2021 meeting and review and discuss Batch No. 3 proposed Housing Code Amendments

12. ADJOURNMENT

This meeting conducted via Zoom.

Prepared by
Paula Webb, Secretary
Community Development Department



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

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

MINUTES

CITY OF THE DALLES PLANNING COMMISSION

MEETING HELD VIA ZOOM
THURSDAY, FEBRUARY 18, 2021
6:00 P.M.

CALL TO ORDER

Chair Bybee called the meeting to order at 6:01 p.m.

ROLL CALL

Commissioners Present: Karly Aparacio, Brent Bybee, Cody Cornett, Alan Easling, Philip Mascher, Linda Miller and Mark Poppoff

Commissioners Absent:

Staff Present: Community Development Director Alice Cannon, City Attorney Jonathan Kara, Senior Planner Dawn Marie Hert, Associate Planner Joshua Chandler and Secretary Paula Webb

PLEDGE OF ALLEGIANCE

Chair Bybee led the Pledge of Allegiance.

APPROVAL OF AGENDA

Director Cannon requested the agenda be amended to include discussion for a new meeting time. The suggested time (5:30 p.m.) would match the City Council and Urban Renewal meeting times. Cannon also suggested the introduction of new Planning Commissioner Linda Miller.

It was moved by Cornett and seconded by Bybee to add the time change discussion to the agenda. The motion passed 7/0; Aparacio, Bybee, Cornett, Easling, Mascher, Miller and Poppoff in favor, none opposed.

Chair Bybee moved the agenda item directly after the introduction of new Planning Commissioner, Linda Miller.

Director Cannon introduced Linda Miller. Miller stated she had worked for three different development companies; two large companies in the San Francisco area, and one extremely large company in the San Diego area. For 15 years, she worked as a loan officer in real estate lending. She has an extensive background in real estate.

APPROVAL OF MINUTES

It was moved by Easling and seconded by Cornett to approve the minutes of January 21, 2021 as written. The motion passed 7/0; Aparacio, Bybee, Cornett, Easling, Mascher, Miller and Poppoff in favor, none opposed.

PUBLIC COMMENT

Don Warren, 214 E. Fifth Street, The Dalles

Mr. Warren thanked the Commission for their volunteerism on the City's behalf.

Warren suggested additional public engagement for the Housing Code Update moving into March and April. Senior Planner Hert replied the news release and survey link was posted on the City of The Dalles website and social media accounts. The notice was also emailed to an extensive list of citizens and agencies.

Chair Bybee thanked Mr. Warren for his kind words toward staff.

DISCUSSION ITEM

The Dalles Housing Code Update, House Bill 2001 – Middle Housing

Director Cannon introduced Matt Hastie and Brandon Crawford of Angelo Planning Group (APG).

Mr. Hastie opened the presentation with a brief agenda, recent progress on the project, where we are in the schedule and what to expect next, Batch 1 code revisions, online open house updates, code graphics produced by Cascadia Partners and an overview of Batch 2 code updates. Exhibit 1.

Discussion Question: Should the City define duplexes as both attached and detached, or just detached?

At the January 21 meeting, the Commission expressed concern with possible financing difficulties associated with the definition of duplexes as two detached units on a single lot. Senior Planner Hert contacted Mike Kilkenny, Senior Mortgage Advisor, Platinum Mortgage Group, for his input. Mr. Kilkenny replied:

“Yes, a duplex would be considered a duplex with either attached or detached on the same lot. The biggest issue I see would be from the appraisal standpoint, are their enough duplex, triplex and fourplex properties that have sold in the last year to be used as comparables for the appraisal? Haven't run into this issue with duplexes as it appears they are more prevalent in the market but I think it could be an issue with triplex and fourplex units.”

Commissioner Mascher shared a built-in problem with appraisals, they look only at the past. They may be flawed because appraisal comparables cannot keep up with current activity. Mascher asked if a duplex can be two detached units on a single lot, then is the detached duplex a way to circumvent City code and place two residences on a lot that allows only one. Hastie replied a major point of HB 2001 and the new administrative rules is that duplexes must be allowed on any lot that is zoned for a single family detached home.

Mascher then asked whether SDCs, development standards or processes would be different between attached or detached. Senior Planner Hert replied, in terms of System Development Charges (SDC) and utility lines, they would be treated the same. Separate lines are required for each portion of the duplex regardless of whether or not they are attached.

Commissioner Miller asked if duplexes with a shared floor (stacked duplexes) were considered. Hastie replied two units separated by a floor would also be considered a duplex. Hert noted any new construction requires separate laterals and SDCs for each unit, whether attached or detached.

Commissioner Easling asked how many parking spaces are required, i.e., two for a single family dwelling (SFD), and two for a detached duplex (one per unit). Hastie replied per the updated state requirement, no more than one off-street space per unit may be required. Developers retain the choice to provide more parking spaces.

Chair Bybee noted not every property will contain a duplex; the City will probably experience a gradual shift toward duplexes. Bybee did not see a lot of effect on parking. Hastie said the overall percentage of duplexes is pretty low.

Commissioner Easling stated, as a builder, there is economy in building attached duplexes. Commissioner Poppoff replied, in his experience, it was more expensive to build an attached duplex.

Commissioner Poppoff supported a definition of attached or detached units; let the builder decide.

Commissioner Easling supported the current definition stating detached duplexes might add confusion. Commissioner Miller added most people think of duplexes as attached.

Commissioner Poppoff thought there may be confusion in distinguishing between a detached duplex and a SFD with an accessory dwelling unit (ADU). Senior Planner Hert noted the conversion of a SFD to a duplex has the option of using existing utility lines and water meter (if appropriately sized). This is an existing option for SFDs with ADUs.

Mr. Hastie explained early DLCD conversations included discussion on duplex definitions. They decided confusion early in the process was acceptable and worthwhile to provide extra flexibility and fewer barriers to housing types. The applicant can decide how they want to define development (ADU or detached duplex). It is the City's responsibility to determine if the applicant meets the code definition for an ADU versus a duplex.

Commissioner Cornett said if a detached duplex is the same as an attached duplex, there is no reason the City should not recognize the same. He added only one or two appraisals are necessary for a specific housing type until that type becomes standardized and predictable for the community.

Chair Bybee supported letting the developer choose what to do. Commissioner Aparicio said in order to allow flexibility, we should include the option for attached or detached.

Sarah Mall, 1226 E. 12th Street, The Dalles

Ms. Mall agreed it should be the choice of the developer.

Nate Stice, Technical Advisory Committee

Mr. Stice wanted to revisit the minimum lot size changes proposed thus far, i.e., the decrease in minimum lot size for high density and increase in minimum lot size for low density. Stice has seen SFD and duplexes in the community on lots smaller than what is currently allowed and proposed. He wondered if an analysis on increasing minimum lot size for SFDs would affect previous Housing Needs Analysis (HNA) results. Is there a way to run the policy implications in terms of Buildable Lands Inventory findings? He questioned how many extra units could be added (or lost) from changing these lot sizes.

Hastie replied APG would have to run numbers on how many properties are smaller than minimum lot sizes proposed for each zone, and examine whether those properties could accommodate a duplex. This would allow a better evaluation of the impact of allowing duplexes on smaller lots. Hastie added it could be challenge to fit a duplex on a small lot when considering all the dimensional standards, but it's not impossible, especially if it's a stacked duplex. Hastie agreed to take a look at the data.

Mary Hanlon, 315 E 10th Street, The Dalles

Mary Hanlon asked what feedback is being requested. She said a lot of this conversation seemed to involve details that make it harder to incentivize development in The Dalles. With the housing crisis, there should be efforts to create incentives and simplify, while encouraging the addition of housing units. Hastie replied the question was whether to define duplexes as both attached and detached, or just detached? Additional questions will follow.

Code Batch 2 Recommendations

Mr. Hastie summarized proposed amendments for triplex and quadplex development standards in the high density (RH) and medium density (RM) zones, primarily noting the recommendation to clarify in the code that it should be 1,500 sq. ft. per unit in RH for triplex and above, and 2,000 sq. ft. per unit in RM for triplex and above. He also shared the triplex and quadplex graphics provided by Cascadia Partners illustrating the way these housing types would fit on a standard, existing residential lot in the City.

Discussion Question: Are the proposed minimum lot area standards for triplex, quadplex, and larger appropriate for the RM and RH zones?

Ms. Mall stated affordable housing is most important. Commissioner Mascher agreed more flexibility is preferred. Mascher added there is space within the city limits to increase development; these changes are pointing in a good direction in creating greater density to allow more people to live within the city limits.

Mr. Warren agreed with Mall and Mascher. Increased housing options will make the community more affordable and livable.

Commissioner Poppoff said increased density would not necessarily increase affordability; developers tend to produce high-end development for new construction. The City needs to do more to increase density if the City is serious about increasing affordable housing supply. He would like to see more emphasis on individually owned property, rather than just rentals.

Hastie replied that increasing density and housing options by themselves won't automatically result in more production of housing affordable to people with low incomes. However, he noted it can help increase the supply and variety of housing that will eventually become affordable over the long term and also will provide more options in terms of different types of housing to meet different households' specific needs in the short term. These rules also apply to conversions of duplexes, not just new construction. The cost of conversion can be much lower than the cost of new construction and could increase the supply of relatively affordable housing.

Ms. Hanlon said there is not a lot development currently. Hanlon has explored the possibility of developing market rate or affordable housing, and found the gap is massive between construction costs and rentals rates that can be supported here. She encouraged anything that could be done to increase incentives.

Senior Planner Hert added recent infill development plans had been modified due to improvement requirements. Multi-family dwellings require more improvements to infrastructure.

Mr. Hastie agreed changing density or lot size would not automatically produce affordability in the short term. What it will do is potentially increase the housing supply that can become affordable over the long term. This discussion includes conversion of existing homes, not just new construction. This is not the only thing that can, or should, address affordability issues. Many things would need to be done at the federal or local level to address affordability issues and/or produce units at a cost affordable for lower income levels. This is one set of strategies to provide flexibility and increased options for housing.

Commissioner Cornett asked whether the three to four unit threshold specifically is the challenge to developers. Associate Planner Chandler replied it comes down to improvement requirements associated with three-plus units. The city is restricted from requiring improvements on SFD and duplexes; developers may opt to settle for fewer units to avoid required improvements.

Director Cannon questioned if the lack of required improvements was a good long term approach for SFDs and duplexes. There are many gaps in sidewalks, curbs, gutters and other infrastructure due to improvements not required for SFDs or duplexes.

Commissioner Aparicio stated this is the step we need to take to lessen the bottleneck for development. Flexibility is the best option.

Parking

Mr. Hastie briefly described the City's current parking requirements for triplexes and quadplexes and offered three options for updates. Current parking requirements penalize triplex and quadplex development compared to other multi-family developments.

Discussion Question: Which of the following off-street parking requirements would work best for triplexes and quadplexes?

1. 1 space per unit (i.e., 3 for triplexes and 4 for quadplexes)
2. 2 spaces for the first unit and 1 for each additional unit (4 spaces for triplexes and 5 spaces for quadplexes)
3. 1.5 spaces per unit (round up to 5 spaces for triplexes, 6 spaces for quadplexes)

Commissioner Miller stated dwellings need more than one or two parking spaces for a unit. Commissioner Poppoff agreed and said parking is barely adequate now.

Commissioner Cornett preferred option three for fourplexes and fewer.

Commissioner Aparicio also preferred option three so that smaller units are not being penalized.

Commissioner Easling mentioned he had to scale back the units for a housing development due to the excessive parking requirement. He is in favor of some parking reduction, and noted that option three might be a good compromise for those who do not want to see parking requirements reduced.

Commissioner Mascher would like to discourage dependency on cars and encourage multi-modal transportation development, noting that more parking ultimately makes other forms of transportation less convenient or effective. Mascher was squarely in favor of option one.

Chair Bybee agreed with Mascher and preferred option one. Moving forward, homes will still be required to provide parking.

Mr. Stice also preferred option one. He mentioned there is literature and research that suggests off-street parking requirements reduce unit production. Keep in mind this is a minimum requirement. If market demand remains for housing with parking, then parking will continue to be provided.

Mr. Warren stated it was difficult for people to accept the loss of parking. A reasonable consideration for parking is a great idea.

Ms. Hanlon noted that increased parking requirements will decrease the number of units built. Hastie asked if Hanlon was in favor of a reduced number of required spaces per unit. She replied she would rather see more housing and less parking.

Commissioner Easling echoed the sentiment that all three options are better than what we have now. Option three seems like a middle of the road option.

Commissioner Poppoff said an individual parking space is usually only 180 sq. ft.; a reduction in parking will not open up much usable space. Chair Bybee noted 180 sq. ft. could take away a bedroom. Hastie added that parking requirements can add up cumulatively, particularly on smaller lots. Hanlon noted it was more complicated than just the individual parking space(s). Access and the turn into the space must be considered.

Code Clean Up

Matt discussed the code "clean up" amendments that City staff proposed, noting that many are intended to make the code more readable and consistent among sections.

New Code terms and definitions include:

- **Developable Area:** "The net buildable area of a lot or parcel, measured by net buildable square footage on a proposed development site, then dividing by minimum density square footage standard."
- **Gross Density:** "The total number of dwelling units per total area of a lot, parcel, or tract."
- **Net Density:** "The total number of dwelling units per developable area of a lot, parcel, or tract."
- **Porch:** "A covered shelter projecting from the front entrance of a building with a minimum width of 12 feet and depth of 6 feet."

Removed terms include:

- "small lot single family"
- Replace "buildings" with "dwelling units" when referring to dwellings

Residential density suggestions:

- Change density range to 3-6 units/gross acre for RL and 10-25 units/gross acre for RH, consistent with Comp Plan
- Add "public utility easements" to list of excluded areas from density calculations.

Hastie clarified the porch for a duplex or single family detached unit must face the street. The second entry of a duplex could face the side.

Mr. Hastie said changes to residential review type and procedures were proposed to add consistency to the code. The same approval type must be applied to a duplex as a single family detached dwelling. The site plan review process will be applied to multi-family and cottage cluster applications. Also included was the prohibition of an increase or decrease in density as criteria for a variance.

Associate Planner Chandler clarified the rear-yard minimum setback increase to 10 feet in RM zone is a formatting correction for development applications.

City Attorney Kara asked why "traditional" was not removed from the "traditional front entry" provision for duplexes, which was deemed subjective language. Hastie replied it was an error and will be removed.

Chair Bybee invited comment or questions.

Commissioners Cornett and Poppoff had no comment. Commissioner Aparicio appreciated the clear language with less room for interpretation. Commissioner Easling and Mascher had nothing to add.

Commissioner Miller said if she was a developer coming in, she would be completely confused. Hastie replied this material was out of context. A builder or developer would look at the code as a whole.

Chair Bybee suggested Commissioner Miller contact staff with any questions. Director Cannon said she would follow-up with Commissioner Miller.

Mr. Warren said a draft copy available for review would be convenient. Hastie replied the material was included in the agenda packet.

Ms. Hanlon noted many lots can be rocky or contain difficult topography; the City may want to consider development/design flexibility in those cases.

Mr. Hastie referred to proposed changes to accessory dwelling standards. A reduced setback was suggested, particularly for properties served by alley. Senior Planner Hert clarified the need for consistency in the code for all accessory structures. Accessory structures should have the same setback requirements, regardless of the use.

Associate Planner Chandler discussed how the CBC (Central Business Commercial zone) amendment would allow duplexes to be converted more easily in that zone. City staff is proposing two options.

Option 1: a. ~~All dwellings, as defined by this Title, so long as the ground floor is a permitted commercial use.~~

Option 2: a. ~~All dwellings, as defined by this Title, so long as the ground floor is a permitted commercial use.~~ Sub-districts 1 and 3:

1. All existing dwellings built prior to the adoption of this title

2. Duplex and single-family attached

3. Attached town houses (zero lot line, 3 to 8 unit clusters)

4. Multifamily dwelling

b. Sub-district 2: All dwellings, as defined by this Title, so long as the ground floor is a permitted commercial use.

Chandler stated the CBC zone is the downtown core area where the majority of our historic building inventory is located. Many of the buildings are quite large. These structures cannot be converted to a duplex unless there is a commercial element downstairs. However, the structures can be converted to a triplex. Once bumped up to a triplex, additional requirements are imposed. This amendment would allow duplexes to be converted more easily.

Chandler shared his preference for option two. Sub-district 2 is the commercial, more historic area of town. This option would allow fringe areas in the CBC zone to include all residential units. The downtown core, our commercial base, would require residential use on the upper floors.

Chair Bybee responded to the lot line reduction for ADUs, cautioning that a property owner may get an inaccurate lot line estimate and a structure could accidentally encroach on the right-of-way (ROW). Bybee thought the setback should be reduced, but not to zero.

Senior Planner Hert noted accessory structures are already allowed to open up into alley ROW, and that they just want to allow it for ADUs in addition to other accessory structures. Director Cannon added this more readily allows conversion of garages to ADUs, flexibility we would like to allow. Commissioner Mascher added he would default to a zero line setback if it is preventing an ADU conversions.

Mr. Hastie stated his appreciation for the Commission's comments. He noted the Online Open House and Survey will remain open a while longer. Batch 2 Code updates and graphics will be revised. Batch 3 Code amendments will be drafted and presented at the March 18, 2021 meeting.

STAFF COMMENTS / PROJECT UPDATES

Director Cannon noted City Council and Urban Renewal both meet at 5:30 p.m. She asked the Commission for their preferred start time. Commission consensus was to begin the meetings at 5:30 p.m.

The vote to change the meeting time to 5:30 p.m. passed 7/0; Aparicio, Bybee, Cornett, Easling, Mascher, Miller and Poppoff in favor, none opposed.

Director Cannon thanked the Commission for their endurance at recent meetings.

There are no agenda items for the next meeting; the March 4, 2021 meeting will be cancelled. Draft Code Updates will continue at the March 18, 2021 meeting.

Director Cannon stated her intent was to bring City Council along with this discussion; abbreviated batches will go forward to City Council. Planning Commission recommendations will be presented to City Council prior to the request for comments. This agenda item is scheduled for the March 22, 2021 City Council meeting.

Director Cannon welcomed participation from the Planning Commission at the City Council meeting. She suggested the Chair and Vice Chair.

Commission consensus was to send Chair Bybee and Vice Chair Cornett.

COMMISSIONER COMMENTS OR QUESTIONS

None

ADJOURNMENT

Chair Bybee adjourned the meeting at 8:39 p.m.

Respectfully Submitted
Paula Webb, Secretary
Community Development Department

Brent Bybee, Chair

The Dalles Middle Housing Code Update

Planning Commission/Advisory Committee

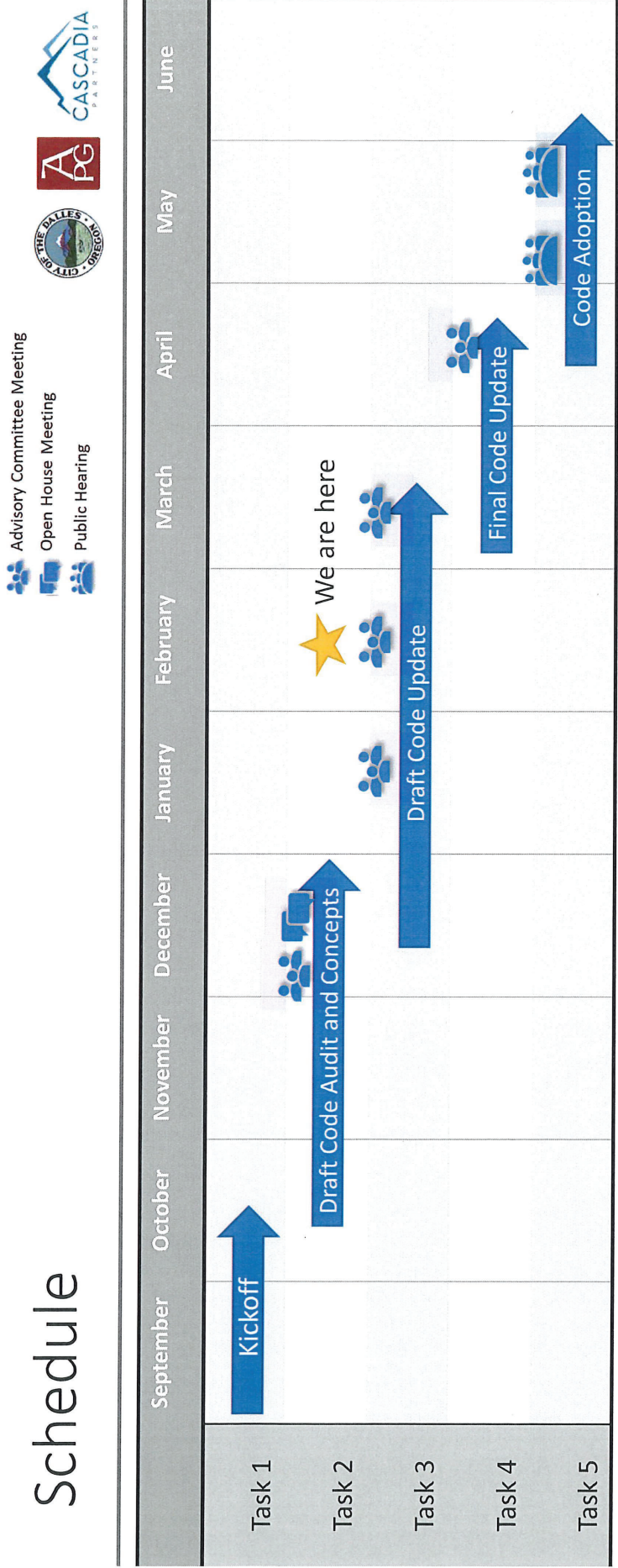
February 18, 2021, 6:00 pm



Agenda



1. Introductions
2. Project Updates
3. Draft Batch 2 Code Amendments and Discussion
 - a. Additional middle housing code updates (triplex and quadplex)
 - b. Draft code graphics
 - c. Code clean-up amendments
4. Next Steps



Project Updates



- Code Update Batch 1 Amendments Revisions
 - Reduced minimum lot size for SFD & duplexes in RH zone: 3,000 to 2,500 square feet
- Online Open House and Housing Survey in progress – Closes 02/28
 - Over 500 views and 139 survey responses
- Code graphics for triplex and quadplexes drafted
- Draft of Batch 2 of duplex updates complete
 - Potential additional middle housing updates (e.g. triplex and quadplex lot size and lot width changes)
 - City’s “clean-up” code amendments relating to middle housing

Code Update Discussion Question



HB 2001 allows cities to define duplexes as two attached units and two detached units on a single parcel, or only as two attached units. The Dalles currently defines duplexes as two attached units on a single parcel.

Should the Code define duplexes as attached and detached units or only as attached?

Code Update Batch 2 – Middle Housing in RH



- Reduce lot size to 1,500 sq. ft. per unit for triplex and above
 - Triplex: 4,500 sq. ft.
 - Quadplex: 6,000 sq. ft.
- Reduce min. lot width to 60 ft for quadplex and above
- Reduce min. lot depth to 60 ft for triplex and quadplex and above

RH High Density Residential	Three Dwelling Units per Lot	Four or More Dwelling Units per Lot
Minimum Lot Area	4,500 1,500 sq. ft. per dwelling unit, not to exceed 25 units per gross acre	6,000 1,500 sq. ft. per dwelling unit, not to exceed 25 units per gross acre
Minimum Site Area per Dwelling Unit	2,000 sq. ft.	1,500 sq. ft.
Minimum Lot Width	60 ft.	75 60 ft.
Minimum Lot Depth	85 60 ft.	85 60 ft.

Discussion Question: Are the proposed minimum lot area standards for triplex, quadplex, and larger appropriate for the RH zone?

Code Update Batch 2 – Middle Housing in RM



- Reduce lot size to 2,000 sq. ft. per unit for triplex and above
 - Triplex: 6,000 sq. ft.
 - Quadplex: 8,000 sq. ft.
- Reduce min. lot width to 60 ft for triplex
- Reduce min. lot depth to 65 ft for triplex and quadplex and above

RM Medium Density Residential	Three Dwelling Units per Lot	Four or More Dwelling Units per Lot
Minimum Lot Area	7,500 sq. ft. per dwelling unit; not to exceed 25 units per gross-acre	6,000 sq. ft. per dwelling unit; not to exceed 25 units per gross-acre
Minimum Site Area per Dwelling Unit	2,000 sq. ft.	2,000 sq. ft.
Minimum Lot Width	75 ft.	80 ft.
Minimum Lot Depth	85 ft.	100 ft.

Discussion Question: Are the proposed minimum lot area standards for triplex, quadplex, and larger appropriate for the RM zone?

Code Update Batch 2 – Parking Requirements



Discussion Question:

Which of the following off-street parking requirements would work best for triplexes and quadplexes?

Current parking standard:

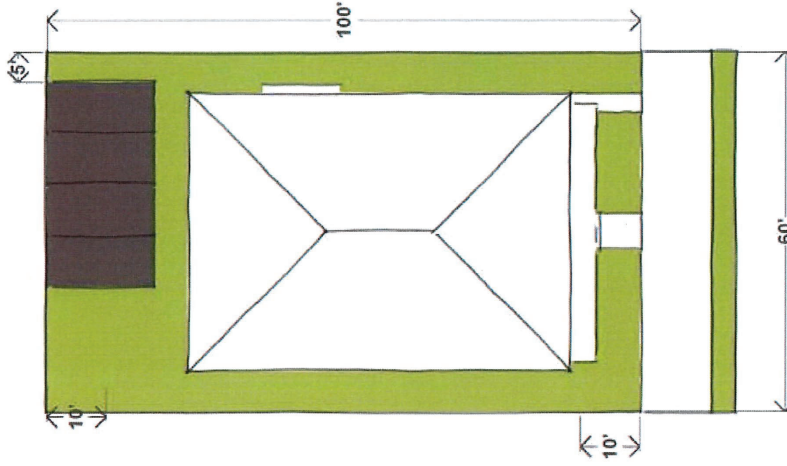
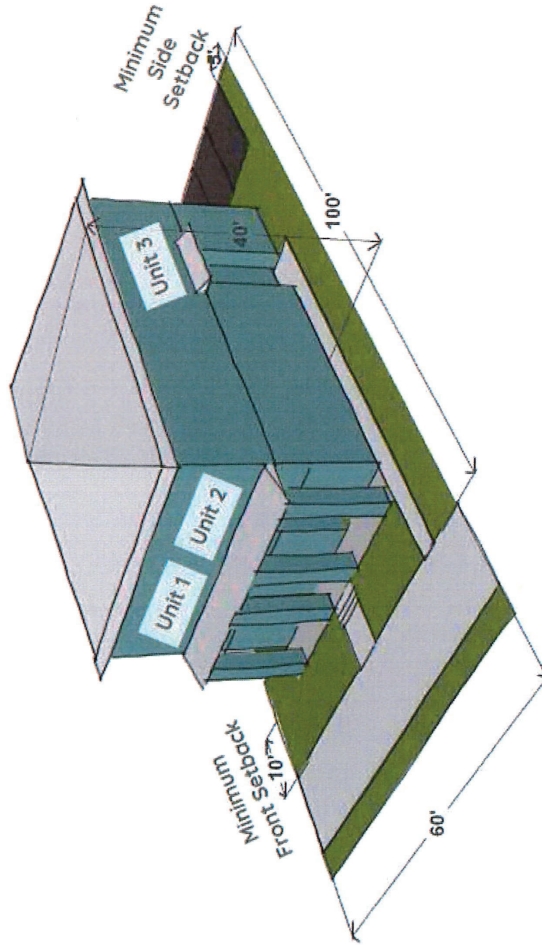
Use Type	Minimum	Auto Parking
RESIDENTIAL	Maximum	
1, and 2, and 3 dwelling units	2 spaces per dwelling unit	None
4 to 12 (multifamily)	6 spaces, plus 1.5 spaces per dwelling unit in excess of 3 units.	None

1. 1 space per unit (I.e. 3 for triplexes and 4 for quadplexes)
2. 2 spaces for the first unit and 1 for each additional unit (4 spaces for triplexes and 5 spaces for quadplexes)
3. 1.5 spaces per unit (round up to 5 spaces for triplexes, 6 spaces for quadplexes)

Code Graphics - Triplex



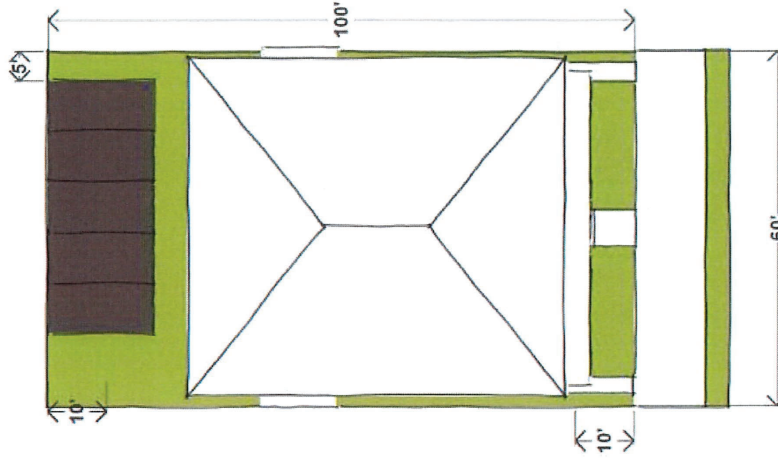
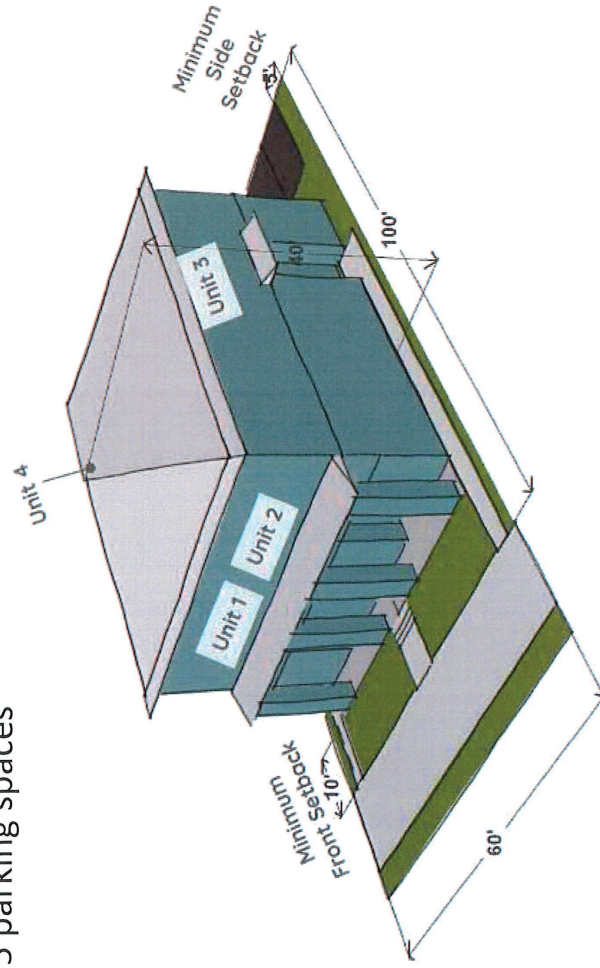
- 3 units
- ~2,200 sq. ft. building footprint (37% lot coverage)
- ~1,150 sq. ft. per unit
- 4 parking spaces



Code Graphics - Quadplex



- 4 units
- ~2,750 sq. ft. building footprint (46% lot coverage)
- ~1,100 sq. ft. per unit
- 5 parking spaces



Code Clean-Up Recommendations



Code Terms and Definitions

New terms

- Developable Area – “The net buildable area of a lot or parcel, measured by net buildable square footage on a proposed development site, then dividing by minimum density square footage standard.”
- Gross Density – “The total number of dwelling units per total area of a lot, parcel, or tract.”
- Net Density – “The total number of dwelling units per developable area of a lot, parcel, or tract.”
- Porch – “A covered shelter projecting from the front entrance of a building with a minimum width of 12 feet and depth of 6 feet.”

Removed terms

- “*small lot single family*”
- Replace “*buildings*” with “*dwelling units*” when referring to dwellings

Residential Density

- Change density range to 3-6 units/gross acre for RL and 10-25 units/gross acre for RH, consistent with Comp Plan
- Add “public utility easements” to list of excluded areas from density calculations.

Code Clean-Up Recommendations



Residential review type and procedures

- Ministerial review: single family detached and attached, duplexes
- Site plan review: multi-family and cottage cluster
- Prohibit adjustment of density decrease below allowed density of the applicable zone

Design and development standards

- Increase rear-yard minimum setback to 10 feet for RM
- Add design feature options to RM that are provided in RL and RH (e.g. utilize 6 or more of the following – bay windows, eaves, front porch, etc.)
- Remove front porch requirement for duplexes
- Clarify “traditional front entry” requirement:
 - *All one and two-family dwelling units located on a single tax lot shall have at least one traditional front entry that is parallel to the street on the ground level included in the front building line. Two-family dwellings may have a side entry that does not face the street.*

Code Clean-Up Recommendations



Residential in the CBC zone

- Allow residential uses as follows - 10.5.030(A)(19):
 - Option 1: *a. All dwellings, as defined by this Title, so long as the ground floor is a permitted commercial use.*
 - Option 2: *a. All dwellings, as defined by this Title, so long as the ground floor is a permitted commercial use. Sub-districts 1 and 3:*
 1. All existing dwellings built prior to the adoption of this title.
 2. Duplex and single-family attached
 3. Attached town houses (zero lot line, 3 to 8 unit clusters)
 4. Multifamily dwelling
 - b. Sub-district 2: All dwellings, as defined by this Title, so long as the ground floor is a permitted commercial use.

Accessory Dwelling Development Standards

- Allow rear setback to be reduced to 0 feet if structure is below 20 ft or if rear lot line abuts an alley that has at least a 20-foot right-of-way. If the alley right-of-way is less than 20 feet in width, detached accessory dwellings may be located up to 10 feet from the center line of the right-of-way.

Manufactured Homes

- Remove existing garage/carport requirement

Next Steps



- **Online Open House and Survey** – close and provide review and summary
- **Revise Batch 2 Code updates and graphics**
- **Draft Additional Code Amendments (Batch 3)**
- **Planning Commission/Advisory Committee meeting #4 (week of 03/18/21)**

Paula Webb

Subject: FW: Housing Type - Mortgage question

From: Mike Kilkenny [<mailto:mkilkenny@gorge.net>]

Sent: Monday, February 1, 2021 9:35 AM

To: Dawn Hert <dhert@ci.the-dalles.or.us>

Subject: RE: Housing Type - Mortgage question

Yes, a duplex would be considered a duplex with either attached or detached on the same lot. The biggest issue I see would be from the appraisal standpoint, are there enough duplex, triplex and fourplex properties that have sold in the last year to be used as comparables for the appraisal. Haven't run into this issue with duplexes as it appears they are more prevalent in the market but I think it could be an issue with Triplex and fourplex units.

Mike Kilkenny,
Senior Mortgage Advisor
MLO-114224

Platinum Mortgage Group
412 Washington St.
The Dalles, OR 97058
541-370-2655 Phone
541-298-6741 FAX
541-980-1030 Cell
mkilkenny@platinummortgagenw.com
www.platinummortgagenw.com/michaelkilkenny
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If you know someone in need of home financing, please have them call or email me. The greatest compliment is referrals of friends and family.

From: Dawn Hert [<mailto:dhert@ci.the-dalles.or.us>]

Sent: Monday, February 1, 2021 9:31 AM

To: 'mkilkenny@gorge.net' <mkilkenny@gorge.net>

Subject: Housing Type - Mortgage question

Hello there.
Hope you are doing well and staying healthy.

I am reaching out to you to see if you would be able to provide me some assistance for our housing code amendments that are currently underway. The Planning Commission had its second meeting on our 'HB2001 – Missing Middle Housing' code amendments and were discussing the possibility of modifying the definition of a duplex to include both traditional attached units and detached units. Our Commissioners wanted us to check in with a mortgage lender to see if there would be issues/difficulties with lending for a duplex that was detached (two separate housing units) on a single lot....or would it be no different?

Is this something that you would be able to answer or get me to someone who could help? Two of our Commissioner are Relators and they thought it would be wise to talk with someone on the lending side before they made the decision to either leave the code the way it stands or to allow the detached units as another option.

Any assistance would be greatly appreciated.

On another note....I love seeing/hearing all the great work you are doing out in our Community. Thank you for all you do! You are truly appreciated.

Take care and stay safe,
Dawn

Dawn Marie Hert, Senior Planner &
Historic Landmarks Coordinator
City of The Dalles Community Development Department
313 Court Street
The Dalles, OR 97058
(541) 296-5481 ext. 1129
dhert@ci.the-dalles.or.us

Website: www.thedalles.com or www.thedalles.org

In an effort to prevent, slow, and stop the spread of COVID-19 to our citizens, our office will be limiting business to phone, email and online service. If you are not sure how to access services online, or you need assistance, please call our office at 541-296-5481 Ext 1125. Please keep in mind that response time may vary depending on staffing. Thank you for your patience during this time.

PUBLIC RECORDS LAW DISCLOSURE:

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CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

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

STAFF REPORT VARIANCE #129-21

Applicant: Meyer Sign Company of Oregon

Procedure Type: Quasi-Judicial

Public Hearing Date: March 18, 2021

Assessor's Map: Township 1 North, 13 East, Section 1 AB

Tax Lot: 400

Address: 3213 Bret Clodfelter Way

Zoning District: "CG" General Commercial

Prepared by: Joshua Chandler, Associate Planner

REQUEST: Consideration of a variance application to install an additional sign on an existing freestanding sign, resulting in a total sign area exceeding the maximum allowed size on the subject property.

BACKGROUND INFORMATION: On January 26, 2021 the Applicant submitted a variance application to the Community Development Department (CDD) to install a new sign on an existing freestanding sign at the subject property. This new sign area would result in exceeding the maximum allowed sign area of the subject property. The subject property is zoned General Commercial and located within the Highway District, per Chapter 10.13 Sign Regulations of The Dalles Municipal Code (TDMC) due to proximity to Interstate 84. This district was formed to allow greater visibility of signs proximate to primary and secondary highways. Consistent with 10.13.040.080, the following signs are allowed in the Highway District:

1. *The same principal signs as allowed in the Central Business Zone, Section 10.13.040.050, except that a freestanding sign may have a maximum area of 250 square feet, given 1 square foot of sign area per linear foot of major street frontage.*
2. *A secondary sign if the building is set back at least 50 feet from the property line, a maximum of 50 square feet of sign area with a maximum height of 20 feet above grade.*

For reference, said principal signs include: flush, projecting, or freestanding. In addition, all secondary signs must be freestanding (10.13.050.020).

The subject property has ~160' of street frontage along Bret Clodfelter Way, therefore, permitted 160 SF of sign area for a principal freestanding sign (10.13.040.080, 1). Currently there is an existing freestanding sign with a sign area of ~145 SF and a secondary sign. The Applicant is requesting to install an additional ~86 SF of signage below the existing Chevron gas station sign, resulting in an overall sign area of 231 SF. The requested sign area (231) exceeds the 160 SF allowance by 71 SF, equal to 144% of the maximum sign area allowance.. This additional square footage does not comply with the sign requirements of Chapter 10.13, therefore the Applicant is requesting a variance to these standards.

NOTIFICATION: Property owners within 300 feet, City Departments, franchise utilities, Mid-Columbia Fire & Rescue, Wasco County Health Department, and State Building Codes.

COMMENTS RECEIVED: No comments were received as of the date this report.

REVIEW CRITERIA:

I. City of The Dalles Municipal Code, Title 10 Land Use and Development

Section 10.3.010.040 Applications

A. Acceptance

FINDING #1: The Applicant submitted a pre-application, Site Team, request on January 26, 2021. This meeting was held on February 4, 2021. Following the Site Team meeting, Staff requested additional information to include with the application material. On February 17, 2021, the Applicant submitted all required information and the remainder of the application fee. **Criterion met.**

B. Completeness

FINDING #2: The application was deemed complete on March 5, 2021. **Criterion met.**

Section 10.3.020.050 Quasi-Judicial Actions

A. Decision Types, (3) Variances (Article 3.070)

FINDING #3: Pursuant to The Dalles Municipal Code (TDMC), variances are processed as Quasi-Judicial Actions. **Criterion met.**

B. Staff Report

FINDING #4: This document serves as the staff report. **Criterion met.**

C. Public Hearings

FINDING #5: The public hearing is scheduled for March 18, 2021, which is within 45 days from the date the application was deemed complete. **Criterion met.**

D. Notice of Hearing

FINDING #6: Appropriate mailings to property owners within 300 feet and notice to affected departments and agencies were made on March 5, 2021. **Criterion met.**

Section 10.3.070.030 Review Criteria

A. The proposed variance will not be contrary to the purposes of this Title, policies of the Comprehensive Plan, or any other applicable policies and standards adopted by the City.

FINDING #7: The Dalles Comprehensive Plan (TDCP) specifically states that all advertising signs be regulated in accordance with City Ordinance (Appendix B, page d); these regulations are administered through Chapter 10.13 of TDMC. As stated in 10.13.010.010 *Purpose, this Chapter is to provide reasonable and necessary regulations for the erection and maintenance of signs in order to:*

- A. Promote free and meaningful exchange of ideas and information.*
- B. Protect the health, safety, property, and welfare of the public.*
- C. Improve the neat, clean, orderly, and attractive appearance of the City.*
- D. Improve the effectiveness of signs in identifying and advertising businesses and facilities.*
- E. Provide for the reasonable, orderly, and effective display of outdoor advertising.*
- F. Preserve, protect, and enhance the economic, scenic, historic, and aesthetic values and objectives of the City and its citizens.*
- G. Provide effective signing to meet the anticipated differing needs of various areas in the City.*

The Applicant speaks directly to D and E in their associated application materials. The reason for this variance request is to promote a new product being sold at the existing gas station, Krispy Krunchy Chicken. By attaching the new sign to the existing sign, they hope to promote freeway traffic to their business. Using the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD) standards, the Applicant states that the new 6' tall sign band will result in a 600' viewing distance for passing motorists. This variance request does not contradict the purposes of Chapter 10.13. **Criterion met.**

- B. Exceptional or extraordinary circumstances apply to the subject property, which do not apply generally to other property in the same zone or vicinity. Such circumstances are a result of lot size or shape, topography, or circumstances over which the applicant has no control.*

FINDING #8: The Applicant stated that due to the shape of the property, a smaller sign allowance is being adhered to that doesn't reflect the potential perceived frontage of the property. This statement refers to a long strip of undeveloped property that borders the subject property on the west extending from the corner of the US Hwy 197 and Bret Clodfelter Way right-of-way, north approximately 600', under the same ownership as the neighboring hotel property. This lot is most commonly used as an informal parking area and may be perceived as additional street frontage on the western edge of the subject property. This additional frontage would permit the additional 86' of sign area requested with this variance. Staff notes that Chapter 10.13 does not permit sign allowances based on visual appearance or "perception" of a property, but rather the physical dimensions of a subject property.

Using GIS, Staff determined almost 200 properties that are located within the Highway District. Many properties on the west side of The Dalles (W. 2nd and W. 6th Streets), have street frontages less than the ~160' dimension of the subject property. Staff determined that the subject property is not unique in size, specifically street frontage, and is consistent with many properties located in the Highway District.

Criterion not met.

- C. The variance is necessary for the preservation of a property right of the applicant which is substantially the same as owners of other property in the same zone or vicinity*

FINDING #9: The Applicant stated the neighboring hotel has a sign with the maximum sign area allowance to help with visibility along Interstate 84. They believe that similar to the hotel, the gas station has the same need to bring in Interstate commerce and the proposed sign will guarantee ample visibility for passing motorists.

As mentioned in Finding #7, Staff determined almost 200 properties located within the Highway District. Staff would argue that each of these properties may have a similar value or need to attract commerce, and the gas station and neighboring hotel are not unique in this need. In addition, granting a maximum sign exception to each of the 200 properties within the Highway District (in addition to other sign allowances of a specific property) may be contrary to goals C and E of Section 10.13.010.010, which state:

- C. Improve the neat, clean, orderly, and attractive appearance of the City*
- E. Preserve, protect, and enhance the economic, scenic, historic, and aesthetic values and objectives of the City and its citizens.*

Staff determined that the street frontage of the subject property is consistent with many properties located in the Highway District and granting this variance is unnecessary for preserving the property rights of the subject property. **Criterion not met.**

- D. The conditions or circumstances justifying the variance have not been willfully or purposely self-imposed, and do not result from a violation of this Title since its effective date.*

FINDING #10: The existing freestanding sign has an overall sign area of 145 SF, which complies with the maximum sign area allowance for a “principal” sign on the subject property, based on linear foot of street frontage. This variance request is for additional signage and is not the result of a violation of this Title.

The Applicant has stated that the new signage will promote a new service, Krispy Krunchy Chicken, at the existing gas station mart. They believe that without an approved variance, business revenue will be directly affected. Staff would agree that a business’s revenue stream may have factors out of their control; however, the addition of the business was willfully imposed on the subject property. Staff recommends that all proposed businesses and/or modifications of an existing business first verify with City staff that said activities will comply with TDMC (example: signage). **Criterion not met.**

- E. The proposed variance will not substantially reduce the amount of privacy enjoyed by users of neighboring land uses if the variance were not allowed.*

FINDING #11: The proposed sign will be attached to an existing freestanding sign on the subject property. This variance request will not reduce the amount of privacy enjoyed by users of neighboring properties. **Criterion met.**

- F. The proposed variance is the minimum variance which would alleviate the difficulty.*

FINDING #12: The Applicant stated that the minimum sign size for visibility on Interstate 84 must be no less than the proposed sign with a 6’ tall sign frame. Referencing MUTCD standards, this 6’ dimension relates to a 600’ viewing distance. Staff inputted this information into GIS for purposes of creating a 600’ viewing buffer and determined both Interstate 84 on-ramps, or exits, are greater than 600’ from all sides of the subject property. As a result, oncoming motorists driving at 65-70mph

would not be within the 600' viewing distance until they had passed the exit. Staff determined that effectively promoting Interstate commerce would ultimately require an additional viewing distance, therefore requiring additional sign area not reflected with this current request. **Criterion not met.**

RECOMMENDATION: Denial, based upon the following findings of fact.

COMMISSION ALTERNATIVES:

1. **Staff recommendation:** *Denial of Variance 129-21*, a request to install an additional sign on an existing freestanding sign, resulting in the total sign area exceeding the maximum allowed size of the subject property.
2. *Approval of Variance 129-21*, a request to install an additional sign on an existing freestanding sign, resulting in the total sign area of 231 square feet, where a maximum of 160 square feet is permitted, and direct Staff to prepare a Resolution of Approval with findings supporting the variance as determined by the Planning Commission.

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VARIANCE APPLICATION

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

Received 01-26-2021

Date Filed 1/26/2021
File# VAR 129-21
Date Deemed Complete _____
Hearing Date _____
Approval Date _____
Permit Log # _____
Other Cross Reference# _____

APPLICANT

Name Meyer Sign Co of Oregon

Address 15205 SW 74th Ave
Tigard, OR 97224

Telephone # 503-620-8200

E-mail Address Russel@meyersignco.com

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

LEGAL OWNER (If Different than Applicant)

Name Virk Petroleum The Dalles LLC

Address 8815 SW Sun Place
Wilsonville, OR 97070

Telephone # 503-621-4540

PROPERTY INFORMATION

Address 3213 Bret Clodfelter Way, The Dalles, OR 97058

Map and Tax Lot 1N 13E 1 AB 400

Size of Development Site .55 Acres

Zone District/Overlay Highway District

Comprehensive Plan Designation Urban Growth Boundary

REQUEST

☐ New Construction ☒ Expansion/Alteration ☐ Change of Use ☐ Amend Approved Plan

Brief Explanation: We are proposing an additional sign on the freestanding Chevron sign that exceeds our allowance in the Highway District based on our frontage. The sign being proposed needs a minimum sign size to be legible from I-84 and is being requested because the new sign will bring much needed business into the Chevron's addition of a Krispy Chicken service in their mart. The sign size would take some of the allowance left from the frontage but would need additional allowance approved through a variance. The amount of signage is not uncommon and does not exceed the maximum allowed in this zone.

JUSTIFICATION OF REQUEST

1. What are the special circumstances (size, shape or topography of lot, location of surroundings) that do not apply to other properties in the same vicinity and zone?

This property has a bottle neck shape that makes its frontage smaller than the actual width of the property at its widest point. There is also a neighboring property that carries some of the spill over parking and grass lot from the Chevron that, to the public, would seem a part of the Chevron or the necessary frontage to align with similar properties like Shilo Inn to the East. The added signage would go below the current Chevron sign, would not add any new structures and would not propose and site line blockages or cause safety issues in the area.

2. What difficulties and unnecessary hardships will be created without a variance to the Ordinance?

The business' revenue will be directly affected if signage is not allowed to be installed with the purpose of bringing freeway customers in to the business from the freeway.

3. Explain why the variance will not be detrimental to the public safety, health and welfare.

The sign itself is being installed on the existing pylon sign and it will be installed tall enough that no obstructions will be made. The sign will be made and engineered in a way that meets and exceeds Oregon sign code and structural code. The internal illumination of the sign poses no hazard to traffic or pedestrians driving/walking in the area.

4. Explain why this variance, if granted, would not be contrary to the intent of the Zoning Ordinance.

The Zoning ordinance has a max of 250 sq feet for signage in this zone. We are proposing signage below that maximum but more than the frontage linear feet allows. This would not ask to change the max allowance but just the amount that we are allowed over the small bottlenecked frontage currently in place.

PARKING INFORMATION

Total Number of Spaces Proposed ⁰_____ Total Number of Handicap Spaces Proposed ⁰_____

Total Number of Compact Spaces Proposed ⁰_____ What material will be used for the surface of the parking area ⁰_____.

LANDSCAPING INFORMATION

Total Square Footage Landscaping Proposed ⁰_____ Percent of Landscaping Irrigated ⁰_____

ECONOMIC DEVELOPMENT INFORMATION

☐ Proposed Project is located in the Enterprise Zone

⁰_____ Full Time Equivalent (FTE) jobs are currently provided.

⁰_____ FTE jobs are expected to be created by the proposed project.

UTILITIES

How will the site be served with water and sewer?


Water: ☐ City Water ☐ Chenoweth Irrigation ☐ Private Well

Sewer: ☐ City Sewer ☐ Private Septic

Signature of Applicant

Date

Signature of Property Owner*

 1/26/2021

Date

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

NOTE:

This application must be accompanied by the information required in Section 3.070: Variance, contained in Ordinance No. 98-1222, The City of The Dalles Land Use and Development Ordinance.

PLANS SUBMITTED:



At least 15 copies of concept site plan.



2 copies detailed landscape plans



2 copies construction detail plans

INFORMATION REQUIRED WITH APPLICATION

There are 3 types of plan information that can be combined on the same plan or separated onto different plans and reviewed at different times through the approval process. The minimum plan requirements which must accompany a Site Plan Review Application are those specified in the Concept Site Plan below.

1. Concept Site Plan. The concept site plan shall clearly indicate all of the following information applicable to the particular development proposal.

- ☐ Project Name
- ☐ A separate vicinity map indicating location of the proposed development.
- ☐ Scale – The scale shall be at least one inch equals 50 feet (1:50), unless a different scale is authorized by the Director.

- ❑ North arrow.
- ❑ Date.
- ❑ Location and names of all existing streets and location of proposed streets within or on the boundary of the proposed development.
- ❑ Lot layout with dimensions for all lot lines.
- ❑ Location, dimensions, and height of all existing and proposed buildings, structures, fences, and gates. Indicate which buildings, structures, and fences are to remain and which are to be removed.
- ❑ Location and dimensions of all yards and setbacks from all property lines and distances between existing and proposed buildings.
- ❑ Location and dimensions of all driveways and bicycle and vehicle parking areas.
- ❑ Number of vehicle and bicycle parking spaces, parking lot layout, and internal traffic circulation pattern.
- ❑ Size and location of existing and proposed curb openings (access from street to property), and distance to curb openings on adjacent property.
- ❑ All points of entrance and exit for pedestrians, bicycles, and vehicles, including service vehicles.
- ❑ Location and description of any slopes greater than 20%, and any proposed cut and fill activity.
- ❑ General nature and location of all exterior lighting.
- ❑ Outdoor storage and activities where permitted, and height and type of screening.
- ❑ Conceptual drainage and grading plan.
- ❑ Location, size, height, materials and method of illumination of existing and proposed signs.
- ❑ Location of existing utilities, easements, and rights of way.
- ❑ Location of any significant natural features including, but not limited to, water courses, trees, rock outcroppings, ponds, drainage ways and wetlands.
- ❑ Location, size, and use of any proposed underground activity (storage tanks, septic systems, heat transfer coils, etc.)
- ❑ Location of existing fire hydrants.

- ❑ Location and dimension of all areas devoted to landscaping, and a general description of proposed planting and materials, (trees, rocks, shrubs, flowers, bark, etc.).
- ❑ Location of existing and proposed trash storage area(s) including enclosure construction design and access for pick up purposes.
- ❑ Any additional information required by the Director to act on the application.

Detailed plans may be submitted after land use approval is granted; **however**, detailed plan approval will be required prior to City sign-off on building permit application forms.

2. Detailed Landscape Plans. Detailed landscape plans shall clearly indicate the following information:

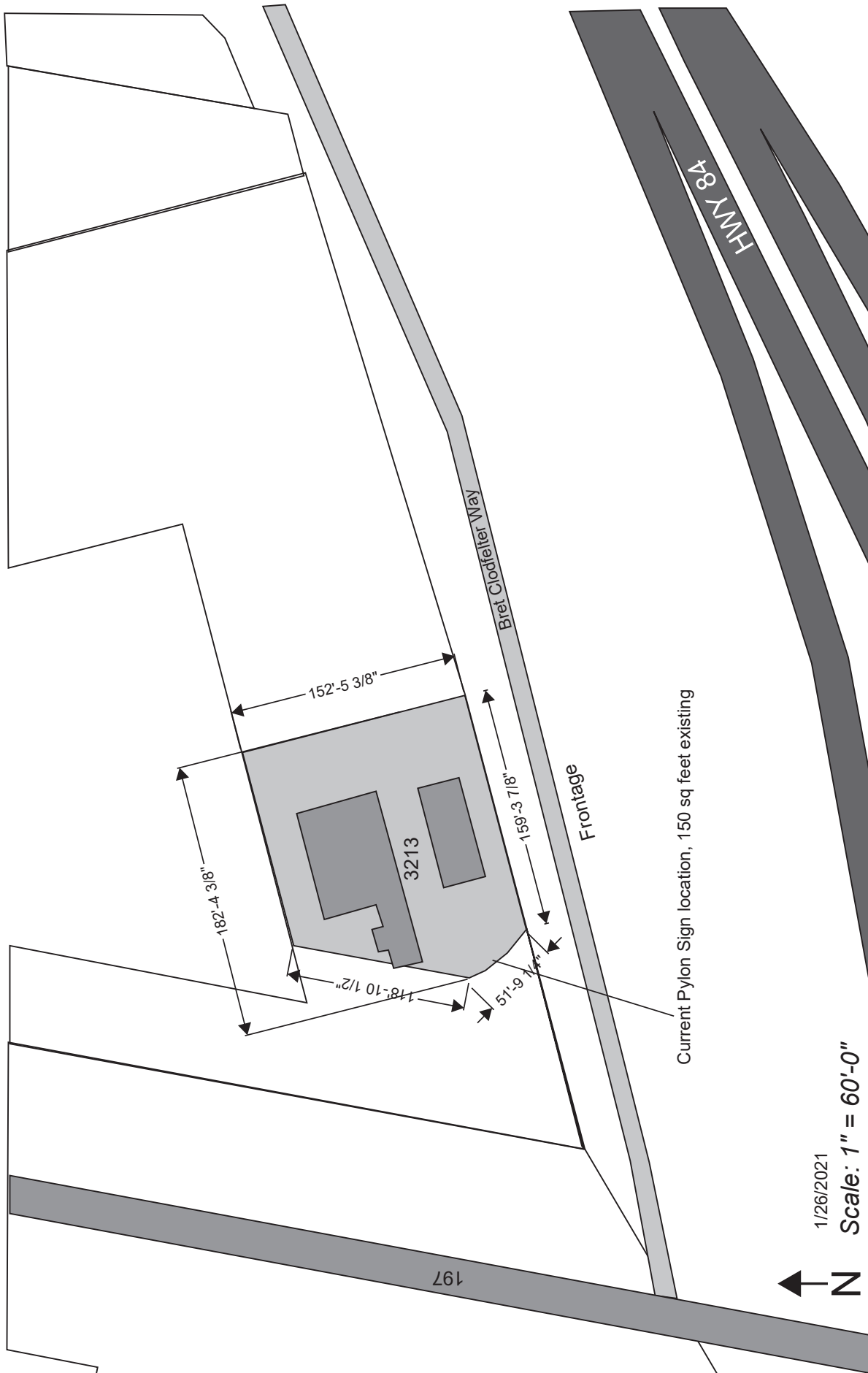
- ❑ Project name.
- ❑ Scale. The scale shall be at least one inch equals 50 feet (1:50) or larger.
- ❑ North arrow.
- ❑ Date.
- ❑ Location and initial sizes of plants and tree species, and other proposed landscape material.
- ❑ Pipe location and size, point of connection, and water requirements of automatic sprinkler systems, and location and details of cross connection control device.

3. Detailed Construction/Design Plans. The detailed construction/design plans shall clearly indicate the following information:

- ❑ All information required for the concept site plan.
- ❑ Location of existing rights-of-way.
- ❑ Existing streets, sidewalks, curbs, and utilities.
- ❑ Existing and proposed street trees.
- ❑ Parking lot striping and pavement cross-section.
- ❑ Perimeter curb location and details.
- ❑ Utility service types, sizes, locations and details (including hydrants, manholes, cleanouts, vaults, meters, inlets/catch basins, manholes, cleanouts, parking, drive pads, distance to drive pads on adjacent property, curb and sidewalk, retaining walls, and retaining wall drainages).

- ❑ Location and details of cross connection control devices.
- ❑ Fence and gate locations and details.
- ❑ Street and parking lot lighting locations and details.
- ❑ Site drainage and grading plan and construction details sufficient to evaluate whether runoff generated from improvements is collected on site and disposed of in a manner which eliminates sheet flow of storm water onto sidewalks, public rights-of-way and abutting private property.
- ❑ Erosion control plan and/or traffic control plan as required by the City Engineer. Where City street, curb, sidewalk or utility extensions are required, provide complete plan, profile, and construction detail drawings, including signs, striping and pavement markings, and specifications when required by the City Engineer, prepared and stamped by a licensed professional engineer for the proposed improvements within public rights-of-way.
- ❑ City Engineer and all other required state and federal approvals for extensions.

Site Plan



PROJECT: Chevron, Krispy Chicken ADDRESS: 3213 Bret Clodfelter Way PHONE: The Dalles, OR 97058 DESIGNER: RTM		ACCT. MGR: SHOP MGR: SCALE: DATE:																			
SALES@MEYERSIGNCO.COM WWW.MEYERSIGNCO.COM PHONE: 503 620-8200 FAX: 503 620-7074		FILE INFO: DRAWING: SHEET _____ OF _____																			
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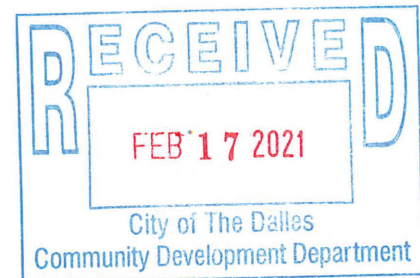
Attention:
 Colors shown on this artwork are for representational purposes only.
 An inkjet printer, printing on copier or computer monitor display
 cannot exactly reproduce the colors of the materials used
 in the actual sign-making process.

Applicant: Meyer Sign Company of Oregon
Application: Variance 129-21
Map & Tax Lot #: 1N 13E 1 AB 400
Address: 3213 Bret Clodfelter Way
Zoning District: "CG" General Commercial

Attn: Joshua Chandler, Paula Webb

2/10/2021

Criteria to meet review Criteria:



- A. Our variance is within the policies and standards adopted by the city and all paperwork/ fees have been submitted and paid to proceed with this review. The Comprehensive plan includes a variance option when the proposal does not exceed the maximum allowance in our zone.
- B. Due to the shape/ bottleneck of the property a smaller overall is being used for our allowance and this doesn't reflect the actual width and potential perceived frontage of the property. The requested extra allowance would not exceed the maximum allowance in this zone. The client has no control at this date to divide the property differently to allow for a larger allowance.
- C. The neighboring property (Shilo Inn) has a sign that is at the maximum size permitted in the area to help with visibility of their business from I-84. We are stating that our property has the same need to bring traffic from I-84 to the Chevron and their services. The size of the newly proposed sign will guarantee ample visibility from the freeway.
- D. This is a new variance request and not due to any violation of the title. This variance is not due to post install of a sign that doesn't meet the code.
- E. This variance does not affect neighboring land at all. This variance does not affect the privacy of neighbors as it is being proposed below the existing sign and not a new location.
- F. The minimum size of sign that will be visible by the freeway is being proposed in this variance. Larger would be better but the bare minimum has been proposed at the 600 foot viewing distance which relates to a 6 foot tall sign band. This is based on the MUTCD standards.

Thank you very much,

Russel Mason, Meyer Sign Co of Oregon Estimator/ Permit Technician.

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CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
PLANNING DEPARTMENT

RESOLUTION NO. PC 596-21

Approval of Variance Application **VAR 129-21, Meyer Sign Company of Oregon**, to install an additional sign on an existing freestanding sign, resulting in the total sign area exceeding the maximum allowed size of the subject property. Property is located at 3213 Bret Clodfelter Way, The Dalles, Oregon and is further described as 1N 13E 1 AB tax lot 400. Property is zoned CR – Recreational Commercial District with a CFO – Community Facilities Overlay.

I. RECITALS:

- A. The Planning Commission of the City of The Dalles has on March 18, 2021 conducted a public hearing to consider the above request. A staff report was presented, stating the findings of fact, conclusions of law, and a staff recommendation.
- B. Staff's report of Variance 129-21 and the minutes of the March 18, 2021 Planning Commission meeting, upon approval, provide the basis for this resolution and are incorporated herein by reference.

II. RESOLUTION:

Now, therefore, be it FOUND, DETERMINED, and RESOLVED by the Planning Commission of the City of The Dalles as follows:

- A. In all respects as set forth in Recitals, Part "I" of this resolution.
Variance 129-21 is hereby denied.

III. APPEALS, COMPLIANCE, AND PENALTIES:

- A. Any party of record may appeal a decision of the Planning Commission to the City Council for review. Appeals must be made according to Section 3.020.080 of the Land Use and Development Ordinance, and must be filed with the City Clerk within ten (10) days of the date of mailing of this resolution.
- B. Failure to exercise this approval within the time limits set either by resolution or by ordinance will invalidate this permit.
- C. All conditions of approval must be met within the time limits set by this resolution or by ordinance. Failure to meet any condition will prompt enforcement proceedings that can result in: 1) permit revocation; 2) fines of up to \$500.00 per day for the violation period; 3) a civil proceeding seeking injunctive relief.

The Secretary of the Commission shall (a) certify to the adoption of the Resolution; (b) transmit a copy of the Resolution along with a stamped approved/denied site plan or plat to the applicant.

APPROVED AND ADOPTED THIS 18TH DAY OF MARCH, 2021.

Brent Bybee, Chair
Planning Commission

I, Alice Cannon, Community Development Director for the City of The Dalles, hereby certify that the foregoing Resolution was adopted at the regular meeting of the City Planning Commission, held on the 18th day of March, 2021.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

ATTEST: _____
Alice Cannon
Community Development Director, City of The Dalles



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

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

MEMORANDUM

To: City of The Dalles Planning Commission

Meeting Date: March 18, 2021

Re: The Dalles Housing Code Update;
House Bill 2001 - Middle Housing

Prepared by: Dawn Marie Hert, Senior Planner

The City's consultant prepared the attached Memorandum dated March 11, 2021 detailing the third set of draft amendments to The Dalles Municipal Code, Title 10 – Land Use and Development and The Dalles Comprehensive Plan.

Staff will briefly summarize the updated second batch of amendments and complete the review of the third batch of amendments tonight. We plan to complete the following tasks: identify code amendments and recommendations to assist the City in providing more housing options, reduce barriers to development; and consider less traditional housing types.

Staff and the consultant team will present the third batch of draft amendments to the Commission. Discussion is expected to last one to two hours. Items for the meeting are expected to include:

- Project update/status report (10-15 minutes)
- Status of Revisions to Batch 1 and 2 Amendments (10 minutes)
- Draft Batch 3 Amendments Discussion (60-90 minutes)
- Additional Code Graphics (10-15 minutes)
- Next Steps (5 minutes)

Attachment:

Attachment A: Memorandum and Batch 3 Middle Housing Code Updates

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MEMORANDUM

DRAFT Middle Housing Code Update – Batch 3 Recommendations City of The Dalles

DATE March 11, 2021
TO Alice Cannon, Dawn Hert, and Joshua Chandler, City of The Dalles
Scott Edelman, Ethan Stuckmayer, DLCD
FROM Matt Hastie and Brandon Crawford, Angelo Planning Group

The purpose of this memo is to propose a third set of draft amendments, or updates, to the City of The Dalles Municipal Code, Title 10 -Land Use and Development to implement the rules established by Oregon’s House Bill 2001 (HB 2001, adopted 2019). HB 2001 requires medium and large cities to allow middle housing in all residential areas, with the intent of increasing housing supply and affordability in Oregon. The Dalles is classified as a Medium City (10,000 – 24,999) and is therefore required to allow duplexes on any lot or parcel that allows single-family detached homes.

To make review of the potential amendments more manageable, the recommended Code updates are divided into three “batches”, or phases, of recommended Code updates throughout this project:

- Batch 1: Address all siting and design standards compliance issues identified in the Audit; describe/highlight different options where they exist (e.g., attached vs. detached units)
- Batch 2: Summarize additional middle housing standards and additional related clean-up amendments from the City (e.g. lot size and lot width standards for triplexes and quadplexes).
- **Batch 3: Identify other possible code updates that could help support or reduce barriers to development of middle housing or other less traditional housing types (e.g., container or tiny homes, or possible changes to townhome standards)**

This project presents an opportunity to pursue further Development Code updates beyond State-required minimum compliance standards. This memo will serve as the third batch of update recommendations, which will help the City provide more housing options and affordable housing beyond what is required by the State. These Code update recommendations also address any additional code updates that were not identified in Batches 1 or 2 that will help reduce barriers to the production of housing. In addition, this memo revisits some unresolved Code update options that were addressed in Batches 1 and 2.

The amendments are presented in ~~strikeout~~/underline format (~~deleted or moved~~/added). The gray text boxes describe the rationale behind the recommended updates and brief discussion items for

the City to consider. Recommended amendments from Batch 1 and 2 Updates that are in the same Code sections have been grayed out.

Additional Middle Housing Code Updates

PROPOSED AMENDMENTS

10.2.030 – The Meaning of Specific Words and Terms

Dwelling, Duplex. Two dwelling units located on a single lot or development site, either placed so that some structural parts are in common (attached), or so the units are physically separate structures (detached).

Dwelling, Container Home. A prefabricated dwelling unit made of intermodal containers.

Dwelling, Tiny Home. Single-family residences up to 400 square feet built to the Oregon Small Home Specialty Code (SHSC).^{1,2,3}

State rules allow cities to define duplexes either as attached or detached dwelling units. Most Planning Commission members expressed interest in expanding the current duplex definition to include two detached units on a single lot to provide greater flexibility for their development.

Planning Commission members expressed interest in the City allowing container homes and tiny homes. Tiny homes and container homes may already be allowed on any residential lot subject to design and building code requirements. Providing definitions may offer greater assurance that the City already allows this housing type.

Discussion Question: Should the City define these housing types separately from single-family detached dwellings? Are there possible building code or design issues with these housing types that may not be consistent with existing design or building code standards? For example, allowing container homes will require a slight modification to Section 10.6.160.010 of TDMC since that section currently prohibits

¹ Oregon Legislative Policy and Research Office, Tiny Home Regulation: Background Brief. <https://www.oregonlegislature.gov/lpro/Publications/Background-Brief-Tiny-Home-Regulation-2019.pdf>

² House Bill 2423 Adopts Small Home Specialty Code. <https://olis.leg.state.or.us/liz/2019R1/Measures/Overview/HB2423>

³ ORS 455.616: Construction Standards for a small homes: <https://www.oregonlaws.org/ors/455.616>

their use in residential zones. In addition, it may be advisable or necessary to reduce the number of design features related to this form of housing.

10.5.010.020 (RL), 10.5.020.020 (RH), 10.5.030.020 (RM), 10.5.040.020 (NC) Permitted Uses

2. Residential building types:

- a. Single-family detached.
- b. Single-family detached (zero lot line) when used in a cluster of zero lot line lots or when a 10-foot easement is obtained from the owner of the property adjacent to the zero-foot setback. If a zero lot line is used, the opposite side yard setback is a minimum of 8 feet unless the entire yard is used, as in a cluster of townhouses.
- c. Duplex and 2-unit condominiums.
- d. Tiny home
- e. Container home

If the City chooses to define tiny homes and container homes from single-family detached and allow them in every residential zone, then they should each be listed under permitted use types for each zone.

10.5.020.070 (RH), 10.5.030.070 (RM), 10.5.040.060 (NC) Design Standards

E. Multiple Buildings on One Lot—Separation Between Buildings, Parking Areas, Walks, and Drives. Except for detached duplexes and ADUs, the following standards are required to provide privacy, light, air, and access to the dwellings within the development, ~~the following minimum standards shall apply:~~

F. All one and two-family dwelling units located on a single tax lot shall have at least one a traditional front entry that is parallel to the street on the ground level included in the front building line. Attached two-family dwellings may have a side entry that does not face the street. A detached duplex must have both front entries face the street unless one dwelling has more than 50 percent of its street-facing facade separated from the street property line by the other dwelling. ~~The front entry~~ Entries for all one- and two-family dwellings in the front building line shall be connected by hard surface to the right-of-way. ~~In addition, all one- and two-family dwellings located on a single tax lot shall utilize 6 or more of the 10 design features located in Section 10.5.010.070(A) to provide visual relief along the front of the residence. (Ord. 19-1373)~~

Detached duplexes should be exempt from the “multiple buildings on one lot” provisions for each residential zone because these requirements do not apply to single-family detached. In addition, the front entries amendment should be revised to address detached duplexes. Detached duplexes where one unit is behind the other may need additional flexibility for entry location.

10.5.020.060 RH High Density Residential Development Standards

RH High Density Residential	Standard			
	<u>Single-Family Attached, Row Houses, or Townhomes (3 or more units)</u>	<u>One and Two Dwelling Units per Lot (Single-Family Detached and Duplex)</u>	<u>Three Dwelling Units per Lot</u>	<u>Four or More Dwelling Units per Lot</u>
Minimum Lot Area	<u>1,500 sq. ft. per dwelling unit</u>	<u>1,500 2,500 sq. ft. per dwelling unit, not to exceed 25 units per gross acre</u>	<u>4,500 1,500 sq. ft. per dwelling unit, not to exceed 25 units per gross acre</u>	<u>6,000 1,500 sq. ft. per dwelling unit, not to exceed 25 units per gross acre</u>
Minimum Site Area per Dwelling Unit		<u>3,500 sq. ft. OR 2,000 sq. ft. for small lot and townhouse clusters (3-8 units)</u>	<u>2,000 sq. ft.</u>	<u>1,500 sq. ft.</u>
Minimum Lot Width	<u>25 ft. for corner lots and lots with townhome end-units; and 20 ft. for interior lots</u>	<u>25 ft. for corner lots and lots with townhome end-units; and 20 ft. for interior lots</u>	<u>60-50 ft.</u>	<u>75-50 ft.</u>
Minimum Lot Depth	<u>60 ft.</u>	<u>60 ft.</u>	<u>85-60 ft.</u>	<u>85-60 ft.</u>
Building Height	<u>35 ft.</u>	<u>35 ft.</u>	<u>40-35 ft.</u>	<u>40-35 ft. for 4-units, 45 ft. for 5+ units.</u>
Building Orientation	The front building line shall be parallel to the street, or private accessway if there is no street frontage to which to orient. Practical adjustments may be made to accommodate street curvature. The front building line shall include the <u>at least one</u> front door.			

10.5.030.060 RM Medium Density Residential Development Standards

RM Medium Density Residential	<u>Single-Family Attached, Row Houses, or Townhomes (3 or more units)</u>	<u>One and Two Dwelling Units per Lot (Single-Family Detached and Duplex)</u>	<u>Three Dwelling Units per Lot</u>	<u>Four or More Dwelling Units per Lot</u>
Minimum Lot Area	<u>2,000 sq. ft. per dwelling unit</u>	<u>2,000 and 5,000 (duplex) 4,000 sq. ft. per dwelling unit, not to exceed 25 units per gross acre</u>	<u>7,500 2,000 sq. ft. per dwelling unit, not to exceed 25 units per gross acre</u>	<u>6,000 2,000 sq. ft. per dwelling unit, not to exceed 25 units per gross acre</u>
Minimum Site Area per Dwelling Unit		<u>3,500 sq. ft. OR 2,000 sq. ft. for small lot and townhouse clusters (3-8 units)</u>	<u>2,000 sq. ft.</u>	<u>2,000 sq. ft.</u>
Minimum Lot Width	<u>25 ft. for corner lots and lots with townhome end-units; and 20 ft. for interior lots</u>	<u>25 ft. for corner lots and lots with townhome end-units; and 20 ft. for interior lots</u>	<u>75 50 ft.</u>	<u>80 50 ft.</u>
Minimum Lot Depth	<u>65 ft.</u>	<u>65 ft.</u>	<u>85 65 ft.</u>	<u>100 65 ft.</u>
Building Height	<u>35 ft.</u>	<u>35 ft.</u>	<u>40 35 ft.</u>	<u>40 35 ft. for 4 units, 45 ft. for 5 or more units.</u>
Building Orientation	The front building line shall be parallel to the street, or private accessway if there is no street frontage to which to orient. Practical adjustments may be made to accommodate street curvature. The front building line shall include the <u>at least one</u> front door.			

Batch 2 Code Updates originally recommended reducing lot widths for tri- and quadplexes to 65 feet, however further examination of older neighborhoods in The Dalles revealed that many existing lot widths are currently 50 feet. Reducing the minimum required lot width for triplexes

and quadplexes would help promote infill and possibly conversions for these housing types in these residential areas.

Reducing maximum height from 40 feet to 35 feet for tri- and quadplexes will help these larger middle housing types be more compatible with existing residential character in the RH and RM zones. Conversely, increasing height to 45 feet for 5+ units will make larger multi-family developments more financially feasible.

Discussion question: Is further reducing the recommended minimum lot width for triplexes and quadplexes appropriate for The Dalles?

10.7.060.010 Minimum and Maximum Off-Street Parking Requirements

Use Type	Auto Parking	
	Minimum	Maximum
RESIDENTIAL		
1, and 2, and 3 dwelling units	2 spaces per dwelling unit, 1 <u>space per dwelling unit for</u> <u>single-family attached</u> <u>(townhomes)</u>	None

In addition to revising off-street parking requirements for triplexes and quadplexes as discussed as part of the Batch 2 Code Amendments, the City also could reduce requirements for townhomes (single-family attached housing) to one space per unit. Requiring one space per unit for single-family attached (townhomes) will help make this housing type more feasible to develop, particularly when considering minimum spacing standards for driveways (10 feet) on smaller lots (1,500 – 2,000 square feet).

Discussion Question: Should off-street parking be reduced for townhomes?

10.5.030.080 Open Area

- A. Open area requirements shall apply to all development with 4 ~~5~~ or more dwelling units per lot.
- B. A minimum of 30% of the gross lot area shall be developed as permanent open space. The minimum open area shall be landscaped and permanently maintained per the provisions of Article 6.010: Landscaping Standards. Decorative design elements such as fountains, pools, benches, sculptures, planters, and similar elements may be placed within the open area. These provisions

shall apply to all new projects and to additions or remodels of existing structures that create new dwelling units. The following apply to the required open area:

Requiring 30% open space for quadplexes may be a barrier to providing this housing type, particularly on smaller lots in the RM and RH zones. We typically do not see that type of standard applied to plexes.

10.5.010.080, 10.5.020.090, 10.5.030.090, 10.5.040.090 *Exceptions to Standards*

3. Garage and Carport Setbacks on Alleys. Rear yard setbacks for garage/carports and accessory dwelling units on alleys may be waived per the following:
 - a. Garage/carports opening onto alleys with established 20-foot rights-of-way may be set back zero feet from the right-of-way.
 - b. Garage/carports opening onto alleys with less than a 20-foot rights-of-way shall be set back to a minimum building line located 10 feet from the center of the alley right-of-way.

Batch 2 Code updates included an amendment in the ADU Standards section (10.6.030.050) that would allow a rear setback reduction to zero if the property abuts an alley or if it is less than 20 feet in height. The same corresponding exception should be included in these code sections.

10.6.010.070 *Required Landscaping by Zone*

ZONE	SITE REQUIREMENT
RH 1, 2, or 3 , <u>or 4</u> Family 45+ Family	Site landscaped according to Article 6.010 Equal to 1.5 times the first floor area of all structures minimum
RM 1, 2, or 3 , <u>or 4</u> Family 45+ Family	Site landscaped according to Article 6.010 Equal to first floor area of all structures minimum
NC 1, 2, or 3 , <u>or 4</u> Family Residential Only 45+ Family Residential Only	Site landscaped according to Article 6.010 Equal to the first floor area of all structures minimum

Using the same landscaping standards for quadplexes that are required for other middle housing types (duplex and triplex) will help make quadplexes visually compatible with the surrounding residential area.