



## CITY of THE DALLES

313 COURT STREET  
THE DALLES, OREGON 97058

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

# AGENDA

## CITY OF THE DALLES PLANNING COMMISSION

### Thursday, February 18, 2021

### 6:00 P.M.

Via Zoom

Join Zoom Meeting

<https://zoom.us/j/97569636202?pwd=bXhtTjEvTTZJbitiWmcvRS9reTdZdz09>

Meeting ID: **975 6963 6202** Passcode: **357142**

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

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **APPROVAL OF AGENDA**
- V. **APPROVAL OF MINUTES** – January 21, 2021
- VI. **PUBLIC COMMENT**
- VII. **DISCUSSION ITEM**
  - The Dalles Housing Code Update; House Bill 2001 – Middle Housing
    - Review summary of Batch No. 1 proposed Housing Code Amendments discussed at the January 21, 2021 meeting
    - Review and discuss Batch No. 2 proposed Housing Code Amendments
- VIII. **STAFF COMMENTS/PROJECT UPDATES**

Next Meeting Date: March 4, 2021
- IX. **COMMISSIONER COMMENTS OR QUESTIONS**
- X. **ADJOURNMENT**

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## **CITY of THE DALLES**

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THE DALLES, OREGON 97058

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

# **MINUTES**

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

MEETING HELD VIA ZOOM  
**THURSDAY, JANUARY 21, 2021**  
**6:00 P.M.**

### **CALL TO ORDER**

Vice Chair Poppoff called the meeting to order at 6:02 p.m.

### **ROLL CALL**

Commissioners Present: Karly Aparacio, Brent Bybee, Cody Cornett, Alan Easling, Philip Mascher, and Mark Poppoff; one position vacant

Commissioners Absent:

Staff Present: Community Development Director Alice Cannon, City Attorney Jonathan Kara, Senior Planner Dawn Marie Hert, Assistant Planner Kaitlyn Cook, City Engineer Dale McCabe 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 the introduction of a new staff member prior to Public Comment.

It was moved by Cornett and seconded by Mascher to approve the agenda as amended. The motion passed 6/0; Aparacio, Bybee, Cornett, Easling, Mascher and Poppoff in favor, none opposed, one position vacant.

### **ELECTION OF OFFICERS**

Director Cannon recommended the persons selected for Chair and Vice Chair have appointments that expire after 2021 in order to complete their term of office. In addition, Cannon said her preference was that the officers be proficient with Zoom to better facilitate the meetings.

Senior Planner Hert introduced new Commissioner Karly Aparacio. Director Cannon welcomed Commissioner Aparacio and asked her to share her background.

Commissioner Aparacio stated she has been a resident of The Dalles for four years. She has spent the past 15 years in education, specifically in higher education; the transition from high school to college has been her focus.

Chair Bybee invited nominations for Chair.

Commissioners Cornett and Mascher nominated Brent Bybee for Chair.

The nomination of Brent Bybee for Chair passed 5/0; Aparicio, Cornett, Easling, Mascher and Poppoff in favor, none opposed, Bybee abstained, one position vacant.

Chair Bybee invited nominations for Vice Chair.

In response to Commissioner's questions, Chair Bybee replied the Vice Chair would lead meetings in the Chair's absence and may be involved in discussions with Staff and active in other initiatives. There is no expectation the Vice Chair would subsequently serve as Chair.

Senior Planner Hert said a number of past Vice Chairs have not automatically become Chair; Commissioner's may ask to be excluded.

Director Cannon stated in the absence of the Chair, the Vice Chair will receive an agenda briefing from Staff prior to the meeting.

Commissioner Mascher asked Commissioner Poppoff if he was willing to continue as Vice Chair. Poppoff suggested someone with internet may be a better choice.

Commissioner Mascher asked if Commissioner Cornett would be interested. Cornett expressed concern that his workload could interfere with his preparation.

Commissioner Cornett said his intent was to nominate Commissioner Mascher.

Commissioner Mascher said he spends one to two months in Sweden each year; the meeting would be held at 3:00 a.m. in Sweden.

Commissioner Cornett committed to one year.

The nomination of Brent Bybee for Chair passed 5/0; Aparicio, Bybee, Easling, Mascher and Poppoff in favor, none opposed, Cornett abstained, one position vacant.

## **APPROVAL OF MINUTES**

It was moved by Cornett and seconded by Mascher to approve the minutes of December 17, 2020 as written. The motion passed 5/0; Aparicio, Cornett, Easling, Mascher and Poppoff in favor, none opposed, Bybee abstained, one position vacant.

Director Cannon introduced new Assistant Planner, Kaitlyn Cook. Cook has a degree from the University of Oregon in Planning, Public Policy and Management, served as a RARE planner in Pendleton, and most recently worked in tourism for Polk County.

Assistant Planner Cook will initially focus on building permits and administrative level staff reviews, as well as customer service. Cook is currently working on research for potential code amendments and will step into code enforcement.

Current staff in the Community Development Department includes Director Alice Cannon, Senior Planner Dawn Marie Hert, Associate Planner Joshua Chandler and Assistant Planner Kaitlyn Cook.

Director Cannon became a permanent employee on December 1, 2020.

## **PUBLIC COMMENT**

*Kelly Ferguson, PO Box 2713, Sitka, Alaska 99835.*

Ms. Ferguson said she wished to comment on the StarTouch application.

Director Cannon stated the application for CUP 196-20, StarTouch, Inc., was withdrawn. Microwave telecommunication facilities are exempt; the applicant was erroneously sent through the Conditional Use process.

Senior Planner Hert stated none of the equipment proposed by StarTouch was 5G.

Ms. Ferguson requested details on the proposed installation. Senior Planner Hert will provide the information via email.

## **DISCUSSION ITEM**

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

Senior Planner Hert introduced Matt Hastie, Angelo Planning Group (APG). Also in attendance was Brandon Crawford of APG.

Mr. Hastie provided the presentation, Exhibit 1. He began with project updates, briefly reviewed HB 2001 and State requirements, the Code and Comprehensive Plan audit completed in December, and the Online Open House and Survey that will soon launch. Hastie discussed the project timeline and the current status of the project.

Mr. Hastie stated aspects of the Code where amendments are needed for consistency were the focus of this meeting.

Chair Bybee asked what defined middle housing types, and should that be defined in the ordinance as well.

Mr. Hastie replied the State defines it as housing types that include duplexes, triplexes, quadplexes, townhomes and cottage clusters. The City will probably want to define middle housing in the Comprehensive Plan and Code to the extent it is using those terms in policies or code provisions.

Mr. Hastie reviewed areas of non-compliance with OAR 660-046, middle housing for medium and large cities:

- Minimum lot or parcel size
- Density
- Parking
- Clear and objective design standards

### *Discussion Question: Should the Code define duplexes as attached and detached units or only as attached?*

Mr. Hastie noted most cities and developers define a duplex as two units that are attached on a single lot, but a duplex could be defined as either two attached or detached units on the same lot. Defining a duplex also as detached will allow more flexibility.

Mr. Hastie asked if the Code should define duplexes as attached and detached units, or only as attached?

Commissioner Poppoff stated the City should stick with the standard dictionary definition. Having less clarity can make things more confusing.

Commissioner Mascher asked what the experience has been with providing more flexibility.

Senior Planner Hert replied when applications come in and flexibility is provided, applicants don't always take advantage of it. However, given the housing crisis, it could be useful to add expanded flexibility. In low density zones, duplexes are usually on larger lots. Two detached

units can have the appearance of two single family. Hert viewed that as a benefit in low density (RL) and middle density (RM) zones. She felt that additional flexibility would be good.

Direction Cannon suggested there are benefits of multigenerational homes that include family members in accessory dwelling units (ADUs). Added flexibility can allow more cases where family members can live together with a detached unit. However, massing could be an issue for detached units and a single lot could feel crowded.

Mr. Hastie agreed it could feel crowded, but if the units are detached then they'd also likely be smaller units, with smaller, potentially more compatible, massing from that perspective.

Commissioner Mascher noted that the City is rigidly bound by geography, and the city needs to find creative ways to make space to continue to grow within existing city limits. Flexibility would be beneficial to add additional density.

Commissioner Cornett asked how to address the SDCs (system development charges) for adding an additional unit on a lot. If the property owner decided to sell, would they have to partition the lot? Would it be difficult to finance? Cornett is leaning toward retaining the definition as attached but it also may depend on the minimum lot size recommended in the Code.

Senior Planner Hert replied that anytime an additional structure is built, our Code requires each of the new units to have separate lateral connections for water and sewer. If a single family home is converted to a duplex, there are certain allowances for use of existing plumbing if the meter is sized adequately to handle two units. In terms of utilities, it would not matter if the structures were attached or detached. Hert was unable to answer if detached units would present a problem with financing, and requested clarification from Commissioner Cornett.

Commissioner Cornett said some properties consist of two detached living structures, i.e., a main house with a manufactured home and/or smaller houses for family or workers. Now that people are buying it, it becomes a different type of loan inaccessible for financing. If we allow this situation, are we, as a City, creating difficulties when a homeowner tries to sell their house? Could that come back on the City?

Senior Planner Hert replied the Code currently allows detached units in the high density (RH) zone, but they are not called a duplex. The seller would have to meet minimum lot size to partition the property, which could lead to difficulty financing.

Commissioner Easling asked if a separate utility connection is required when an ADU is built. Would it make sense to require separate utility connections for detached duplexes but not for ADUs?

Senior Planner Hert replied that ADUs can use existing utility services. SDCs would still apply for sanitation, storm water, transportation and parks. There would be some savings on water for an ADU if the meter is adequately sized for two units.

Commissioner Easling said we should specify the differences between an ADU and detached duplexes to prevent construction of a duplex that was called an ADU.

Senior Planner Hert stated there is a size limitation on ADUs. Other than meeting the Code for setbacks and maximum lot coverage, there is no size limit on a duplex. A single family home with a detached ADU would require two parking spaces. If a second ADU is built, a parking space is required. There is a savings or benefit for ADUs on utilities.

Commissioner Aparicio asked if this definition would be the same definition regardless of density or zone. Mr. Hastie replied the density is controlled by lot size; the minimum lot size will vary by zone.

Commissioner Aparicio confirmed that lot size may require an attached duplex rather than detached. Mr. Hastie replied lot coverage, setbacks and parking will combine with lot size to limit what can be done.

Chair Bybee stated he is leaning toward more flexibility. Property owners should be aware of their options with detached duplexes before they purchase a property where that is the case. They may choose to rent out the other unit. Bybee said more flexibility will allow more choices for property owners.

Mr. Hastie noted that duplexes most frequently include at least one rental unit but they also can be condominiums so that both units are owner occupied with common ownership of the land. Units could then be sold separately.

Commissioner Mascher asked if that option was given in our Code. Mr. Hastie replied development codes generally don't regulate housing tenure (i.e., ownership vs. rental housing).

Commissioner Mascher asked it was the Planning Commission's role to consider financing ramifications of the City's Code.

Director Cannon suggested that Staff consult with a mortgage banker and report back to the Commission. Chair Bybee said that would be best.

Mr. Hastie suggested more research be done on potential financing challenges associated with detached and that we return to the question of allowing detached duplexes at a later date.

*Discussion Question: Do you support the approach to revising minimum lot sizes for single family detached homes and duplexes in these zones and agree with the proposed specific standards?*

- 3,000 square feet minimum and 20-foot lot width for RH
- 4,000 square feet minimum and 20-foot lot width for RM

Mr. Hastie said his recommended changes were to ensure a duplex is allowed on the same lots where a single family detached home is allowed, but not on very small lots where it may not ultimately make sense or fit.

Chair Bybee recommends highlighting that single family detached lot size is being increased to help make these code updates more palatable for the City Council and the public.

Commissioner Poppoff mentioned that most lots in the developed part of The Dalles are 50 ft. by 100 ft., so a 2,500 sq. ft. minimum would make more sense. Existing 5,000 sq. ft. lots could be split and still provide a buildable size. He is unsure how to fit higher density in the existing lot layout in lower density zones where homes are still affordable. Poppoff said you may want to consider doing away with high density zoning altogether, or limit it to areas that are not already built up.

Mr. Hastie replied those changes would go well beyond the scope of changes necessary to comply with the legislation and the administrative rules. He invited further comment.

Commissioner Cornett said he liked the lot size for the RM and RH zones, but suggested RH be a minimum of 2,500 sq. ft. Cornett noted that lot coverage for RH is 60% which would allow a 1,500 sq. ft. unit on a 2,500 sq. ft. lot. Senior Planner Hert noted coverage includes all hard surfaces; a decrease in lot size may also decrease the building footprint at 60% coverage.

Chair Bybee asked how lot size standards were determined. Mr. Hastie replied they are tied in large part to what is currently allowed. In the RH zone, you currently allow 1,500 sq. ft. per unit regardless of type. In the RM zone, you allow 2,000 sq. ft. per unit. Our thought was to continue to allow that for most housing types, but because you need to apply the same total

minimum lot size for a duplex as for a single family detached home, stick with the per unit lot size for the duplex. Because a single family detached home needs to be the same in total, that would just double it. The proposed sizes would essentially keep the per unit size the same for townhomes and duplexes and increase the minimum size for single family detached.

Director Cannon noted for RH, the 2,500 sq. ft. lot size seems like a good solution that fits in with existing lot patterns, particularly in older parts of the City. The City may not have understood the unintended consequences of such small lots in the RH zone. Cannon thought the 1,500 sq. ft. and 2,000 sq. ft. lots were too small. Mr. Hastie agreed with Director Cannon.

Commissioner Mascher asked for examples of unintended consequences referred to by Director Cannon. Director Cannon referred the question to Senior Planner Hert.

Senior Planner Hert replied no one has taken advantage of the new standards. One subdivision had smaller lots, but was not yet completed. It doesn't seem like people desire such small lots, but the intent is to provide the flexibility. Hert could see potential difficulty with such small lots.

Director Cannon noted small lots change the character of existing neighborhoods; it makes sense to have a size that can be easily accommodated with existing lot patterns. She felt a different standard was necessary for one dwelling per lot and two dwellings per lot.

Mr. Hastie proposed three options based on Commission discussion:

- 1) Go with what has already been proposed: RH – 3,000 sq. ft., RM – 4,000 sq. ft.
- 2) RH – 2,500 sq. ft., RM 4,000 sq. ft.
- 3) 2,500 sq. ft. for both RH and RM

Commission consensus was to proceed with option two.

Discussion questions:

Mr. Hastie stated the City is required to have clear and objective standards for development/design standards for all housing types and cannot impose standards for duplexes that are not already required for single family detached. The City currently requires single family detached and duplexes to have a "front porch" in RL, duplexes to have a "traditional front entry" in RM and RH, and duplexes to have the "appearance of a single house." These terms are not clearly defined.

Should City require these features for all housing types or only row houses (i.e. not apply these standards to SFD and duplexes)?

Should the City remove these design standards entirely or provide definitions that are clear and objective?

Commissioner Mascher noted that defining these standards seems unnecessary; it's difficult to provide hard and fast definitions. He asked if there were other design review steps that allow the style of the structure to deviate from the neighborhood style.

Commissioner Poppoff replied the City used to have compatibility standards, but those were difficult to define and were removed. Mr. Hastie added there are ways to write compatibility standards but it can be challenging. Traditional front entry could be problematic to define, however, a porch could be defined. Could use other standards such as "entry faces the front street or is within a specific distance of it" in lieu of "traditional" front entry. These would have to be applied equally to single family detached and duplexes.



Senior Planner Hert noted there is a list of nine potential options that can be applied to development. The design guidelines are pretty basic and do define a number of similar standards using clear and objective definitions.

Director Cannon stated our choices are to eliminate language that is not clear and objective, or define the language to be clear and objective.

Commissioner Cornett suggested adding "front porch, recessed entry, or flush entry" in the list of entryway design standards, and "appearance of single house" should be compensated with orientation of the front door. Cornett felt the main entry orientation was suitable for the side and front of the duplex, but not the back. Allowing a side entry could provide flexibility given the City's physical constraints. Commissioner Mascher concurred.

Chair Bybee asked if Mr. Hastie had a clear idea of the suggestions. Hastie replied, maintain the requirement for some kind of front porch or entry as a design standard option, side entry is acceptable, rear entry is unacceptable. He stated these changes should be defined in a clear and objective way.

Senior Planner Hert noted the RL zone calls out the width and depth of the front porch; it also requires six of the 10 designs be met. The RM zone has no design requirements unless the structure is multi-family. The RH zone includes covered porch and recessed entry in the list of nine options.

Commissioner Easling said the requirement that duplexes have the "appearance of a single house" was very subjective and open for interpretation, but he would be sad to see it go. In the case of shared driveways, Easling asked if there was an interpretation of "front" for a front porch or door.

Senior Planner Hert replied our Code requires the front door to face the street in all residential zones. There is a provision for curved roads and rear lot development; the front door can be parallel to access road or access drive. Historically, there has been concern when the front door does not face the street.

Commissioner Cornett clarified he felt the front door should face the street on single family dwellings, but should not affect duplexes. Duplexes should be allowed entry on either the front or the side.

Commissioner Aparacio agreed there was inconsistency. Clear and objective requirements would be better.

Mr. Hastie called attention to the parking space requirement. The Code currently requires two spaces per dwelling unit. Hastie suggested removal of "per dwelling unit" and retain a minimum of two spaces. Cities cannot require more than two spaces per duplex (one space per unit).

Chair Bybee asked it would make more to sense to require two spaces per lot rather than one space per unit. Commissioner Poppoff said that would create a problem for triplexes or quadplexes. Hastie clarified only single family dwellings and duplexes were being considered.

Mr. Hastie noted the City must apply the same approval processes and procedures for both single family detached and duplexes.

#### Online Open House and Survey

Mr. Hastie summarized the online survey which will be launched in January and remain open through the end of February. Senior Planner Hert noted that the City will publicize the survey through a variety of means, including the City website, email announcements, social media and utility bill announcements. Commissioner Poppoff suggested a notice in the newspaper as well.

Chair Bybee commented the website was awesome and the outreach tools were great. He appreciated APG's efforts.

### Next Steps

Matt briefly reviewed the following next steps:

- Draft Additional Code Amendments (Batch 2 – in progress) and refine Batch 1 per tonight's feedback
- Planning Commission/Advisory Committee meeting #3 (02/18/21)
- Draft Additional Code Amendments (Batch 3)
- Planning Commission/Advisory Committee meeting #4 (03/18/21)

### **STAFF COMMENTS / PROJECT UPDATES**

None.

### **COMMISSIONER COMMENTS OR QUESTIONS**

Director Cannon requested the Commission consider a start time of 5:30 p.m. rather than 6:00 p.m. Commission consensus agreed to consider this at the next meeting.

### **ADJOURNMENT**

Chair Bybee adjourned the meeting at 8:13 p.m.

Respectfully Submitted  
Paula Webb, Secretary  
Community Development Department

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Brent Bybee, Chair

# The Dalles Middle Housing Code Update

Planning Commission/Advisory Committee

January 21, 2021, 6:00 pm



# Agenda

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1. Introductions
2. Project Updates
3. Draft Code Amendments and Discussion
4. Online Open House and Survey
5. Next Steps and Adjourn




# Project Updates

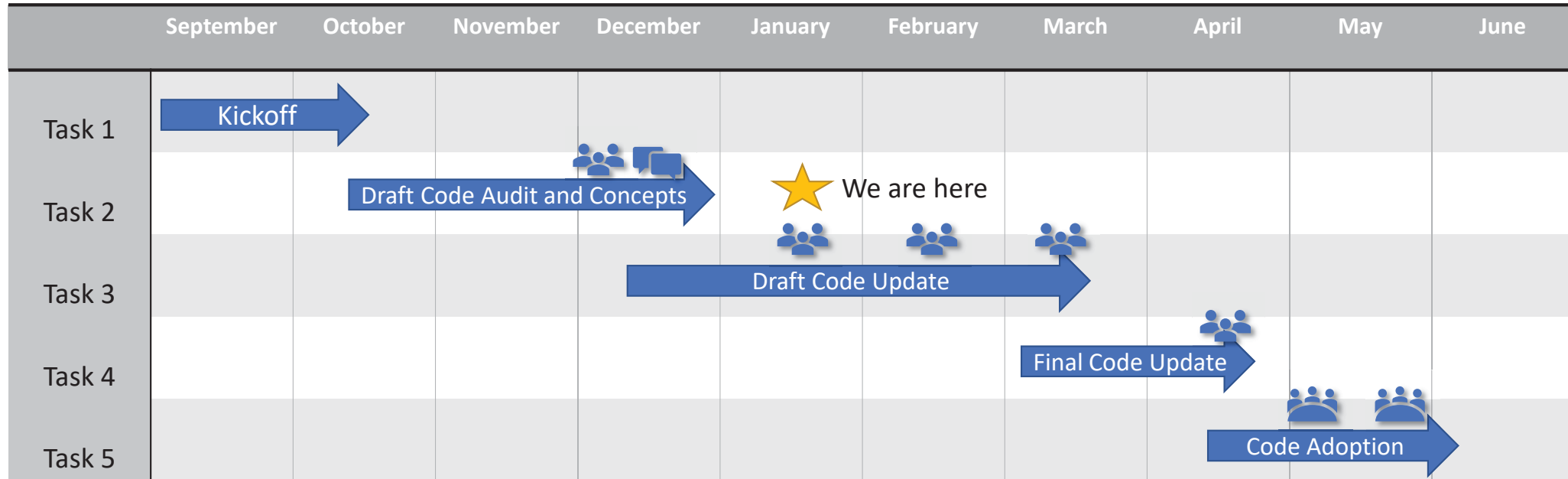
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- Duplex Audit completed in December
- Online Open House for the project launched
- Draft of first batch of duplex updates complete
  - Required duplex amendments to meet State minimum compliance standards for HB 2001 (OAR 660-046)
- Draft of second batch of code updates in progress
  - Potential additional middle housing updates (e.g. triplex and quadplex)
  - City's "clean-up" code amendments relating to middle housing

# Schedule

-  Advisory Committee Meeting
-  Open House Meeting
-  Public Hearing



# Draft Comprehensive Plan Amendments



- Added language promoting duplexes and other middle housing types in housing goals and policies under Comprehensive Plan Goal 10 – Housing
  - Policy 9 – “Provide for the development of a wide range of housing types which may include single-family detached and attached housing, *duplexes and other middle housing types...*”
- Removed housing type target ratio policy and added a policy that acknowledges HB 2001
- Removed measures related to small lot single-family housing and added a measure for duplexes:
  - “*Duplexes are allowed on any lot or parcel that permits single-family dwellings in residential zones*”

# Duplex Code Update Summary



- Code update proposes amendments to areas of non-compliance identified in the Code Audit
- Areas of non-compliance with OAR 660-046 (Middle Housing for Medium and Large Cities)
  - Minimum lot or parcel size
  - Density
  - Parking
  - Clear and objective design standards



## 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.

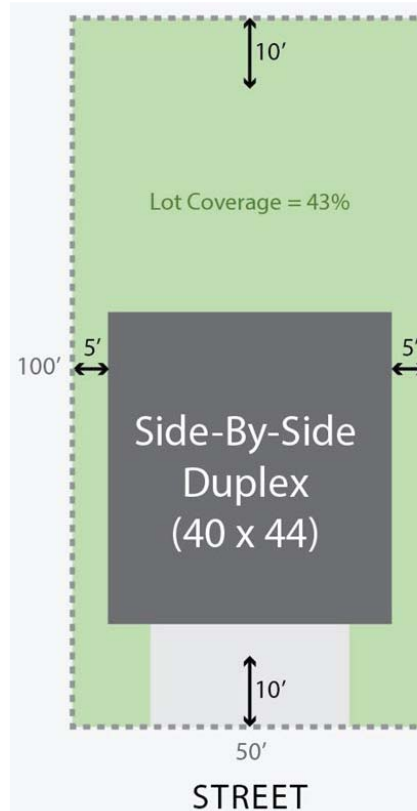
***Should the Code define duplexes as attached and detached units or only as attached?***

# Code Update: Low Density Residential (RL)



- Eliminate “small lot single family”
- Lot size standards in compliance
  - Minimum 5,000 sq. ft. for SFD, minimum 2,500 sq. ft. per unit for duplexes

## *Duplex on a 5,000 square foot lot (minimum for RL zone)*



# Code Update: High Density Residential (RH)



- Eliminate “per dwelling unit” standard for minimum lot size
- Increase minimum lot size to 3,000 sq. ft. for SFD, keep the same for SF attached or townhomes
- Eliminate “minimum site area” standard
- Reduce lot width for duplexes

RH High Density Residential	Standard		
	<u>Single-Family Attached, Row Houses, or Townhomes (3 or more units)</u>	One Dwelling Unit per Lot	Two Dwelling Units per Lot
Minimum Lot Area	<u>1,500 sq. ft. per dwelling unit</u>	<del>3,000</del> 1,500 sq. ft. per dwelling unit, not to exceed 25 units per gross acre	3,000 sq. ft. per dwelling unit, not to exceed 25 units per gross acre
Minimum Site Area per Dwelling Unit		3,500 sq. ft. <b>OR</b> 2,000 sq. ft. for small lot and townhouse clusters (3-8 units)	2,000 sq. ft.
Minimum Lot Width	<u>25 ft. for corner lots and lots with townhome end-units; and 20 ft for interior lots</u>	25 ft. for corner lots and lots with townhome end-units; and 20 ft. for interior lots	<u>25 ft. for corner lots and 20 ft. for interior lots</u> 40 ft.

# Code Update: Medium Density Residential



- Eliminate “per dwelling unit” standard for minimum lot size
- Increase minimum lot size to 4,000 sq. ft. for SFD, keep the same for SF attached or townhomes
- Reduce lot width for duplexes

RM Medium Density Residential	Standard		
	<u>Single-Family Attached, Row Houses, or Townhomes (3 or more units)</u>	One Dwelling Unit per Lot	Two Dwelling Units per Lot
Minimum Lot Area	<u>2,000 sq. ft. per dwelling unit</u>	<u>4,000</u> 2,000 sq. ft. per dwelling unit, not to exceed 25 units per gross acre	<del>3,000</del> 4,000 sq. ft. per dwelling unit, not to exceed 25 units per gross acre
<del>Minimum Site Area per Dwelling Unit</del>		3,500 sq. ft. <b>OR</b> 2,000 sq. ft. for small lot and townhouse clusters (3-8 units)	2,000 sq. ft.
Minimum Lot Width	<u>25 ft. for corner lots and lots with townhome end-units; and 20 ft. for interior lots</u>	25 ft. for corner lots and lots with townhome end units; and 20 ft. for interior lots	<del>50 ft.</del> <u>25 ft. for corner lots and 20 ft. for interior lots</u>

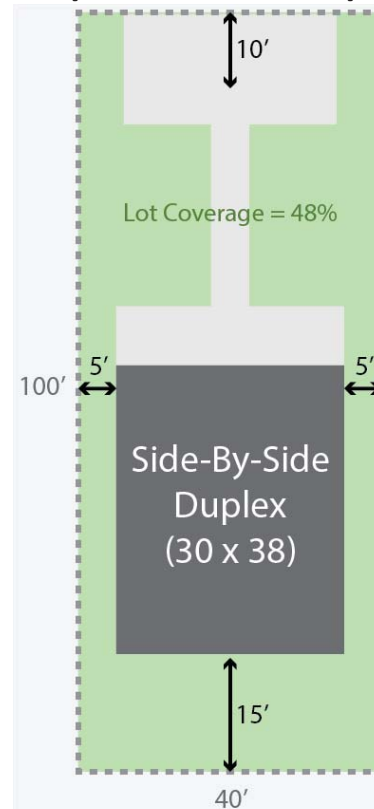
# Code Update Discussion Question



***Do you support the approach to revising minimum lot sizes for single family detached homes and duplexes in these zones and agree with the proposed specific standards?***

- 3,000 square feet minimum and 20-foot lot width for RH
- 4,000 square feet minimum and 20-foot lot width for RM

***Duplex on a 4,000 square foot lot (minimum for RM zone)***



## Code Update: Clear and Objective Standards



- SFD and Duplexes are required to have a “front porch” in RL zone and a “traditional front entry” in RH and RM zones
- Duplexes are required to have the “appearance of a single house”

### Discussion Questions:

- ***Should the City require these features for all housing types or only for row houses (i.e., not apply this requirement to duplexes or SFD)?***
- ***Should the City remove these design standards entirely or provide definitions that are clear and objective?***

## Code Update - Parking



- Remove “per dwelling unit” standard for minimum spaces and keep at minimum of 2 spaces (cities cannot require more than two spaces per duplex, per minimum compliance standards)

Use Type	Auto Parking	
	Minimum	Maximum
1, and 2, and 3 dwelling units	2 spaces per dwelling unit	None

## Code Update – Other

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- Approval processes/procedures
  - Landscaping requirements for completion prior to occupancy exempt SFD, and therefore must also exempt duplexes
  - Temporary family hardship provisions permit temporary siting of RVs on SFD, and therefore must also allow temporary siting on duplexes
  - SFD are eligible for Waivers of Remonstrance. Duplexes must also be eligible for these waivers



# Online Open House and Survey



## Open House

- Launches January 25 – Open until early to Monday, March 1.
- Project overview and background (HB 2001, middle housing, etc.)
- Code audit results and likely updates
- Other middle housing opportunities

## Housing Survey Questions

- Opinions/observations relating to middle housing
- Rank housing objective in order of importance (e.g., affordability, supply, variety, aesthetics, etc.)
- Open ended question/comments on the project and housing in The Dalles

**\*Help distribute the Open House and Survey!!!\***

<https://storymaps.arcgis.com/stories/3cd98f74e78543ff8fd2b62d83b1f370>

## Next Steps: Code Update

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- **Online Open House and Survey** – close and provide review and summary
- Draft Additional Code Amendments (Batch 2 – in progress)
- **Planning Commission/Advisory Committee meeting #3** (week of 02/18/21)
- Draft Additional Code Amendments (Batch 3)
- **Planning Commission/Advisory Committee meeting #4** (week of 03/18/21)



## CITY of THE DALLES

313 COURT STREET  
THE DALLES, OREGON 97058

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

### MEMORANDUM

**To:** City of The Dalles Planning Commission

**Meeting Date:** February 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 February 10, 2021 detailing the second set of draft amendments to The Dalles Municipal Code, Title 10 – Land Use and Development and The Dalles Comprehensive Plan. Also attached is the updated Memorandum for the first batch of code amendments, dated January 27, 2021. These documents are products of the completed audit detailed at the December 17, 2020 Planning Commission meeting.

We will briefly summarize the updated first batch of amendments and complete the review the second batch of amendments tonight. We plan to complete the following tasks: 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).

Staff and the consultant team will present the second batch of draft amendments to the Commission. Discussion is expected to be one hour to an hour and a half. Items for the meeting are expected to include:

- Project update (5 minutes)
- Code Amendments Batch 1 Summary (10 minutes)
- Draft Code Amendments and Discussion (60 minutes)
- Online Open House and Survey Update (10 minutes)
- Next Steps (5 minutes)

Staff will also provide preliminary details on the community outreach completed the last week of January for the online open house and survey.

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MEMORANDUM

## DRAFT Middle Housing Code Update Recommendations

### City of The Dalles

DATE January 27, 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

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The purpose of this memo is to propose an initial 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. Medium cities (10,000 – 24,999), which includes The Dalles, are required to allow duplexes on any lot or parcel that allows single-family homes in residential areas. For the purposes of these new rules, duplexes are defined as two dwelling units located on a single lot or parcel.

The recommended code updates in this memo are informed by areas of non-compliance with HB 2001 that were identified in The Dalles Duplex Code Audit. The Audit evaluates how the City currently regulates duplex development against the minimum compliance standards established in OAR 660-046, which implements the requirements for HB 2001. The Audit also includes additional information on the background or intent of HB 2001 and this project and addresses other areas in the Code and general housing strategies that the City may consider adopting. To make review of the potential amendments more manageable, they will be 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 other 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 memo will serve as the first batch of update recommendations, primarily focusing on required code updates per OAR 660-046 that were identified in the Audit. The identified code items that

need amendments primarily pertain to siting and design standards. Some minor language revisions may also be necessary for the Housing chapter of the Comprehensive Plan to clarify the allowance of duplexes on single-family lots. Overall, the Audit found that the City's current duplex regulations and standards are already very close to meeting the State's minimum compliance standards (OAR 660-046).

The memo is organized between proposed Comprehensive Plan amendments and Development Code amendments. 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.

## Comprehensive Plan Updates

### BACKGROUND

The Comprehensive Plan goals, policies, and measures listed below need to be amended to ensure consistency with the objectives and requirements of HB 2001 and to achieve consistency between the Comprehensive Plan and amended Development Code. The primary reason the following Comprehensive Plan items have proposed amendments is that they do not include references to duplexes and other middle housing types. In addition, nothing in the housing chapter of the Comprehensive Plan explicitly acknowledges that duplexes are allowed on any lot or parcel that permits single-family dwellings in residential zones.

### PROPOSED AMENDMENTS

#### Goal #10 Housing

##### **Housing Goals**

- *Encourage affordable homeownership opportunities, including multiple family condominiums, row houses, duplexes and other middle housing types, and ~~small lot~~ single family residential.*

##### **Goal 10 Policies**

1. Plan for more multi-family and affordable home ownership opportunities, ~~including small lot single family residential~~, duplexes and other middle housing types, townhomes and manufactured housing development consistent with the City's Housing Needs Analysis.
9. Provide for development of a wide range of housing types which may include single-family detached and attached housing, duplexes and other middle housing types, 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.

**10. Target ratios by housing type are:<sup>1</sup>**

- ~~a. 50% large lot 70% single family or duplex; Page 42~~
- ~~b. 20% small lot single family;~~
- ~~c. 25% multi-family including condominiums; and~~
- ~~d. 5% mobile home park dwellings.~~

22. To provide variety and flexibility in site design and densities, residential lands shall be divided into land use planning districts with the following prescribed density ranges for each district: a. Low Density Residential 3-6 units/gross acre Page 43 b. Medium Density Residential 7-17 units/gross acre c. High Density Residential 10-25 units/gross acre. Duplex development is exempt from meeting these density ranges, per Oregon Administrative Rules (OAR 660-046).

24. To ensure duplex development is allowed wherever single-family detached homes are allowed in residential zones, per Oregon Administrative Rules (OAR 660-046). Duplex development shall be subject to development standards and procedures that are no more restrictive than those for single-family development in the same residential zone.

**Goal 10 Implementing Measures**

**Single Family and Duplex Residential Areas**

- ~~• Small lots can accommodate single family development ranging from 3,000 to 5,000 square feet in area. Minimal to "zero" side yard setbacks can be used with a generous setback provided for the other side yard.~~
- ~~• Attached housing in the form of duplexes and triplexes can be added to existing neighborhoods on relatively small lots. Many cities allow such development on large corner lots, while reserving interior lots for more traditional housing.~~
- Duplexes are allowed on any lot or parcel that permits single-family dwellings in residential zones.

## Development Code Updates

### BACKGROUND

Development Code amendments described here will focus on the necessary updates to meet minimum compliance standards. The Code does not meet the following minimum compliance standards established by OAR 660-046:

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<sup>1</sup> Note: We recommend eliminating this policy for two reasons. First, it is not consistent with the mix of housing needs identified in the City's most recent housing needs analysis. Second, the housing market is dynamic and the relative need for different types of housing will change over time. As a result, any policy that cites the need for a specific mix or percentage of different housing types is likely to become outdated relatively quickly and should not be used to guide individual land use decisions (e.g., when they must be shown to be consistent with Comprehensive Plan policies).

## OAR 660-046-0120 – Duplex Siting Standards in Medium Cities

- (1) Minimum Lot or Parcel Size: A Medium City may not require a minimum Lot or Parcel size that is greater than the minimum Lot or Parcel size required for a detached single-family dwelling in the same zone. Additionally, Medium Cities shall allow the development of a Duplex on any property zoned to allow detached single-family dwellings, which was legally created prior to the Medium City's current lot size minimum for detached single-family dwellings in the same zone.
- (2) Density: If a Medium City applies density maximums in a zone, it may not apply those maximums to the development of Duplexes.
- (5)(a) Parking: A Medium City may not require more than a total of two off-street parking spaces for a Duplex.

## OAR 660-046-0125 – Duplex Design Standards in Medium Cities

- (1) Medium Cities are not required to apply design standards to new Duplexes. However, if the Medium City chooses to apply design standards to new Duplexes, it may only apply the same clear and objective design standards that the Medium City applies to detached single-family structures in the same zone.

Most updates apply to siting and design standards. The Audit found that most other sections of the Code relating to Duplexes are in compliance with HB 2001. Siting and Design requirements can have a significant effect on the form and feasibility of development. These requirements regulate where buildings can be located on a site, lot size requirements, off-street parking, and more. HB 2001 and associated OAR provisions allow cities to have flexibility in siting and design requirements for applicable lands, as long as they are consistent with the minimum siting and design requirements established in the OARs and the standards do not create “unreasonable cost and delay.” Generally, the reasonableness standard is measured by comparing cost and delay of middle housing standards to that of detached single family detached (SFD) housing units. Per OAR 660-046-0125, medium cities that choose to apply design standards to new duplexes may only apply the same clear and objective standards that applies to SFD units in the same zone.

**Note that the City's current definition for “duplex” complies with State requirements. However, the State allows jurisdictions to also define duplexes as two *detached* dwellings on a single lot or parcel. The City will need to decide whether to keep its existing definition or amend it to include two detached dwellings under the duplex definition.**

**Discussion Question: Should the code define duplexes as attached and detached units or only as attached units?**



## PROPOSED AMENDMENTS

### Title 10 Land Use and Development

#### 10.5.010.060 RL Low Density Residential Development Standards

RL Low Density Residential	Standard
Lot Size	
Single-Family Detached	5,000 sq. ft. minimum
Duplex	2,500 sq. ft. per dwelling unit
<del>Small Lot Single Family</del>	<del>4,000 sq. ft. minimum with density transfer</del>

Per OAR 660-046-0120(1), medium cities cannot require minimum lot sizes for duplexes to be larger than the minimum lot size for a single-family detached dwelling. City staff is proposing to eliminate the “Small Lot” provisions from the Code and doing so will effectively bring this standard into compliance. Alternatively, if the City chooses to keep the Small Lot provision, then the Duplex lot size for RL could be reduced to 2,000 sq. ft. per dwelling unit, which would result in the duplex minimum lot size being no larger than the smallest minimum lot size for single-family in this zone (4,000 sq. ft.).

#### 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 Dwelling Unit per Lot (Single-Family Detached)</u>	<u>Two Dwelling Units per Lot (Duplex)</u>
Minimum Lot Area	<u>1,500 sq. ft. per dwelling unit</u>	<del>2,500</del> <u>1,500 sq. ft. per dwelling unit, not to exceed 25 units per gross acre</u>	<del>2,500</del> <u>3,000 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>
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>25 ft. for corner lots and and 20 ft. for interior lots</u> <del>40 ft.</del>

*10.5.030.060 RM Medium Density Residential Development Standards*

<b>RM Medium Density Residential</b>	<b>Standard</b>		
	<b><u>Single-Family Attached, Row Houses, or Townhomes (3 or more units)</u></b>	<b><u>One Dwelling Unit per Lot (Single-Family Detached)</u></b>	<b><u>Two Dwelling Units per Lot (Duplex)</u></b>
Minimum Lot Area	<u>2,000 sq. ft. per dwelling unit</u>	<del>4,000</del> 2,000 sq. ft. per dwelling unit, not to exceed 25 units per gross acre	<del>3,000</del> 4,000 sq. ft. per dwelling unit, not to exceed 25 units per gross acre
Minimum Site Area per Dwelling Unit		3,500 sq. ft. <b>OR</b> 2,000 sq. ft. for small lot and townhouse clusters (3-8 units)	2,000 sq. ft.
Minimum Lot Width	<u>25 ft. for corner lots and lots with townhome end-units; and 20 ft. for interior lots</u>	25 ft. for corner lots and lots with townhome end units; and 20 ft. for interior lots	<del>50 ft.</del> <u>25 ft. for corner lots and 20 ft. for interior lots</u>

***Discussion Question: Do you support the approach to revising minimum lot sizes for single family detached homes and duplexes in these zones and agree with the proposed specific standards?***

City staff is already proposing to eliminate the “per dwelling unit” piece of the minimum lot area standards, which will help bring this standard into compliance. However, one unit (SFD home) or two units (duplex) must have the same minimum lot size. Given the small minimum lot size that is currently in place for SFD, we recommend increasing the lot size for SFD to match the duplex minimum lot size sans the “per dwelling unit” provision. Duplex development on lot sizes below 2,000 square feet is likely infeasible when accounting for setback, lot coverage, and parking requirements. This approach ultimately decreases the minimum lot size for duplexes, and it also ensures duplex development is feasible for the same lot size standard used for SFD.

Advisory Committee members and City staff suggest a minimum lot area of 2,500 square feet for SFD and duplexes in the RH zone. They note that many existing lots in older, central neighborhoods are 5,000 square feet and could be relatively easily divided into two 2,500 square foot lots. They would like new lot sizes to remain consistent with existing lot dimensions in those areas.

In addition, the City would like to add a separate category for single-family attached (i.e. row houses or townhomes) of three or more units. This separate single family attached category will retain the 1,500 and 2,000 square feet minimum lot sizes for the RH and RM zones, respectively.

Per OAR 660-046-0120(2), density maximums cannot apply to duplexes. Therefore, the “not to exceed 25 units per gross acre” provision for duplexes must be removed. The City is also proposing to remove the 25 units per gross acre provision for SFD because it is an unnecessary and potentially confusing standard when combined with the minimum lot size standard.

In addition, the same lot width standards must be applied to SFD units and duplexes.

The City is already proposing to eliminate the “minimum site area” provision throughout the Code. Doing so will also help bring lot area standards into compliance with State requirements.

The City is proposing to restructure the development standard tables for the RH and RM zones to consolidate the one- and two-dwelling unit standards into one column. The following table demonstrates what that revision would look like.

#### *10.5.020.060 RH High Density Residential Development*

	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>	Three Dwelling Units per Lot	Four or More Dwelling Units per Lot
RH High Density Residential				
Minimum Lot Area	1,500 sq. ft. per dwelling unit	<del>1,500</del> 2,500 sq. ft. per dwelling unit, not to exceed 25 units per gross acre	4,500 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		3,500 sq. ft. <b>OR</b> 2,000 sq. ft. for small lot and townhouse clusters (3-8 units)	2,000 sq. ft.	1,500 sq. ft.

Minimum Lot Width	25 ft. for corner lots and lots with townhome end-units; and 20 ft. for interior lots	25 ft. for corner lots and lots with townhome end-units; and 20 ft. for interior lots	60 ft.	75 ft.
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### *10.3.030.040(E) Application Review Procedures Criteria Design Standards*

~~1. Two family and three family structures, and attached single family structures (2 units) shall be designed and constructed to have the appearance of a single house.~~

***Discussion Question: Should the City require these features for all the housing types noted here or only require them for row houses (i.e., not apply this requirement to duplexes or single-family detached homes).***

Per OAR 660-046-125(1), duplex design standards must be “clear and objective”. “The appearance of a single house” is not a clear and objective design requirement.

## Article 6.040 Duplex Conversions

### 10.6.040.010 Purpose

This article provides standards and criteria for regulating conversions of single-family detached housing into duplexes.

### 10.6.040.020 Middle Housing Conversion Regulations

Conversion of a single-family detached home to a duplex is permitted under the following conditions:

1. In the RL, RH, RM, and NC residential zones.
2. The conversion to a duplex shall not increase non-conformance with current development standards.
3. A conversion to a duplex is exempt from additional design standards.
4. Appropriate utility connections are provided for the additional unit.
5. A separate entry is provided or available for the additional unit, either on the side or front of the house.

In addition, the City may want to consider adding a provision that clarifies single-family dwelling *conversions* to duplexes are allowed and are exempt from meeting design standards, provided the conversion does not increase non-conformance with the Code. OAR 660-046-0105(1) requires medium cities to allow conversions of duplexes from existing single-family dwellings. Adding a provision on duplex conversions will help provide certainty and clarity that conversions are allowed in the City.

***Discussion Question: Are there any other requirements that should apply to single-family to duplex conversions?***

#### *10.7.060.010 Minimum and Maximum Off-Street Parking Requirements*

Use Type	Auto Parking	
	Minimum	Maximum
1, <del>and 2,</del> and 3 dwelling units	2 spaces <del>per dwelling unit</del>	None

Removing the “per dwelling unit” provision, along with removing 3 dwellings from this group will bring the minimum off street parking standards into compliance with OAR 660-046-0120(5). The City is proposing to restructure the off-street parking table to have two rows; one for 1 and 2 dwelling units, and the second for 3 or more. The table restructuring provision for parking will be addressed in a later stage of the Code updates.

Please note that duplexes will still be allowed to have more than two off-street parking spaces. The City cannot *require* duplex developments to provide more than two off-street spaces, however.

#### *10.6.010.030 Landscaping Standards General Provisions*

C. Completion Prior To Occupancy. Except for landscaping for single-family homes and duplexes, all required landscaping and related improvements shall be completed, or financially guaranteed per the provisions of Section 10.9.040.060(I): Performance Guarantee prior to occupancy.

#### *10.6.130.010 Temporary Family Hardship*

The purpose of this Article is to permit the temporary siting of a manufactured dwelling or recreational vehicle (RV) on a developed single-family or duplex lot when it can be shown that a family member must be near another family member in order to receive adequate care for a physical or mental impairment, infirmity or other disability.

Per OAR 660-046-0115 – Permitted Uses and Approval Process – duplexes must be subject to the same approval processes and procedures as single-family dwellings in the same zone. The landscaping and temporary family hardship provision therefore must apply to duplexes as well as single-family homes to ensure both housing types are treated equally through approval procedures and use exemptions.

#### *10.10.030 Timing of Improvements*

A. General. Except sidewalks which are described below in subsection B, all improvements required by the standards in this Chapter shall be installed per the provisions of Section 10.9.040.060(H): Installation of Required Improvements. The construction, installation, placement, or addition of a one or more dwelling units on a lot, including one that replaces another dwelling or structure, shall initiate the requirement of full public improvements, including street, curb, sidewalk, and storm sewer, except when the existing dwelling is destroyed by an act of God and the replacement dwelling has no more than 110% of the total square footage of the original.

E. Waivers of Remonstrance. Developments of other than single-family dwellings or duplexes may be able to use the provisions of Article 6.110: Waiver of Right to Remonstrate, in lieu of immediate installation of public improvements.

Per OAR 660-046-120(7), clear and objective standards exceptions to public works standards to detached single-family dwelling must also be granted to duplexes.

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MEMORANDUM

## **DRAFT Middle Housing Code Update – Batch 2 Recommendations**

### **City of The Dalles**

DATE February 10, 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

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The purpose of this memo is to propose a second 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.

This memo is preceded by a set of duplex Code update recommendations that addressed areas of non-compliance with HB 2001 that were identified in The Dalles Duplex Code Audit. The Audit evaluates how the City currently regulates duplex development against the minimum compliance standards established in OAR 660-046, which implements the requirements for HB 2001. The Audit also includes additional information on the background or intent of HB 2001 and this project and addresses other areas in the Code and general housing strategies that the City may consider adopting. To make review of the potential amendments more manageable, they will be 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 second batch of update recommendations, which will help the City provide more housing options and affordable housing. These Code update recommendations primarily pertain to lot size and dimension standards for

triplexes and quadplexes and any other “clean-up” amendments the City has already identified that relate to middle housing.

The memo is organized into two sections between the additional middle housing update recommendations (triplex and quadplex) and the City’s clean-up amendments. 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 Updates (duplexes/minimum compliance standards) that are located in the same Code sections have been grayed out.

## Additional Middle Housing (Triplex and Quadplex) Code Updates

### BACKGROUND

The Development Code amendments described here will focus on Code items identified in the Audit that address triplex and quadplex development standards, which go beyond State requirements for Medium Cities.<sup>1</sup> Furthermore, the tri- and quadplex standards identified in the Audit were informed by previous recommended housing Code amendments from 2018 and 2019. Many of those recommendations pertained to middle housing, and they were either fully adopted or partially updated. Most of the recommendations for triplex and quadplexes were not adopted, while some were partially updated. Those recommendations that are revisited here mainly pertain to tri- and quadplex lot size standards for the City’s High Density Residential (RH) and Medium Density Residential (RM) zones.

### PROPOSED AMENDMENTS

#### *Title 10 Land Use and Development*

#### *10.5.010.060 RL Low Density Residential Development Standards*

<b>RL Low Density Residential</b>	<b>Standard</b>
Lot Size	
Single-Family Detached	5,000 sq. ft. minimum
Duplex	2,500 sq. ft. per dwelling unit
<del>Small Lot Single Family</del>	<del>4,000 sq. ft. minimum with density transfer</del>

***Discussion question: Should tri- and quadplexes also be allowed in the Low Density Residential (RL) zone?***

<sup>1</sup> Large Cities (25,000+) are required to allow triplexes, quadplexes, townhomes, and cottage cluster development in areas that allow single-family detached homes.

**10.5.020.060 RH High Density Residential Development Standards**

	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 ft.</u>	<u>75 60 ft.</u>
Minimum Lot Depth	<u>60 ft.</u>	<u>60 ft.</u>	<u>85 60 ft.</u>	<u>85 60 ft.</u>

Most of the 2019 Code update recommendations for RH lot size standards were updated but not fully adopted. The recommendation was to reduce minimum lot size to 1,500 square feet per unit, regardless of housing type.

- Triplex: 1,500 x 3 = 4,500 square feet
- Quadplex: 1,500 x 4 = 6,000 square feet

## 10.5.030.060 RM Medium Density Residential Development Standards

	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>
RM Medium Density Residential				
Minimum Lot Area	2,000 sq. ft. per dwelling unit	2,000 and 5,000 (duplex) 4,000 sq. ft. per dwelling unit, not to exceed 25 units per gross acre	7,500 2,000 sq. ft. per dwelling unit, not to exceed 25 units per gross acre	6,000 2,000 sq. ft. per dwelling unit, not to exceed 25 units per gross acre
Minimum Site Area per Dwelling Unit		3,500 sq. ft. OR 2,000 sq. ft. for small lot and townhouse clusters (3-8 units)	2,000 sq. ft.	2,000 sq. ft.
Minimum Lot Width	25 ft. for corner lots and lots with townhome end-units; and 20 ft. for interior lots	25 ft. for corner lots and lots with townhome end-units; and 20 ft. for interior lots	7560 ft.	80 ft.
Minimum Lot Depth	65 ft.	65 ft.	8565 ft.	100 65 ft.

The RM zone did not adopt the recommended lot size amendments from the previous Code update (2,000 sq. ft. per dwelling unit). Using the minimum area “per dwelling unit” recommendation will help facilitate the production of tri- and quadplexes in the RM zone.

**Discussion question: Are the proposed minimum lot are and lot width standards for tri- and quadplexes appropriate for the RH and RM zones?**

*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	None
4 to 12 (multifamily)	6 spaces, plus 1.5 spaces per dwelling unit in excess of 3 units.	None

The City is required to limit minimum off-street parking to two spaces for duplexes. The City's current parking requirements for tri and quadplexes substantially exceed duplexes on a per-unit basis, as they effectively require 6 (triplexes) and 7.5 (quadplexes) spaces. We recommend reducing minimum parking requirements to be more consistent with duplex off-street parking standards.

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

- 1. 1 space per unit (l.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)***

## City Code “Clean-Up” Recommendations

City staff has compiled a list of proposed code “clean-up” amendments throughout the course of 2020. Many of the clean-up amendments are related to middle housing or other housing standards that will help the City meet HB 2001 requirements and reduce barriers for housing options in general. The project presents an opportunity to include some of the proposed amendments with the middle housing code updates that will be adopted in June 2021. Note that many of the proposed clean-up Code amendments overlap with recommended updates that are addressed in other middle housing sections of this project, such as removing the “per dwelling unit” and “minimum site area” standards in each zone. Those areas of overlap will not be addressed here, as those recommendations are already included in other sections of Batch 1 and 2 Code updates. The remaining Code clean up recommendations presented here are organized by Code section.

*10.2.030 – The Meaning of Specific Words and Terms*

**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 (i.e. total area minus roads, easements, etc.)

**Porch.** A covered shelter projecting from the front entrance of a building with a minimum width of 12 feet and depth of 6 feet.

#### *10.5.010 – RL Low Density Residential*

##### **5.010.010 – RL Low Density Residential Purpose**

This district implements the RL - Low Density Residential Comprehensive Plan designation, which allows for a range of ~~zero~~ 3 to 6 single-family dwelling units per gross acre. This density does not apply to duplexes.

##### **5.010.060 – RL Low Density Residential Design Standards**

\*Compliance with this standard is measured by determining the net buildable square footage on a proposed development site (exclusive of areas to be dedicated for public rights-of-way, constrained by slopes of 25% or greater, public utility easements, wetlands, riparian corridors and floodplain), then dividing by minimum density square footage standard, and rounding down.

#### *10.5.020 – RH High Density Residential*

##### **5.020.010 – RH High Density Residential Purpose**

This district implements the RH - High Density Residential Comprehensive Plan designation, which allows for a range of ~~7~~ 10 to 25 single-family and multifamily dwelling units per gross acre. The RH district is intended to provide areas where ~~small lot~~ single-family detached dwellings, single-family attached dwellings, duplexes, town houses, condominiums, and multifamily developments may be constructed under various ownership patterns.

Staff identified a discrepancy for the stated density ranges between the Code and Comprehensive Plan, noting that the Comprehensive Plan identifies RL as “3-6 units/gross acre” and RH as “10-25 units/gross acre”. These ranges must be consistent between the Comprehensive Plan and Development Code. In addition, staff is recommending removing all instances of “small lot single family” from the Code and Comprehensive Plan.

Staff also recommends including “public easements” to the list of exclusions in calculations for required densities. This recommendation applies to all residential zones.

##### **5.020.020 Permitted Uses**

2. Residential building types:

- a. Single-family detached subject to ministerial review (Article 3.020).
- b. Single-family detached (zero lot line) subject to ministerial review (Article 3.020).
- c. Duplex and single-family attached (zero lot line, 2 units) subject to ministerial review (Article 3.020).
- d. ~~Small lot single-family detached dwellings (3 to 8 unit clusters) and attached town houses (zero lot line, 3 to 8 unit clusters)~~ Single-family attached (townhouses) subject to site plan review.
- e. Multifamily dwelling subject to site plan review (Article 3.030).
- f. Cottage cluster dwelling subject to site plan review (Article 3.030).

#### **5.020.060 – RH High Density Residential Development Standards**

[Side Yard (interior)] 5 ft., except 8 ft. where dwelling has zero setback on opposite side, including end unit of townhouse ~~building-dwelling units~~; and 10 ft. separation between buildings.

#### **5.020.070 – RH High Density Residential Development Standards**

F. ~~{I}n 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)~~

Every instance in the RH and RM development and design standards sections of the Code should replace “building” with “dwelling unit” when referring to any type of dwelling.

The sentence removed from subsection 5.020.060(F) is already stated in subsection 5.020.060(A).

#### *Medium Density Residential (RM)*

#### **5.030.020 – RM Medium Density Permitted Uses**

- 2. Residential building types:
  - a. Single-family detached subject to ministerial review (Article 3.020)
  - b. Single-family detached (zero lot line) subject to ministerial review (Article 3.020)
  - c. Duplex and single-family attached (zero lot line, 2 units) subject to ministerial review (Article 3.020)

- d. ~~Small lot single-family detached dwellings, and attached town houses (zero lot line, 3 to 5 units)~~ Single-family attached (townhouses) subject to site plan review.
- e. Multifamily dwelling subject to site plan review (Article 3.030).
- f. Cottage cluster dwelling subject to site plan review (Article 3.030).

#### **10.5.030.060 – RM Medium Density Development Standards**

Rear Yard	§ <u>10 ft.</u>
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#### **10.5.030.070 – RM Medium Density Design Standards**

A. Single-Family and Two-Family Development. All one- and two-family dwelling units located on a single tax lot shall utilize 6 or more of the following design features to provide visual relief along the front of the residence(s):

1. Attached garage or carport (1 per dwelling).
2. Roof pitch greater than 3/12 (a nominal slope of 3 feet in height for every 12 feet in width).
3. Commercially available siding.
4. Covered front porch entries.
5. Recessed front entries.
6. Eaves, minimum 12" projection.
7. Bay or bow windows.
8. Exterior window sills.
9. Gables in addition to the primary roof pitch.
10. Other features subject to the approval of the Director.

#### **10.5.020.070 and 10.5.030.070, and 10.5.040.070 Design Standards**

A. All Residential Development. All one- and two-family dwelling units located on a single tax lot shall utilize 6 or more of the following design features to provide visual relief along the front of the residence(s):

4. Covered front porch entries with a depth of at least 6 feet and a width of at least 12 feet.

C. ~~Duplexes, Small lot single-family, and~~ Attached row houses shall have front porches with a depth of at least 6 feet and a width of at least 12 feet, or the garage shall occupy no more than 50% of the width of the front (street-facing) dwelling façade.



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. Two-family dwellings may have a side entry that does not face the street. The front entry 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)~~

Staff recommends making corresponding amendments between the RH and RM zone, such as changing townhomes to “single family attached, and the site plan review requirement for multi-family, cottage cluster, and single-family attached.

Advisory Committee members and City staff expressed interest in only applying the front porch as one of the six required design feature options for RL and RH and elaborating on the dimensions for a front porch. In addition, the Advisory Committee suggested removing the term “traditional” for the front entry requirement and replacing it with an entry that is parallel to the street.

Staff also recommends adding the design feature list from RH (5.020.070(A) to the RM Design Standards. The last sentence of .070(F) for each residential zone should be removed to avoid redundant provisions in each section.

#### *Other Code Sections*

#### **10.3.080.020(B) – Application Review Procedure – Prohibited Adjustments**

6. To allow an increase or decrease in density above or below the allowed density of the applicable zone.

These prohibited adjustment review revisions will help ensure densities follow Comprehensive Plan and/or Code provisions for density.

#### **10.5.050.030(A) - Residential in CBC Zone**

##### **Option #1:**

19. Residential uses as follows:

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

##### **Option #2:**

19. Residential uses as follows:

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.

Staff notes that this language effectively prohibits duplex development unless there is a commercial use on the ground floor. They suggest the two different options provided above.

#### 10.6.030.050 Accessory Dwelling Development Standards

E. Rear Setbacks. The minimum rear setback for an ADU may be reduced to 5.0 feet (zero lot line) if the structure is less than ~~15~~ 20 feet in height or the rear lot line abuts an alley.

#### 10.6.120.040 Manufactured Homes

~~(F) Garages and Carports. In the RL—Low Density Residential and RH—High/Medium Density Residential zone districts a garage shall be required when more than 50% of the houses on the subject block (both sides of the street) have existing garages, and a carport required when more than 50% of the houses on the subject block (both sides of the street) have existing carports. Garages and carports shall be constructed of materials similar to the manufactured home.~~

City staff would like consistent reductions for setbacks for all detached accessory development to help provide flexibility for future conversions of detached accessory garages to ADU's. In many cases, garages are built to the rear property line where the property is served by an alley and a number of homeowners have expressed interest in converting these structures into ADUs. We recommend allowing for a 0' rear setback in these situations (or exempting those structures from the existing rear setback requirement). It also may be appropriate to increase allowable heights to 20' in these circumstances.

City staff noted that the garages and carports are not required for other housing types and therefore should not be required for manufactured homes of a certain size. In

addition, they note the requirement does not exist for the RM zone, which is the primary zone intended to accommodate manufactured homes.

### **11.12.050(A) Procedures**

3. Completed applications shall contain a signed application form together with photographs, drawings, literature excerpts or any other type of documentation in support of the request for addition/deletion of the landmark or alteration to a designated landmark. ~~No application fee will be charged for either application.~~

Staff noted that \$85 is now required for these application fees.