



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, DECEMBER 17, 2020

6:00 P.M.

Via Zoom

Join Zoom Meeting

<https://zoom.us/j/92859540250?pwd=cXhrL3dKY0NqNjhaeTExNjZnMTYwZz09>

Meeting ID: 928 5954 0250 Passcode: 032288

Dial by your location: 1-669-900-6833 or 1-253-215-8782

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE OF ALLEGIANCE
- IV. APROVAL OF AGENDA
- V. APPROVAL OF MINUTES – November 19, 2020
- VI. PUBLIC COMMENT
- VII. **QUASI-JUDICIAL PUBLIC HEARING – Application Withdrawn**
~~VAR 128-20, Ronald J. and Berna D. Carpenter, 1919 W. Scenic Drive, 1N 13E 4 DB tax lot 13700~~

~~REQUEST: Approval to relocate the primary entry of an existing dwelling from a west-facing entry to an east-facing entry, to allow the construction of a new primary entry and reestablish a front building line. The proposed primary entry will be located on the upper floor of the dwelling adjacent to an existing garage and driveway.~~
- VIII. **DISCUSSION ITEM**
The Dalles Housing Code Update; House Bill 2001 – Middle Housing

The City's consultant, Matt Hastie of Angelo Planning Group, will provide a project overview, summary of the code audit results, discussion on outreach approach and provide details on our next steps.
- VIII. **STAFF COMMENTS/PROJECT UPDATES**
- IX. **COMMISSIONER COMMENTS OR QUESTIONS**
- X. **ADJOURNMENT**

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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, NOVEMBER 19, 2020
6:00 P.M.

CALL TO ORDER

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

ROLL CALL

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

Commissioners Absent: Cody Cornett, Jeff Stiles

Staff Present: Interim Director Alice Cannon, Senior Planner Dawn Marie Hert, City Engineer Dale McCabe and Secretary Paula Webb

PLEDGE OF ALLEGIANCE

Chair Bybee led the Pledge of Allegiance.

APPROVAL OF AGENDA

It was moved by Poppoff and seconded by Bybee to approve the agenda as presented. The motion passed 4/0; Bybee, Easling, Mascher and Poppoff in favor, none opposed, Cornett and Stiles absent, one position vacant.

Senior Planner Hert introduced Interim Director Alice Cannon. Interim Director Cannon has more than 25 years of planning experience and has been quite a leader in land use planning. She is here on an interim basis.

Interim Director Cannon said she had been here since August 24, and had really enjoyed her time. Cannon has made a four to six month commitment to City Manager Krueger. She expressed her thanks for the warm welcome. Cannon anticipates making a decision regarding permanent employment by end of winter.

Commissioner Mascher expressed interest in Cannon's thoughts regarding anything different or unique to The Dalles that varied from her experience in other communities. Cannon replied her last city was Molalla, a community smaller than The Dalles. Unlike Molalla, everyone knows everyone. The Dalles is very tight-knit, civic minded, with a lot of spirit for development with a downtown that honors its history. There is something special about communities that honor their history and retain character through historic architecture; that shines through here in The Dalles and shows the community has made an investment in honoring the past. The Dalles has a huge

amount of professionals living in The Dalles who can contribute to the civic community; a treasure you don't find in other places in Oregon.

Commissioner Mascher then asked what Interim Director Cannon thought were the chief challenges for planning in The Dalles. Cannon replied housing availability for all income levels with quality opportunities to live in this community is a challenge this community must face. Chair Bybee agreed with the need for housing.

APPROVAL OF MINUTES

Secretary Webb provided corrections to the Minutes of August 6, 2020. Commissioner Lavier was not in attendance at the meeting. Votes for the approval of the Agenda, approval of the Minutes and Resolution PC 595-20 should reflect Commissioner Easling's votes in favor rather than Commissioner Lavier.

It was moved by Bybee and seconded by Easling to approve the Minutes of August 6, 2020 as corrected. The motion passed 4/0; Bybee, Easling, Mascher and Poppoff in favor, none opposed, Cornett and Stiles absent, one position vacant.

PUBLIC COMMENT

None.

DISCUSSION ITEM

Employment Buildable Lands Inventory

Interim Director Cannon said Senior Planner Dawn Hert will be City's project manager for this project moving forward. Cannon stated she was unfamiliar with previous Commission discussion on this matter and apologized for a possible repeat of information. Cannon stated Matt Hastie would summarize the presentation to the joint City Council, Port of The Dalles, and the Wasco County Commission meeting on September 3, 2020.

Matt Hastie, Consultant, Angelo Planning Group, provided a presentation on the Employment Buildable Lands Inventory (Exhibit 1).

During the presentation, Chair Bybee asked which property was contaminated. Hastie replied it was the Lockheed-Martin property. These properties will be identified later in the presentation.

Commissioner Poppoff asked if wetlands would be removed from the inventory. Hastie replied wetlands would be removed under the constrained category of properties. Constrained properties include wetlands, floodplains, areas containing hazards and steep slopes. They will be assumed as not developable within the 20 year planning period.

Commissioner Poppoff noted the rodeo grounds included in the inventory were formerly the site of the City landfill. He stated construction of structures was precluded by the release of methane gas. Mr. Hastie stated he appreciated the comment and was previously unaware of that. Hastie invited comment from Senior Planner Hert.

Senior Planner Hert said there were documents stating it was the landfill, but thought it referred to the parking portion of the lot. City Engineer McCabe stated he thought the landfill was located closer to the upper portion of the lot near the River Road entrance. Senior Planner Hert said that was over 50 years ago, she was unsure of any mitigation. Hert thought it was released for development. Mr. Hastie's understanding was there are plans for future development of the property. Given that, Hastie assumes it has the capacity for future employment use.

Chair Bybee stated he attended a conference which discussed brownfield development. They referenced a project that built a high school football field on top of the dump. If that is the case [on the rodeo grounds], it probably would not be a complete loss. It's good to hear there is still a lot of developable land there.

Senior Planner Hert stated the City currently has projects with brownfields. City Engineer McCabe said the project is located mainly in the urban renewal district.

Commissioner Easling referred to the area between I-84 and Taylor Lake Road. Some of that area, given the geology, could be very expensive to develop. Easling asked if geo-technical issues were taken into account in the constraints. Hastie replied it is acknowledged that some of the land in the inventory will be more expensive to develop. Property is not allowed to be removed based on difficulty or cost of development. Some properties that were steeply sloped or very narrow, with limited development potential, were removed from the inventory.

Senior Planner Hert noted there was significant discussion regarding the superfund site indicated on the map. Lockheed-Martin has said that future technologies may be available to clean up the property and allow for a viable building site. Hastie noted that property was removed from the inventory.

Mr. Hastie stated the estimated demand compared to acres in the inventory gives a range of surplus or deficit. In both cases [commercial and industrial], they found a relatively small surplus.

Mr. Hastie noted the greatest need for properties was in the 2-5 acre and 12-18 acre range, in terms of industries targeted in the first phase of the Economic Opportunities Analysis (EOA). The large sites in the inventory are owned by Google or by a related LLC. Large sites that could be marketed to other users are unavailable.

Mr. Hastie summarized the findings:

- The analysis was consistent with state requirements.
- The inventory indicates a surplus of employment land.
- The results do not provide a basis for an Urban Growth Boundary (UGB) expansion at this time. However, it may be possible to identify an unmet need for a specific use outside of this effort. For example, show a deficit of land available to meet overall 20 year needs for housing or employment uses. Another way to expand the UGB would be to show a lack of sites for a specific use identified as needed within the City. This could include a school or medical complex.
 - Some caveats or qualifications apply. The supply of industrial land is dominated by Google sites. This means there is a limited supply of large properties traditionally available or marketable to other users, even though the inventory shows an overall surplus of employment land within the City.
 - Hastie noted there is a larger regional supply of industrial land if you consider co-owned property in the Dallesport area. However, these properties are not within the Urban Growth Boundary and are not included in the inventory.

Chair Bybee asked if Hastie had come across a community with so much land dedicated to a tech company for future development. Hastie replied it was somewhat unusual. In terms of the percentage of the supply owned by a single entity, The Dalles is fairly unique in that respect.

Chair Bybee thanked Mr. Hastie for his report.

Mayor Mays referred to the fourth bullet point: "May be possible to document unmet need for specific use..." He said it was his understanding a UGB expansion was a very lengthy process.

Were we to get an industrial commercial use developer interested in a site outside the UGB, are we supposed to tell this person we have to go through a lengthy expansion process and expect them to wait however long it takes? Hastie said he could not answer that question, but reiterated that is one way to expand the UGB. Identify a specific use with specific site needs, perform an analysis and determine there is no site that meets those needs, then pursue an expansion.

In response to the Mayor's question, Interim Director Cannon noted Scott Edelman, Field Representative for the Department of Land Conservation and Development (DLCD), was unable to attend tonight's meeting. He will be in attendance at a future City Council meeting to answer in more specific terms.

Mayor Mays stated he appreciated this point. He would be concerned a time factor with a prospective developer would require expansion of the UGB, and wondered how DLCD would look on this. Mayor Mays expressed his appreciation for Mr. Hastie's and Staff's work.

Interim Director Cannon shared an item about which City Council was most concerned. She referred to the Agenda Packet, page 25, second bullet:

"A significant percentage of the land in the City's inventory of industrial sites, particularly larger sites, are owned and planned for future use and development by Google (approximately 127 acres of the 175 acres of buildable industrial land). This means that just under 50 acres of land in the inventory are available to other users. In this respect, the City has put a significant (amount) of its available industrial land in one landowner "basket" with a much smaller relative supply available to others."

Cannon stated this is the crux of the problem heard from Council, enough they asked for additional notes and an updated report. Staff shares this concern. In the past, the City relied heavily on one industry to supply a significant amount of employment to the City. When the plant went away, so did the economy. Cannon's, and City Council's, concern was, "Are we doing it again in setting ourselves up with so much land being held by one user?"

Cannon said she wanted to queue up discussion for the Commission about options for next steps. Cannon emphasized the City chose voluntarily to do this inventory, it was not required by the state. The City does not have to adopt it. Commission comments will be shared with City Council on December 14, 2020.

Senior Planner Hert stated staff had discussed options and determined there were three options the Commission should consider:

1. Put the Employment Opportunities Analysis and Employment Buildable Lands Inventory project and adoption "on hold" for one to two years.

This would allow for development of the large parcel of land identified in the report.

2. Adopting the Employment Opportunities Analysis and Employment Buildable Lands Inventory, but not implementing in the Comprehensive Plan at this time.

We would adopt the Employment Opportunities Analysis and Employment Buildable Lands Inventory, Staff would not create a Comprehensive Plan amendment and add it to our Code.

3. Not adopt the Employment Opportunities Analysis or Employment Buildable Lands Inventory document.

Basically, the reports would be put on the shelf and the process would be complete.

Senior Planner Hert stated Staff's recommendation is to put the plan on hold for one to two years. This would allow us to monitor development over the next couple of years in the event industrial parcels continue to develop. Staff would then do an update and provide and adopt a Comprehensive Plan amendment at that time. Staff is looking for direction from the Commission.

Commissioner Poppoff asked if there was anything we could do to encourage Google to part with some land. Senior Planner Hert replied to her knowledge the answer is, "No." Hert anticipated development on that land within the next five to ten years. Mr. Hastie said in conversations with Google, their tentative plans indicated potential development within that period of time. There are nondisclosure agreements which prevent the parties from definitive comment.

Chair Bybee asked how many employees were currently employed. Mr. Hastie replied a number is difficult to define. They have direct employees, subcontractors employed full time, and additional employees working a percentage of time.

Chair Bybee asked if through the study, they were able to discern how many of the employees live in the community. Mr. Hastie replied there was no assessment of that.

Chair Bybee stated he would like to hold off on this pending additional study and deciding on strategies for moving forward.

Commissioner Mascher said he was not sure he fully understood the meaning of options two and three. He requested clarification on adoption versus rejection. Interim Director Cannon replied in order to use the results of the document as you're developing findings for land use, and be able to use it in any meaningful way, it has to be adopted by the City as part of its Comprehensive Plan. If not adopted, you cannot use the results. There are two steps, it can be adopted, you can use the results, but you can wait before incorporating those results into the Comprehensive Plan. The Comprehensive Plan is quite dated; it has old statistics that relate to land inventories done many years ago. Not only do we have to adopt the Plan, this new inventory, we have to adopt significant changes to the Comprehensive Plan language and policy to reflect the results.

Interim Director Cannon said what you see in the other two options is, just shelve it altogether, basically reject it and not use it again, or hold off for a couple of years. Staff recommendation is to hold off; the results meet state guidelines, they are good results and the process included stakeholders. Cannon stated the document is not ready for adoption yet. Why adopt a document that does not provide justification to move the Urban Growth Boundary, unless the City is interested in growing differently than they do today? The concern expressed is we have a lot of land, but our larger industrial sites are owned by one user. That leaves just 50 acres of developable industrial employment land. We're saying, let's just hold off and wait and see what two years brings us. We may have different results and can continue this conversation at that time.

Commissioner Mascher stated it did not make sense to reject the information. Option two is to say this is valuable information, we will use it. The detail Mascher was not clear on, "We don't actually have to use it." We can adopt it as input, but don't have to make any decision on it. Mascher said he was not clear on the difference between, "Let's see what happens for the next two years," and "Let's see what happens for the next two years and still use this valuable data." If this data does not compel us to make any decisions, why wouldn't we want to incorporate and use it? That seems like, "Hey, there's this good information here, we should be working with that," unless it requires a decision.

Interim Director Cannon replied there is no decision required. This was not required by the State. Cannon stated that Commissioner Mascher made compelling comments during this discussion. These comments could certainly be folded into a recommendation to the City Council, if a majority of Commissioners agree with Mr. Mascher.

Commissioner Mascher said the difference between “let’s wait for a couple years” and “let’s adopt it” is if we wait for a couple years but we don’t adopt it, we officially can’t use the information received as argumentation for anything. Cannon replied that was correct.

Chair Bybee asked what the data could be used for, other than trying to expand the UGB.

Commissioner Mascher said for him that’s not the only solution. We just found out there is commercially available space, albeit much of it locked up by one company, and only 50 acres of other space. Yet, there is not a shortage of space. We have also found there is a lot of residential space for further density development within the UGB. It is not a foregone conclusion that it’s only worthwhile if it is a valid argument to expand the UGB. To me, some of this information is really valuable in arguing for development of more opportunities within the UGB. I’m willing to say we know there are significant hurdles to expanding the UGB, so why don’t we look at more efficiently developing within the current boundaries. Here we have detailed information that may help us do that. I’m looking at a resource that was paid for and is of value. Why wouldn’t we use that? If it doesn’t require or compel us to make a particular decision, it seems a waste of resources not to use it.

Chair Bybee agreed and said it’s the best available data we have. He asked Staff in what other instances the data could be used. Mr. Hastie replied the fact that the document shows such a large parcel owned by one user may give the City impetus to continue negotiation with the user to push development of the site sooner rather than later. Additionally, the data reflects sites not owned by that single user that could be developed. Are there things the City, Port of The Dalles, or County could do to help generate resources or activity that encourages development on those sites? In the first phase of the EOA provided by Bridge Economic Development, the Economic Development Plan included a variety of strategies related to growing employment of existing businesses, attracting businesses, etc. Angelo Planning Group also proposed additional actions or strategies related to land supply. The City needs to demonstrate efficient use of the land inside the boundary before any UGB expansion. This data provides updated information for potential development.

Commissioner Mascher replied that made sense, especially the information in the role Google plays in the community. Anything we can make more public in factual knowledge about the role Google plays in the community is a good thing.

Senior Planner Hert noted that the employee count numbers showing Google employment based in The Dalles was surprising to staff. They were much higher than expected. Mr. Hastie provided reported employment numbers: Google employs approximately 600 employees on site which includes 110 full time employees, 250 full time support staff on site, and 210 full time construction staff on site.

Mayor Mays stated Interim Director Cannon was very articulate in pointing out some of the City Council’s concerns from the September 3, 2020 meeting, but wanted to stress a lot of those concerns were initiated by the committee led by community partners and the County. As far as Google goes, Mayor Mays sincerely believes vacant sites will develop within a shorter timeframe. We are working very hard during any discussions with Google to increase transparency and reduce the number of rumors.

Commissioner Easling said the report was relatively easy to understand. Google has put us in an unfavorable position, and he wanted that communicated to Google. They have a vested interest in this community as well. Chair Bybee agreed.

Commissioner Poppoff had no additional discussion.

Interim Director Cannon asked if Commissioner Mascher's feedback was the sentiment of the Commission to take forward to City Council. Chair Bybee asked if she was referring to the option adopt the Employment Opportunities Analysis and Employment Buildable Lands Inventory but it won't be implemented in the Comprehensive Plan at this time. Cannon replied, "Yes."

Commissioner Poppoff said that was reasonable. Commissioner Mascher was in favor. Chair Bybee said he appreciated the study and agreed that it should be made known to the public. If it so happens that the study is improved or changed, we could adopt the edited version in the future.

Interim Director Cannon said the consensus would be taken forward to the City Council at a future meeting. Chair Bybee reiterated the Commission would go with the second option.

Interim Director Cannon said it may be worthwhile in the coming months to review our industrial codes; it may be time to update them. This would bring in modern development standards and create efforts to use the land more efficiently in what the market is wanting. Commission consensus directed Staff to review and update the industrial portion of the Code in 2021.

STAFF COMMENTS / PROJECT UPDATES

Interim Director Cannon stated the City was awarded a grant to work on additional code amendments to implement Oregon State House Bill 2001, the middle housing amendments to Oregon Revised Statutes that require changes to our Code. This grant will allow us to hire a consultant, Angelo Planning Group, to help us update our Code. The City Council and Planning Commission made several code amendments adopted by Council in October of 2019. This project will put the final touches on any parts of HB 2001 that are not incorporated in our Code and also make additional amendments that might address outstanding issues in the Housing Needs Assessment of 2017. Staff will return to the Planning Commission on December 17, 2020.

Interim Director Cannon said the Planning Commission has been identified as the Advisory Committee for this project. We would also like to add three citizen members to serve as advisors. Senior Planner Hert said Nate Stice of the Governor's Office had confirmed his participation. The other individuals include a citizen in real estate and a citizen involved in housing; these participants have not yet confirmed participation. Interim Director Cannon said these individuals will participate in the discussions about this project only, but are not officially appointed to the Planning Commission for other projects. These members serve as citizen advisors to the project with the members of Planning Commission.

Senior Planner Hert's summary provided details on the audit, the work scope, and an overview of HB 2001. Staff comments will be returned to Angelo Planning this week. Staff will also review other middle housing standards. The audit will be reviewed by Staff, Angelo Planning Group and representatives of the DLCD. Changes will be brought before the Planning Commission and new advisory members at the December 17, 2020 meeting. Following the Advisory Committee meeting, Staff will begin drafting the amendments. This project must be completed by the middle of June, 2021.

Chair Bybee asked if we were on a timeline due to the grant. Senior Planner Hert replied, "Yes." Mr. Hastie said in adopting HB 2001 the Legislature set guidelines for when local governments have to adopt development codes in compliance with state regulations. The Dalles is considered a medium city, required to comply by June 30, 2021. The accounting deadline for funds spent is between May 31 and June 15, 2021. Timelines are set by DLCD.

Chair Bybee stated we would get it done, but added you never know what may happen, especially during a pandemic. He asked if there were extensions available. Mr. Hastie replied that project time extensions are typically not available. The Legislature established the deadline within the House Bill; DLCD does not have any say in the deadline.

Mr. Hastie said as a medium city we have a much lower bar than large cities or cities in the Metro area in terms of the types of housing allowed. In addition, if cities do not adopt updates to their Code in compliance with the House Bill, essentially the state would apply locally a model code ordinance. If the City adopted code that was 90% compliant, that would go into effect. The model code would then go into effect for the remaining 10% that was not compliant. Mr. Hastie noted in quite a few ways, the City is already compliant.

Interim Director Cannon said we were well on our way due to amendments adopted in 2019. She suggested prioritizing the small number of required amendments; we can then continue to work on elective amendments.

The next scheduled meeting is December 17, 2020. This project, as well as a Variance application, will be on the agenda.

Chair Bybee stated he may be absent at the December 17 meeting. Currently, there is no Vice Chair. He asked who would step in. Commissioner Mascher suggested the member with the most experience, Commissioner Poppoff, step in. Poppoff replied he would have to run the meeting by phone, but was willing to try. Chair Bybee stated officer elections would be held in January of 2021.

Commissioner Poppoff agreed to act as Interim Chair for the December 17 meeting. Secretary Webb suggested the possibility that Commissioner Poppoff could run the meeting from the Conference Room in City Hall, if available. Interim Director Cannon will check on that possibility. Senior Planner Hert noted there would be a slide presentation.

Chair Bybee will attend if service is available.

Commissioner Mascher nominated Mark Poppoff for Vice Chair for the remainder of 2019. Chair Bybee closed the nominations.

The nomination passed 4/0; Bybee, Easling, Mascher and Poppoff in favor, none opposed, Cornett and Stiles absent, one position vacant.

COMMISSIONER COMMENTS OR QUESTIONS

Mayor Mays requested Staff remain after adjournment on a matter unrelated to the Commission meeting.

ADJOURNMENT

Chair Bybee adjourned the meeting at 7:59 p.m.

Respectfully Submitted
Paula Webb, Secretary
Community Development Department

Brent Bybee, Chair



Economic Opportunities Analysis Buildable Lands Inventory Results

Presentation to
The Dalles Planning Commission
November 19, 2020

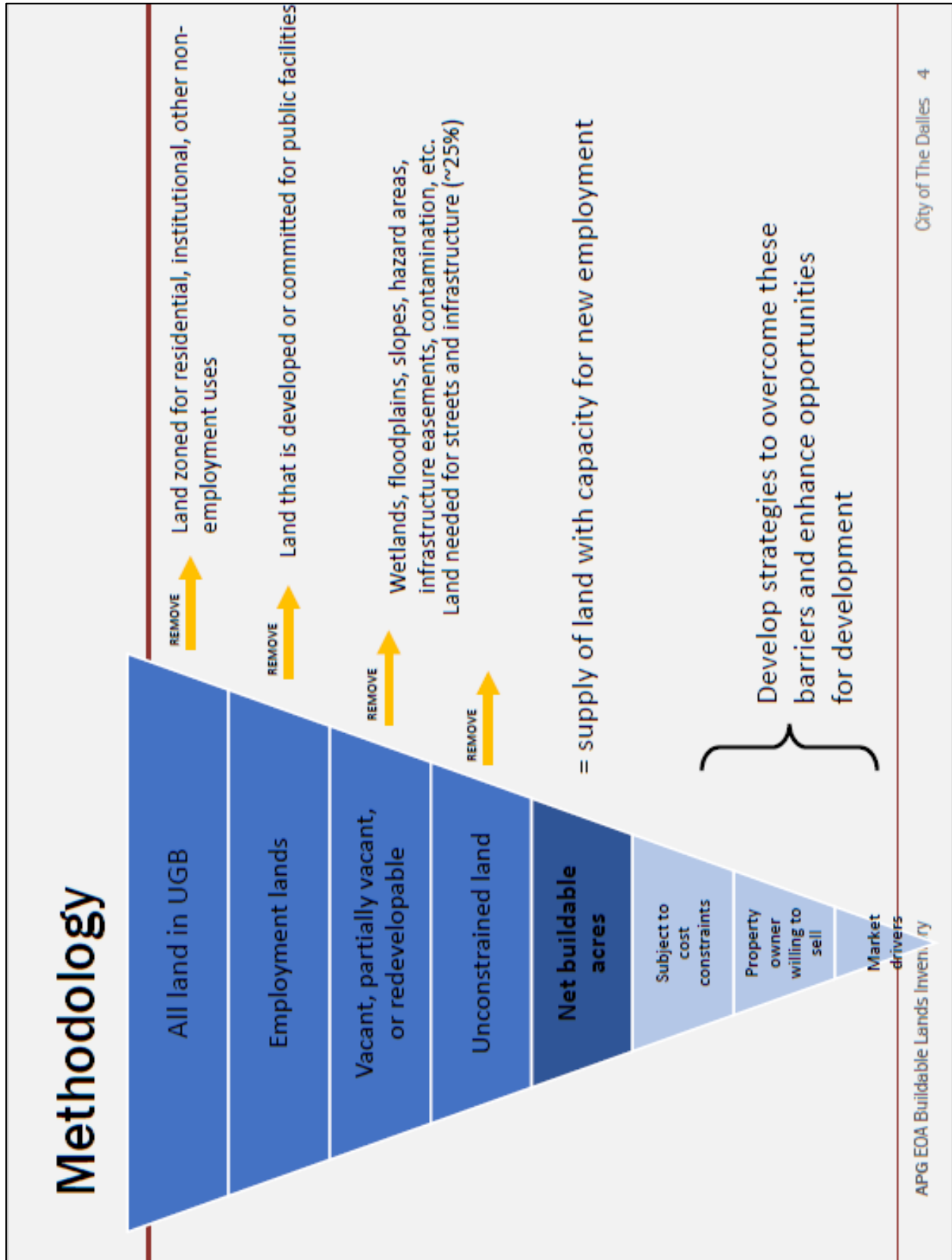


LAND USE PLANNING
TRANSPORTATION PLANNING
PROJECT MANAGEMENT

| | | |
|-----------------------------|---|--|
| <h2>Project Background</h2> | <ul style="list-style-type: none"> • Inventory of commercial and industrial land in the Urban Growth Boundary • Component of City's Economic Opportunities Analysis • Consistent with local conditions and data and state requirements • Informs future economic development decisions and strategies • Products: Overall memo, three supporting memos, maps and GIS data, and updates to Economic Development Action Plan | APG EOA Buildable Lands Inventory City of The Dalles 2 |
|-----------------------------|---|--|

Review Process

- Preliminary analysis based on readily available information (i.e., GIS data, aerial photos, etc.)
- Two meetings of Stakeholder Advisory Committee
- Additional meetings and review with Port and County
- Communication with Google representatives
- Consultation and direction from state agency staff
- Multiple rounds of review and revision of project maps, memos, data and findings



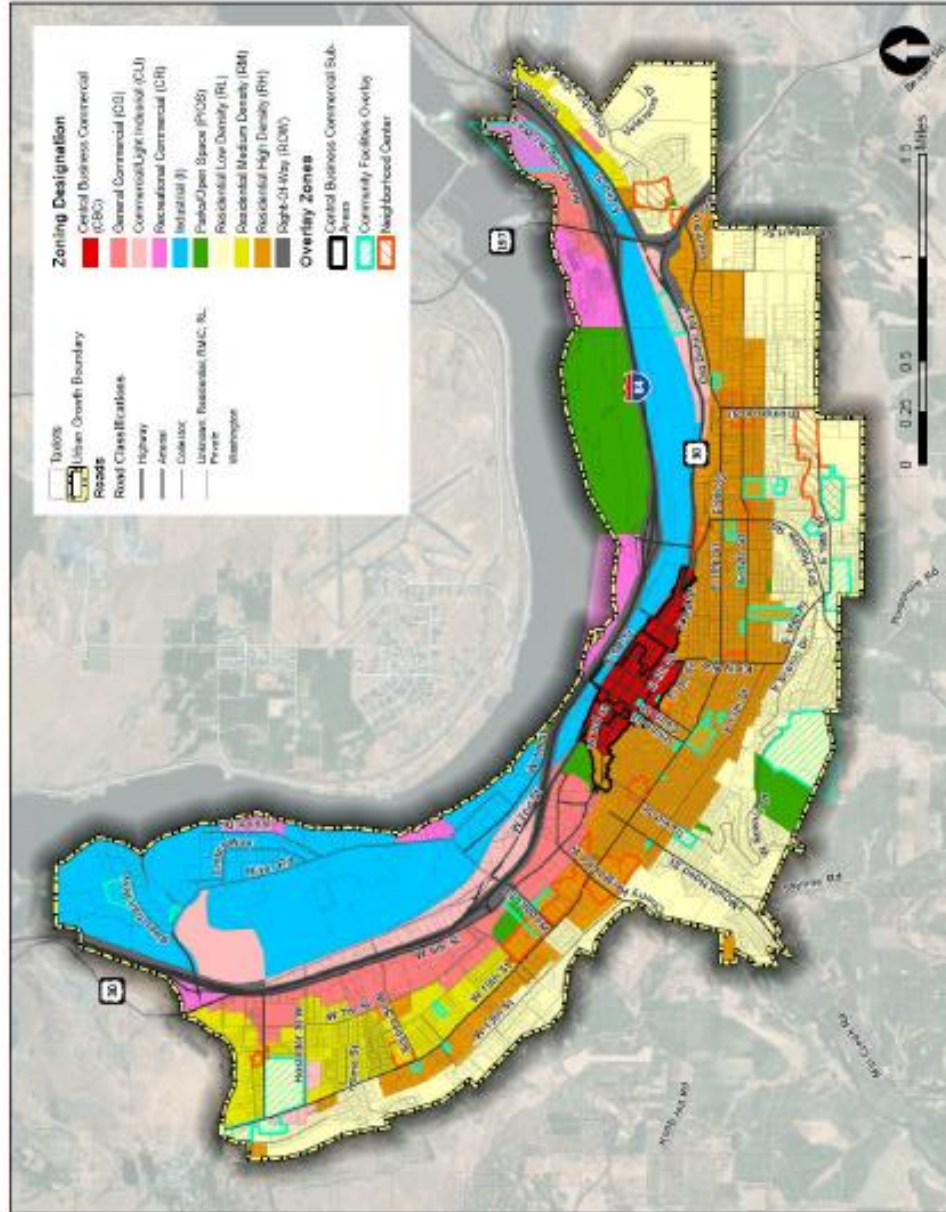
Key Definitions

- **Developed:** Includes improvements; little to no additional capacity
- **Vacant:** Minimal to no physical improvements
- **Partially vacant:** Some improvements, with capacity for additional development
- **Committed:** Reserved for or committed to non-employment uses
- **Constrained:** Completely or partially constrained by specific features or hazards

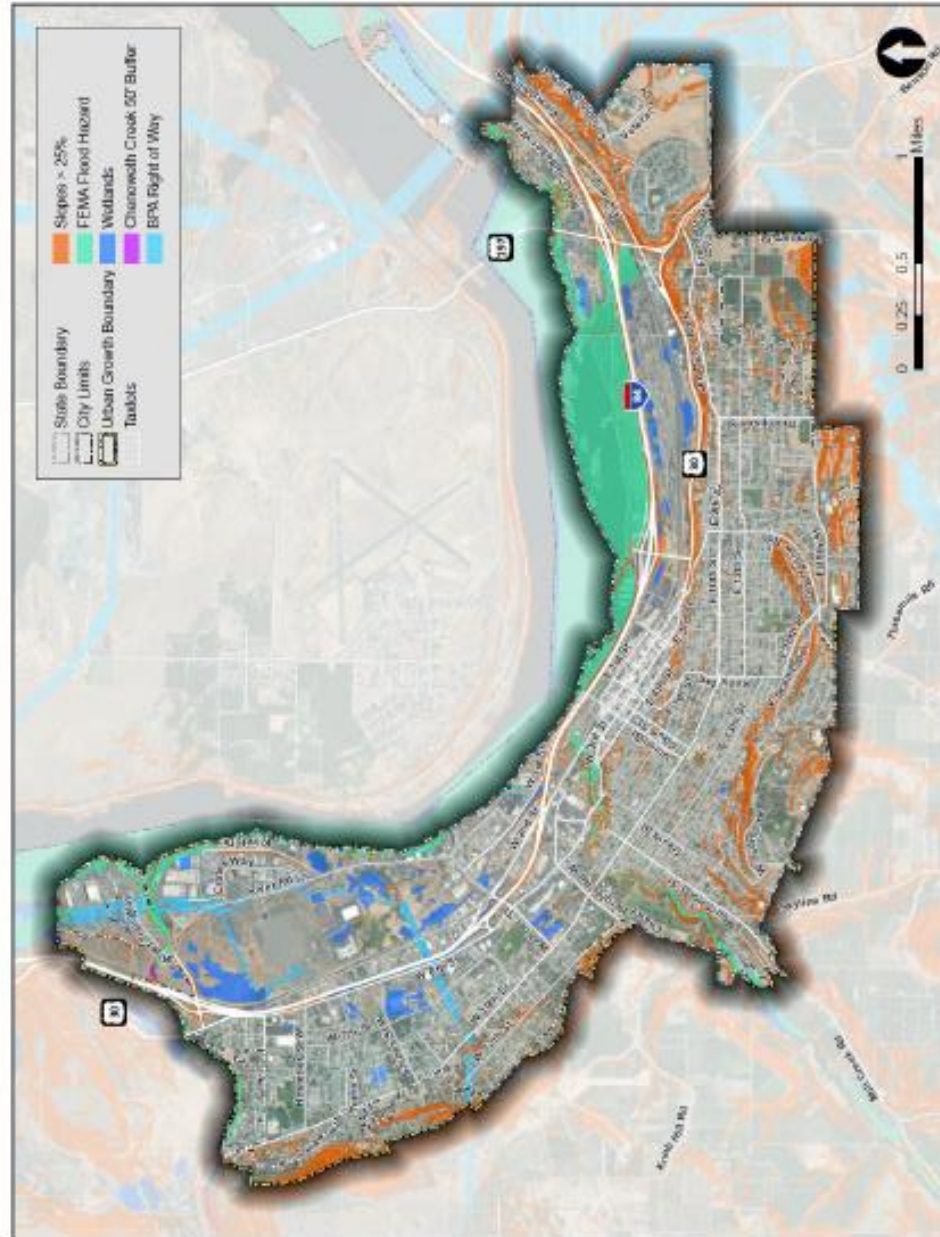


| | | |
|--------------------------|--|-----------------------------------|
| <h2>BLI Refinements</h2> | <ul style="list-style-type: none"> • Port owned sites • Lockheed Martin site contamination • BPA easements • Community College site • Amerities property • Munsen paving sites • Walmart site • Capacity of Google sites | APG EOA Buildable Lands Inventory |
| | | City of The Dalles 6 |

Zoning



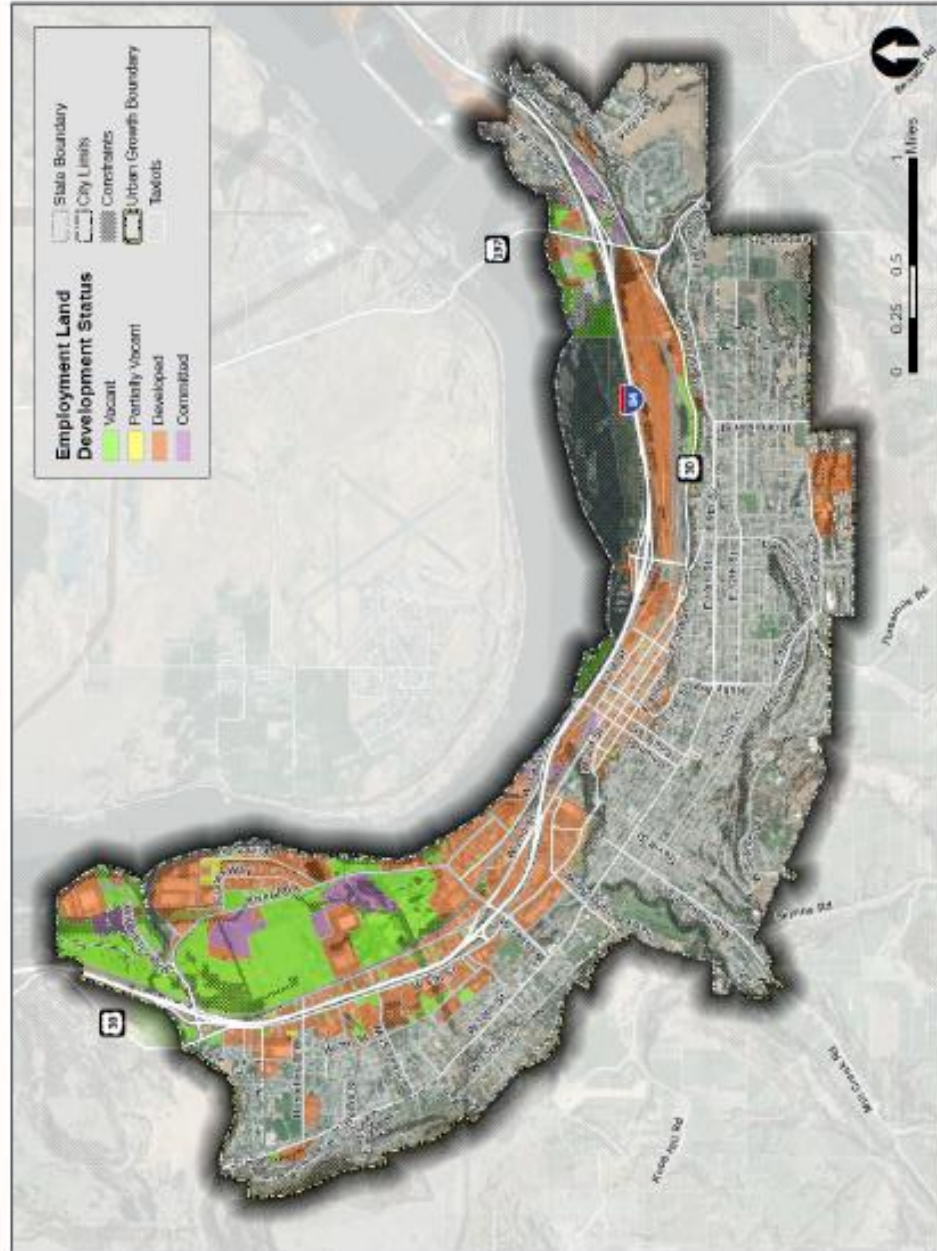
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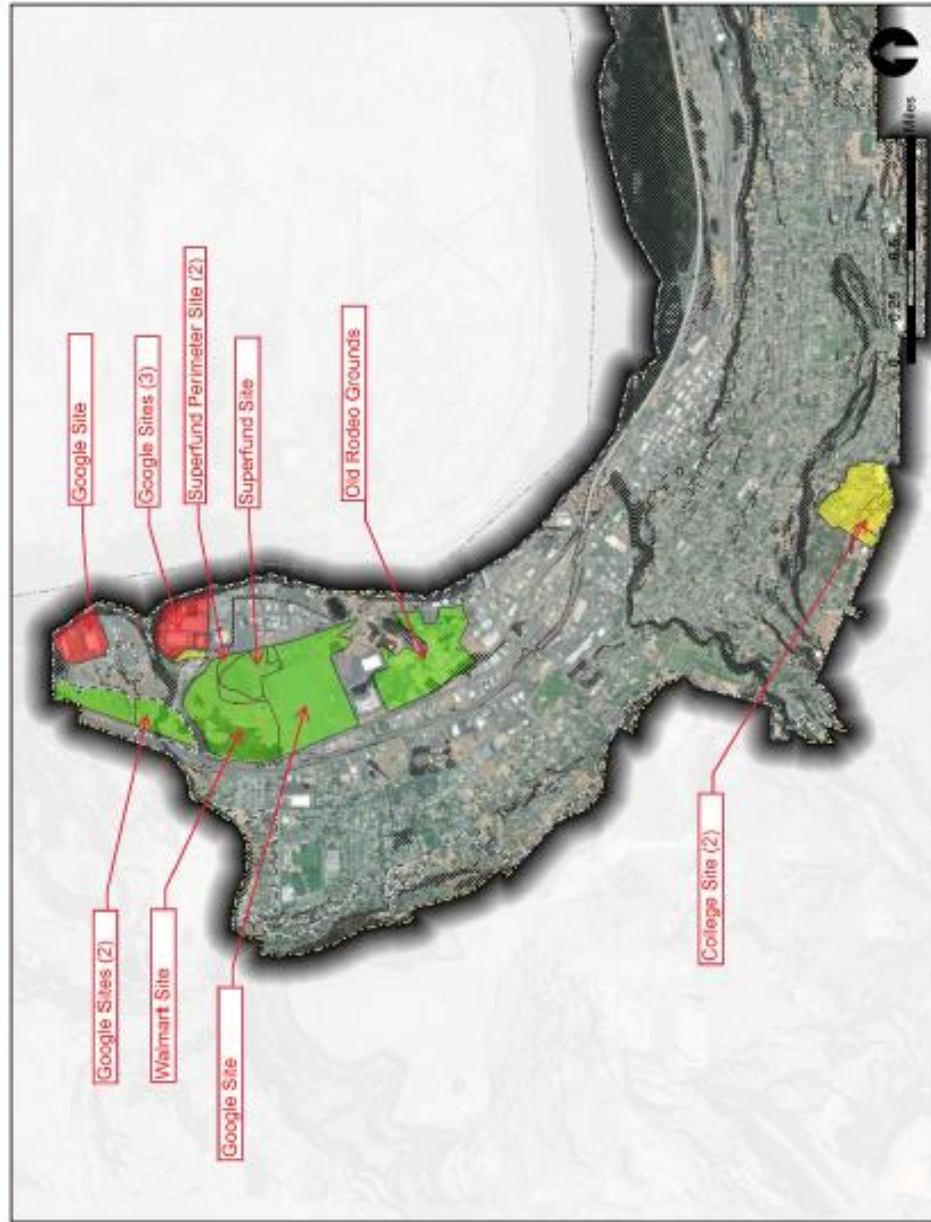
APG EOA Buildable Lands Inventory

City of The Dalles 8

Inventory Results



Sites of Particular Interest



APG EOA Buildable Lands Inventory

City of The Dalles 1 0

Summary of Results

| Employment Zone | Partially Vacant Land | | Vacant Land | | Total Buildable Land |
|-----------------|-----------------------|----------|-------------|------------|----------------------|
| | Gross | Net | Gross | Net | |
| CBC | 3 | 1 | 3 | 2 | 3 |
| CG | 3 | 1 | 22 | 18 | 19 |
| CLI | 1 | 0 | 48 | 38 | 38 |
| CR | 1 | 0 | 28 | 22 | 22 |
| I | 6 | 3 | 201 | 171 | 175 |
| Total | 15 | 7 | 304 | 253 | 261 |

| Employment Zone | Estimated Net Land Demand (acres) | Net Buildable Land (acres) | Surplus/Deficit (acres) |
|-----------------|-----------------------------------|----------------------------|-------------------------|
| Commercial | 65 – 78 | 86 | 8 – 21 |
| Industrial | 69 – 101 | 175 | 74 – 106 |
| Total | 134 - 179 | 261 | 82 – 127 |

Note: All numbers have been rounded to the nearest whole number

Summary of Results

| | 0-2 acres | 2-5 acres | 5-12 acres | 12-18 acres | 18+ acres |
|-----------------------|--------------|--------------|---------------|----------------|--------------|
| Partially Vacant | | | | | |
| Number of Sites | 7 | 0 | 0 | 0 | 0 |
| Acres | 3 | 0 | 0 | 0 | 0 |
| Vacant | | | | | |
| Number of Sites | 24 | 9 | 1 | 1* | 3* |
| Acres | 13 | 27 | 9 | 12 | 141 |
| Total Number of Sites | 31 | 9 | 2 | 1 | 3 |
| Total Acres | 16 | 27 | 19 | 12 | 141 |

| | | |
|---|--|---|
| <h2 style="text-align: center;">Findings</h2> | <ul style="list-style-type: none"> • Analysis is consistent with state requirements • Inventory indicates a surplus of employment land • Results likely do not provide basis for UGB expansion • May be possible to document unmet need for specific use or site (beyond this effort) • Industrial supply dominated by large sites already owned and planned for development (e.g., Google sites) • Limited supply of more traditional “available/marketable” sites, causing potential continued shortage for other users • Larger regional supply of land includes sites in Dallesport | <div>APG EOA Buildable Lands Inventory</div> <div>City of The Dalles 13</div> |
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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: December 17, 2020

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

Prepared by: Dawn Marie Hert, Senior Planner

The City's consultant, Angelo Planning Group, prepared the attached Memorandum, dated November 30, 2020, detailing their recently completed audit of our Land Use Code and Comprehensive Plan. The purpose of the Housing Code Update project is to bring the City into compliance with House Bill 2001 (HB 2001) and to continue to implement recommendations from the City's Housing Strategies Report that was prepared in 2017.

The purpose of the audit is to evaluate the Code and Comprehensive Plan's current compliance with HB 2001 provisions, and to examine possible amendments necessary to bring the City into compliance. The audit also identifies additional potential changes to the code that could be made to continue to implement the City's 2017 Housing Strategies Report and reduce barriers to middle housing generally as well as a number of possible minor amendments to housing-related provisions identified by City staff that would help improve the overall clarity and usefulness of the Code.

Our consultant, Matt Hastie of Angelo Planning Group, will present a thorough summary detailing the code audit to the Commission. Staff has also invited three members of the community to assist in our review. Joel Madsen, Director of Mid-Columbia Housing Authority; Nate Stice, Oregon Regional Solutions Coordinator; and Mary Hanlon of Hanlon Development.

Discussion is expected to be one hour to an hour and a half. Items for the meeting are expected to include:

- Introductions (5-10 minutes)
- Project overview and schedule (10-15 minutes)
- Code Audit results (30-45 minutes)
- Outreach approach (10-15 minutes)
- Next Steps (5 minutes)

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MEMORANDUM

The Dalles Housing Code Audit

City of The Dalles

DATE December 8, 2020
TO Alice Cannon, Dawn Hert, Joshua Chandler, City of The Dalles, OR
Scott Edelman, Ethan Stuckmayer, DLCD
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I. INTRODUCTION

The purpose of The Dalles Housing Code Update project is to bring the City into compliance with House Bill 2001 (HB 2001) and to continue to implement recommendations from the City's Housing Strategies Report prepared in 2017. In 2019, the Oregon Legislature adopted HB 2001 requiring cities to provide more housing choices, especially housing choices more people can afford. The Code Update project is funded in part by an Oregon Department of Land Conservation and Development (DLCD) grant, a portion of the \$3.5 million HB 2001 allocated for planning assistance to local governments. This memorandum provides an overview of the new state housing requirement and an audit of the City's adopted Comprehensive Plan and Development Code.

The purpose of the audit is to evaluate the City's Code and Comprehensive Plan's current compliance with HB 2001 provisions, and to examine possible amendments necessary to bring the City into compliance. The audit also identifies additional potential changes to the code that could be made to continue to implement the City's 2017 Housing Strategies Report and reduce barriers to middle housing generally. Finally, the audit also summarizes a number of possible minor amendments to housing-related provisions identified by City staff that would help improve the overall clarity and usefulness of the Development Code. In particular, this audit focuses on determining whether the City has:

- Standards permitting the development of duplexes in compliance with HB 2001 and Administrative Rules.
- A clear and objective path for approval of residential development.
- Standards, conditions, or procedures that have the effect of discouraging duplexes through unreasonable cost and delay.
- Criteria or procedures related to application requirements, or review or appeal procedures that may hinder development of duplexes.

This memorandum includes the following sections:

- **Overview of HB 2001** – This section summarizes State requirements and the City’s responsibilities to implement them.
- **Summary of Findings.** This section provides a summary of findings from the review of City policies and code requirements.
- **Comprehensive Plan Audit.** This section includes a detailed review of the City’s Comprehensive Plan policies, goals, and implementing measures for their support of housing objectives.
- **Code Audit.** A series of tables in this section provide a detailed review of the Development Code, as well recommend amendments for consistency with HB 2001. The tables are organized by topic and focus on applicable zones, duplex requirements, siting and design requirements, and other provisions.
- **Other Middle Housing Standards.** This section outlines other potential code amendments related to middle housing options for the City to explore. This includes an evaluation of the City’s progress toward adopting the proposed code amendments related to middle housing that was a result of the City’s Housing Needs Analysis and Housing Strategies Report prepared in 2017. Additionally, the applicability of Model Code and OAR provisions are examined here as another potential avenue for further middle housing code/policy adoption for the City to consider.
- **Next Steps.** This section describes the upcoming Code Update project tasks.

OVERVIEW OF HB 2001

WHAT IS MIDDLE HOUSING?

Small families, young adults, and the growing population of elderly often desire and need housing options that offer a smaller footprint, lower maintenance, and easier access to public transportation, services, and social opportunities. These amenities are not as readily available in neighborhoods composed exclusively of single detached housing, where housing and transportation costs are relatively higher and where development of nearby supporting commercial services is less financially feasible.

Middle housing refers to a range of smaller attached housing types, such as duplexes and triplexes, as well as clustered housing built at a similar small scale but as single-family detached houses. The term “missing middle” housing was coined by urban planner Daniel Parolek to refer to housing that fits in between single-family homes and larger apartment buildings but that’s largely been missing from most cities’ neighborhood patterns for the last 70 years. Middle housing was common in neighborhoods in many communities prior to World War II. Since then, many cities have prohibited or significantly limited middle housing in single-family neighborhoods through zoning regulations that categorized them as “multi-family housing.” This project is an opportunity to expand housing options in more neighborhoods in The Dalles by allowing duplexes in existing single-family zones, as well as exploring options for promoting the production of other middle housing types. The outcome

of this project will shape how the community develops and will expand opportunities for where people can choose to live, and what type of homes they live in.

HB 2001

The intention of HB 2001 is to expand housing options in Oregon's cities by permitting middle housing – defined as duplexes, triplexes, quadplexes, townhomes, and cottage clusters – in most residential areas. The provisions of the legislation require compliance for both large cities (25,000+ population and all cities in a Metro region over 1,000), as well as medium-sized cities (10,000 - 24,999 population). Oregon Administrative Rule (OAR) 660 Division 46 implements the requirements of HB 2001.

Pursuant to OAR 660-046, the City of The Dalles is considered a Medium City and is required to allow duplexes on all lots and parcels that allow detached single family dwellings (SFD).¹ DLCD has acknowledged that development of new housing resulting from HB 2001 is expected to be gradual. This will likely be the case in The Dalles, as duplexes have been an allowed housing type in at least some portions of many neighborhoods for many years.

For Medium Cities, there are two approaches to compliance:

- 1) Adopt the Housing Options Model Code for Medium Cities, or
- 2) Amend the code, consistent with minimum compliance standards included in OAR 660 Division 46.

The Housing Options Model Code for Medium Cities (Model Code) provides guidance to cities in implementing code provisions that comply with the purpose of HB 2001. The Model Code defines how duplexes should be allowed on all lots and parcels that are zoned for residential use that also allow the development of SFDs. The Model Code sets specific standards that can be applied without further interpretation or amendments.

OAR 660-046 establishes the minimum standards that a city must meet to comply with the provisions of HB 2001. The standards provide flexibility for cities to adapt requirements to local codes and have been vetted as reasonable for determining minimum compliance. The requirements are reviewed in Section IV.

Medium Cities are required to implement HB 2001 provisions, through model code adoption or minimum compliance standards, by June 30, 2021.² This audit is the first step of the City's process to determine needed Development Code amendments to meet minimum compliance requirements.

¹ Note, because The Dalles is considered a Medium City, it is not required to allow all Middle Housing types, only duplexes. HB 2001 does not restrict the City from allowing all forms of Middle Housing.

² For cities that do not adopt code provisions that are consistent with HB 2001 and any related rule making provisions, then the Medium Cities Model Code will apply directly to development.

II. SUMMARY OF FINDINGS

The Dalles Comprehensive Plan and Development Code are close to meeting the minimum compliance standards established in OAR 660-046. The Comprehensive Plan may need language revisions that clarify the allowance of duplexes on single-family lots. The Code will require several relatively simple amendments, particularly relating to development standards for the four residential zones. These amendments will include:

- Minimum lot size
- Density maximum
- Minimum parking requirements
- Clear and objective design standards
- Landscaping requirements

This memo concludes with a brief assessment of the City's other middle housing standards as they relate to previous recommended code amendments and housing strategies.

III. COMPREHENSIVE PLAN AUDIT

This section of the report lists goals and policies (and implementation methods if applicable) in the Housing chapter of The Dalles Comprehensive Plan that may need to be revised for consistency with the requirements of HB 2001.

The primary reason the Comprehensive Plan items listed below may need revisions is because they do not include references to duplexes and other middle housing types, and should be updated to reflect the intent of HB 2001 and for consistency with development code provisions related to those forms of housing. Goals, policies, and action items not listed appear to be consistent with HB 2001 and do not warrant revision.

Housing Goals:

- *Encourage affordable homeownership opportunities, including multiple family condominiums, row houses 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, 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, 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:

- a. 50% large-lot single-family; 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

The City should consider revising these policies as follows:

- Provide discussion on promoting middle housing types in the same or similar manner as single-family residential. The policies must reflect middle housing types (particularly duplexes), wherever single-family is promoted.
- Target ratios should consider middle housing and recent Housing Needs Analysis findings.
- Density ranges should be consistent with the Development Code density ranges and must acknowledge exemptions for duplexes.

Goal 10 Implementing Measures

Single Family Residential Areas

****This section should have an explicit measure that clarifies duplexes are allowed wherever single-family homes are allowed. References to allowing duplexes "on relatively small lots" should be eliminated since duplexes will be allowed on all lots for further clarity, the section should also be renamed to "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.

The Comprehensive Plan goals, policies, and measures listed above likely will need to be amended to ensure consistency with the objectives and requirements of HB2001 and to achieve consistency between the Comprehensive Plan and amended Development Code. The Dalles Code Update Recommendations report will provide greater detail and guidance for revisions/amendments.

IV. THE DALLES HOUSING OPTIONS (HB2001 COMPLIANCE) CODE AUDIT

This section summarizes key insights from the initial Code audit by identifying additional Code issues related to middle housing (i.e. duplex) development. This audit will evaluate current regulating provisions for duplexes against single-family homes. The Draft Oregon Administrative Rules (OARs) that the state is developing to implement HB 2001 and associated statutes (ORS

197.758) will serve as the basis for determining whether residential code provisions meet the minimum compliance standards.³

The Middle Housing Model Code for Medium Cities is also used for additional guidance. It is important to note that the Model Code standards are NOT REQUIRED, but rather cities have the option to adopt it as a path toward compliance with HB 2001. In addition, cities are required to adopt the Model Code only if they do not meet minimum compliance standards before June 30, 2021. The Model Code standards are included in this audit to further inform the city staff of its options for compliance, in the event the City chooses to partially or fully adopt the Model Code.

The Code audit focuses on identifying:

- Permitted uses that preclude duplexes in residential zones;
- Zone development standards, general siting and development standards, lot standards, and design standards that do not comply with the OAR minimum compliance standards;
- Criteria or procedures related to development application requirements, review, or appeal that that may hinder development of duplexes; and
- Standards, conditions, or procedures that have the effect, either in themselves or cumulatively, of discouraging middle housing (duplexes) through unreasonable cost or delay.

This section provides more details about statutory and draft OAR requirements, in order to put the identified Code issues into context and inform the HB 2001 audit table.

Key to Responses

| | |
|-----|--|
| N/A | The criterion is not applicable. |
| C | Regulations appear to comply with OAR 660-046 requirements for Medium Cities |
| NC | Regulations appear to NOT comply with OAR 660-046 |
| MC | Regulations are ambiguous regarding OAR 660-046. May not comply. |

APPLICABLE ZONES

Duplexes must be allowed on any lot that allows a single-family detached (SFD) unit in residential zones that permit SFD outright. Duplexes are not required to be allowed on lots that permit SFD in non-residential zones. As such, duplexes are effectively required to be permitted outright in all residential zones in The Dalles. Table 1 below summarizes the applicable zones in The Dalles where duplexes need to be permitted outright.

³ As of the writing of this memo, OAR Chapter 660, Division 46 is in draft form, with adoption by the Oregon Land Conservation and Development Commission (LCDC) tentatively scheduled for December 9. However, LCDC previously adopted provisions related to duplexes for Medium Cities and these sections of the OARs are not expected to change. So while, the OARs are technically still drafts, the provisions for Medium Cities that apply to The Dalles can be considered as adopted.

TABLE 1: ZONE AUDIT

| Applicability (OAR 660-046-01015) | Response |
|---|---|
| <p>Which residential zones are subject to the HB2001 requirements?</p> <p>“Zoned for residential use” means a zoning district in which residential dwellings are the primary use and which implements a residential comprehensive plan map designation.</p> <p>The City need not comply with this division for:</p> <ul style="list-style-type: none"> • Lands that are not zoned for residential use, including but not limited to lands zoned primarily for commercial, industrial, agricultural, or public uses; • Residentially zoned lands that do not allow for the development of a detached single-family home; or • Lands that are not incorporated and that are zoned under an interim zoning designation that maintains the land’s potential for planned urban development <p>Model Code Standard: Duplexes are permitted outright on lots or parcels zoned for residential use that allow for the development of detached single-family dwellings.</p> | <p>Applicable zones:</p> <ul style="list-style-type: none"> • 5.010 RL - <i>Low Density Residential</i> • 5.0202 RM - <i>Medium Density Residential</i> • 5.030 RH - <i>High Density Residential</i> • 5.040 NC - <i>Neighborhood Center Overlay</i> <p>All zones permit duplexes outright.</p> <p>COMPLIES</p> |

C

TABLE 2: GOAL PROTECTED LAND

| Applicability (OAR 660-046-0010) | Response |
|--|--|
| <p>Do the middle housing regulations comply with the regulations of goal-protected areas?</p> <p>Local governments may regulate Middle Housing to comply with protective measures (including plans, policies, and regulations) adopted and acknowledged pursuant to statewide land use planning goals. OAR 660-046-0010(3) describes the requirements for Middle Housing provision in relation to regulations implementing the provisions of goal-protected areas</p> <p>Model Code Standard: <i>Protective Measures. Duplexes shall comply with protective measures (plans, policies, or regulations) adopted pursuant to statewide land use planning goals (e.g., environmental and natural hazard protections).</i></p> | <p>The goal protected lands that are found in The Dalles are:</p> <ul style="list-style-type: none"> • Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources • Goal 6: Air, Water and Land Resources Quality • Goal 7: Natural Hazards <p>The Dalles already protects the Protective zones in Development Code through the following provisions:</p> <p>Goal 5 & 6: <i>10.5.130 Stream Corridor Overlay District</i> <i>10.5.110 P/OS Parks and Open Space District</i></p> <p>Goal 7: <i>10.8: Physical and Environmental Constraints</i></p> <p>The provisions for goal protected lands described above will continue to apply to the development of duplexes in residential zones.</p> <p>COMPLIES</p> |

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DUPLEXES

Duplexes can either be stacked or side-by-side. Traditionally, most development codes have defined duplex units as two attached units that form a single building, but OAR 660-046 allows cities the option of including detached units in the definition as well.⁴ The building(s) must be on a single lot or parcel (if on a separate parcel, then the units would be considered “townhouses”). HB 2001 requires that within the applicable zones, cities allow a duplex on every lot that would allow a SFD dwelling. Table 3 examines the OAR and Model Code definitions for duplexes against the City’s current definition.

TABLE 3 DUPLEX DEFINITIONS

| DEFINITIONS (OAR 660-046-0020) | Response | |
|---|---|---|
| <p>“Duplex” means two attached dwelling units on a Lot or Parcel.</p> <p><i>NOTE: A local government may define a Duplex to include two detached dwelling units on a Lot or Parcel.</i></p> | <p>Dwelling, Duplex. Two dwelling units located on a single lot or development site placed so that some structural parts are in common.</p> <p>COMPLIES</p> | C |
| <p>*Model Code Standard*: “Duplex” means a detached structure on a lot or parcel that is comprised of two dwelling units. Figures 1–4 in Section I illustrate examples of possible duplex configurations. In instances where a structure can meet the definition of a duplex and also meets the definition of a primary dwelling unit with an attached or internal accessory dwelling unit (ADU), the applicant shall specify at the time of application review whether the entire structure is considered a duplex or a primary dwelling unit with an attached or internal ADU.</p> | | |
| <p>Are other terms defined in the jurisdiction’s code in a manner that would create a conflict with HB 2001?</p> <p><i>NOTE: For example, definitions of “dwelling,” “family” or “household” that when used in conjunction with the middle housing types</i></p> | <p>Dwelling, Single Detached. One dwelling unit, freestanding and structurally separated from any other dwelling unit or buildings, located on a lot or development site, including manufactured homes as defined in this chapter.</p> | C |

⁴ Note that cities are *not required* to define two *detached* units on a single lot as a duplex. However, if the City chooses to include the detached option in the duplex definition, then required development standards for single-family detached, and therefore attached duplexes, also apply to detached duplexes.

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| <p>would unreasonably limit the size of units. Other terms to look for: accessory dwelling unit (potential conflict with duplex); multifamily; floor area; FAR; building footprint; lot coverage; common wall; attached; etc.</p> | <p>Dwelling, Multifamily. A structure or development containing at least 3 dwelling units in any vertical or horizontal arrangement, located on a single lot. See also, Cottage Cluster Development.</p> | |
| <p>Model Code Standard: Conflicts. In the event of a conflict between this code and other standards applicable to a duplex, the standards of this code control.</p> | <p>The existing definitions of dwellings do not conflict with requirements of HB2001.</p> | |

ATTACHED DUPLEXES EXAMPLES



Stacked duplex



Side-by-side duplex



Side-by-side duplex

SITING AND DESIGN REQUIREMENTS

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 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 SFD types. 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 detached SFD in the same zone. Below, Table 4 audits minimum compliance for both siting and design standards.

TABLE 4: DUPLEX SITING AND DESIGN REQUIREMENTS

| SITING AND DESIGN REQUIREMENTS (660-046-0120 – 660-046-0125) | | |
|---|---|----|
| Are duplexes allowed on every parcel that allows a detached single-family dwelling (SFD)? | Allowed in all residential zones, however minimum lot size for small lot single-family (4,000 sqft) is less than the minimum lot size for duplex (5,000 sqft), therefore duplexes are not allowed on <i>every parcel</i> that allows SFD. | NC |
| Model Code Standard: Duplexes are permitted outright on lots or parcels zoned for residential use that allow for the development of detached single-family dwellings. | DOES NOT COMPLY | |
| Does the Code allow the development of a Duplex on any property zoned to allow detached SFDs, which was legally created prior to the City’s current lot size minimum for detached SFDs in the same zone. | <i>Nonconforming Development Exemptions: 3.090.070(A)</i> This provision allows all nonconforming residential uses to be continued as nonconforming, rebuilt if destroyed or modified as long the building has the same or fewer units. COMPLIES | C |

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| <p>Are there density maximums in any zones? If so, do those maximums exempt (or otherwise not apply) to duplexes?</p> | <p>The Dalles has the following density maximums for their residential zones:</p> <p><i>RL 5.010.010:</i> Maximum of 6 single-family dwelling units per gross acre.</p> <p><i>RM 5.030.010:</i> Maximum of 17 dwelling units per gross acre.</p> <p><i>RH 5.020.010:</i> Maximum of 25 dwelling units per gross acre.</p> | <p>NC</p> |
| <p>Model Code Standard: <i>The jurisdiction's pre-existing density maximums and minimum lot sizes for duplexes do not apply.</i></p> | <p>There are also density maximums for <i>planned development</i> in RM, RH, and NC zones:</p> <p><i>RM 5.030.090 Exceptions to Standards: A. Density cannot exceed 17 units/acre</i></p> <p><i>RH 5.020.090. Exceptions to Standards: A. Density cannot exceed 25 units/acre</i></p> <p><i>NC 5.040.080 Exceptions to Standards: B. Density cannot exceed 25 units/acre</i></p> <p>The density maximums for standard residential zones and planned development do not exempt duplexes from density calculations.</p> <p>DOES NOT COMPLY</p> | |
| <p>Are duplexes subject to the same lot size standards as detached SFDs?</p> | <p>The minimum lot size standards are as follows for each residential zone:</p> <p><i>5.010.060 RL:</i></p> <ul style="list-style-type: none"> • <i>SFD:</i> 5,000 sq. ft. • <i>Duplex:</i> 2,500 sq. ft. per unit (effectively the same as SFD) • <i>Small Lot SF:</i> 4,000 sq. ft. | <p>NC</p> |

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| | <p>5.030.060 RM:</p> <ul style="list-style-type: none"> • One Unit per Lot: 4,000 sq. ft. • Two Units per Lot: 10,000 sq. ft. <p>5.020.060 RH:</p> <ul style="list-style-type: none"> • One Unit per Lot: 1,500 sq. ft. • Two Units per Lot: 6,000 sq. ft. <p>5.040.050 NC:</p> <ul style="list-style-type: none"> • 4,000 sq. ft. for all residential | |
| <p>Model Code Standard: The jurisdiction's pre-existing density maximums and minimum lot sizes for duplexes do not apply.</p> <p>&</p> <p><i>[d]uplexes shall meet all clear and objective standards that apply to detached single family dwellings in the same zone (including but not limited to, minimum and maximum lot size...)</i></p> | <p>DOES NOT COMPLY</p> <p><i>*The City also has "Minimum Site Area" standards for their residential zones. The Minimum Site Area for duplexes are greater than the same standard for SFD.</i></p> | |
| <p>Are duplexes subject to the same setback standards as detached SFDs?</p> | <p>5.010.060 RL: Front and rear yard are the same. For SFD, side yard is 5 ft. or 8 ft. if opposite side is 0 ft. setback. Corner duplex is 0 ft. opposite side.</p> <p>5.030.060 RM: Same for all housing types.</p> <p>5.020.060 RH: Same for all housing types.</p> <p>5.040.050 NC: Same for all housing types.</p> | |
| <p>Model Code Standard: Duplexes shall meet all clear and objective standards that apply to detached single family dwellings in the same zone (including but not limited to, minimum and maximum setbacks...)</p> <p>AND</p> <p>The setback standard is invalid and does not apply to duplexes being developed on lots or</p> | <p>COMPLIES</p> | <p>C</p> |

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| <p><i>parcels zoned for residential uses that allow the development of a detached single-family dwelling IF the minimum front setback is greater than 20 feet or the minimum rear setback is greater than 15 feet except for those minimum setbacks applicable to garages and carports.</i></p> | | |
| <p>Are duplexes subject to the same maximum height standards as detached SFDs?</p> | <p>The same maximum height applies to the SFD and duplexes for all residential zones.</p> <p>COMPLIES</p> | C |
| <p>Model Code Standard: Duplexes shall meet all clear and objective standards that apply to detached single family dwellings in the same zone (including but not limited to building height).</p> | | |
| <p>Does the zone have a lot coverage standard? If so, is the standard the same for duplexes and SFDs?</p> | <p>There are lot coverage requirements for each residential zone. The coverage requirements are the same for SFD and duplexes.</p> <p>COMPLIES</p> | C |
| <p>Does the zone have an FAR standard? If so, is the standard the same for duplexes and SFDs?</p> | <p>There are no FARs that apply to SFD or duplexes in the City Code.</p> | NA |
| <p>Does the Code apply the same design standards to SFDs as it does to duplexes (i.e. there are no design standards that only apply to duplexes)?</p> | <p>5.010.070(C) RL: Duplexes are required to have a front porch or garage with no more than 50% of the width of front façade.</p> <p>5.030.070(D) RM: Several design standards for multiple buildings on single lot likely would not be in compliance if duplexes were defined as two detached dwellings on a single lot. However, given that the City defines duplexes as attached units, applying design</p> | C |

| | | |
|---|---|-----------|
| <p>Model Code Standard: <i>New duplexes shall meet all clear and objective design standards (e.g., entry orientation, window coverage, articulation, etc.) that apply to detached single-family dwelling in the same zone, unless those standards conflict with this code. Any design standards that apply only to duplexes are invalid.</i></p> | <p>standards to multiple detached dwellings on one lot that differ from those applied to SFDs should be allowed.</p> <p>5.020.070(E) RH: Same provision as RM design standard (above)</p> <p>5.040.060(D) NC: Same provision as RM and RH design standard (above)</p> <p>COMPLIES</p> | |
| <p>Does the city offer the same clear and objective exceptions to public works standards to duplexes that they offer to detached SFDs?</p> | <p>Improvements Required with Development:</p> <p>10.10.030 <i>Timing of Improvements:</i></p> <p>A. <i>“The construction, installation, placement, or addition of a dwelling unit on a lot... shall initiate the requirement of full public improvements”</i> – This provision may be a barrier to conversion of a SFD to duplex. However, it does not appear to represent a set of different standards. In addition, in conjunction with House Bill 3479 (2013 OR Legislative Session) the City modified the code to not require improvements for minor partitions and most single-family development. Only multi-family development projects, subdivisions and single-family development on network street (that have a curb line established) require improvements. This legislation is scheduled to sunset in 2023.</p> | |
| <p>Model Code Standard: <i>Clear and objective exceptions to public works standards granted to single-family dwellings shall also be granted to duplexes.</i></p> | <p>E. <i>“Developments of other than single-family dwelling may be able to use the provisions of Article 6.110: Waiver of Right to Remonstrate, in lieu of immediate installation of Public Improvements.”</i> – If this waiver is available to both SFDs and duplexes, this would not represent a compliance issue.</p> <p>MAY NOT COMPLY</p> | <p>MC</p> |

TABLE 5: DUPLEX PARKING REQUIREMENTS

| Parking (OAR 660-040 – 0120) | | |
|--|---|-----|
| Are duplexes only required to provide a minimum of two or fewer total off-street parking spaces for the duplex? ⁵ | 7.060.010 <i>Minimum and Maximum Off-Street Parking Requirements:</i> Minimum 2 spaces per dwelling unit for 1, 2, and 3 dwellings. | NC |
| Model Code Standard: Any off-street parking requirement is invalid and does not apply to duplexes being developed on lots or parcels zoned for residential use that allow the development of a detached single-family dwelling. | DOES NOT COMPLY | |
| Are duplexes subject to the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone? | 7.030.010 <i>General Design Standards for Surface Parking Lots:</i> “One- and two-family dwellings are exempt from these requirements” | C |
| Model Code Standard: Any off-street parking requirement is invalid and does not apply to duplexes being developed on lots or parcels zoned for residential use that allow the development of a detached single-family dwelling. | COMPLIES | |
| Does the city allow for on-street parking credits? (optional) | No parking credits in The Dalles. | N/A |

OTHER PROVISIONS

TABLE 6: DUPLEX CONVERSIONS, CLEAR AND OBJECTIVE STANDARDS, PROCEDURES, AND FINAL CONSIDERATIONS

| DUPLEX CONVERSIONS (OAR 660-046-0130) | |
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|---------------------------------------|--|

⁵ Duplex developments are allowed to provide more than two parking spaces; however cities cannot *require* duplexes to provide over two spaces (in total for both units).

| | | |
|---|---|----|
| Are conversions of detached SFDs into duplexes exempt from meeting the design standards (provided the conversion does not increase nonconformance with the Code)? | The City Code does not <i>specifically</i> address SFD to duplex conversions. As noted in <i>design standard</i> section above, additional design standards are applied to duplexes. In addition to these differing design standards, the Code does not appear to exempt duplexes from meeting design standards when converted from SFD. | MC |
| Model Code Standard: <i>Conversion of an existing detached single-family dwelling to a duplex is allowed, provided that the conversion does not increase nonconformance with applicable clear and objective standards.</i> | MAY NOT COMPLY | |
| Does the city offer the same clear and objective exceptions to public works standards to duplexes converted from detached SFDs that they offer to detached SFDs? | The City Code does not <i>specifically</i> address SFD to duplex conversions. <i>10.030 Timing of Improvements (E):</i> Developments may use Waiver of Right to Remonstrate in lieu of immediate installation of public improvements. It is not clear whether this applies to both SFDs and duplexes. | MC |
| Model Code Standard: <i>Clear and objective exceptions to public works standards granted to single family dwellings shall also be granted to duplexes.</i> | MAY NOT COMPLY | |
| PROCEDURES | | |
| Are all duplexes subject to the same approval process as detached SFDs? | Per <i>10.3 Application Review Procedures</i> , the City Code applies the same review criteria for duplexes and SFD. COMPLIES | C |
| CLEAR AND OBJECTIVE STANDARDS, CONDITIONS, AND PROCEDURES (OAR 660-046-0115) | | |

| | | |
|---|--|----|
| Are the standards, conditions, and procedures regulating development of duplexes clear and objective ? | <p>The following code provisions related to duplex development are not clear and objective:</p> <p><i>5.030.070(E) & 5.040.070(E) Design Standards:</i></p> <p>This provision requires one- and two- family dwellings to have a traditional front entry on ground level.</p> <p><i>3.030.040(E)(1) Review Criteria Design Standards:</i></p> <p>This provision requires two-family structures (i.e. duplexes) to have the appearance of a single house. This requirement is not clear and objective.</p> <p>DOES NOT COMPLY</p> | NC |
| <p>Model Code Standard: Duplexes are subject to the same approval process as that for detached single family dwellings in the same zone and are subject only to clear and objective standards, approval criteria, conditions, and procedures. Alternatively, an applicant may choose to submit an application for a duplex subject to discretionary standards and criteria adopted in accordance with ORS 197.307, if such a process is available.</p> | | |
| ADDITIONAL NOTES | | |
| Landscaping Requirements | <p><i>6.010.030(C): Completion Prior to Occupancy</i></p> <p>Single-family dwellings are exempt from required landscaping and related improvements of section 9.040.060(I).</p> <p>This provision violates the general policy direction of HB 2001 by not granting the same exemption to duplexes.</p> <p>DOES NOT COMPLY</p> | NC |
| Temporary Family Hardship Exemption | <p><i>6.130 Temporary Family Hardship Exemption</i></p> <p>This provision permits temporary siting of a manufactured dwelling or recreational vehicle on a developed single-family lot.</p> <p>This provision violates the general policy direction of HB 2001 by not granting the same permissions to duplexes.</p> | NC |

| | DOES NOT COMPLY | |
|---|---|-----|
| Inconsistent Terminology | The code uses the term “duplex” and “two-family” interchangeably throughout the code. | N/A |
| Other potential Code Amendments/Updates | City staff provided a list of code amendments that they recommend adopting to clarify confusing or problematic provisions of the code. Some of these suggestions overlap with and/or accomplish some of the non-compliance issues identified in this audit. One example is eliminating the “Minimum Site Area” standard. The list of those amendments is attached as an appendix to this audit. | N/A |

V. OTHER MIDDLE HOUSING STANDARDS

Large cities (over 25,000 people) and Portland Metro cities (over 1,000 people) are subject to further middle housing requirements under HB 2001 compared to medium cities (10,000 – 25,000). In addition to allowing duplexes on any residential lot that allows single-family dwellings, large cities are required to allow triplexes, quadplexes, and cottage cluster housing *in areas* (i.e. residential zones) where single-family housing is allowed outright. Large cities are required to meet minimum compliance standards established by OARs (currently being developed) by June 2022. Similar to medium city requirements, jurisdictions that do not meet those requirements by the deadline must adopt the Middle Housing Model Code for Large Cities (also still under development).

Oregon cities that do not meet the “large city” threshold are allowed to adopt some or all the required standards established for large cities. Furthermore, it may be in a medium city’s interest (such as The Dalles) to consider adopting some large city middle housing standards if the City’s population forecast is to exceed 25,000 within the coming decades. The following section explores possibilities for The Dalles to pursue further middle housing standards. The recently completed Housing Strategies Report (2017) and recommended code amendments (2019) will serve as a basis for evaluating potential expanded middle housing standards for the City.

MIDDLE HOUSING STRATEGIES FROM 2017 HNA – HOUSING STRATEGIES REPORT
Angelo Planning Group developed a Housing Strategies Report as a component of the City’s Housing Needs Analysis project in 2017. The Report provides several recommendations for code updates that support the development of middle housing. Many of these recommendations already have been completely or partially adopted. This list is provided to document the housing strategies the City has considered and may want to reconsider. This past work is supplemental to this audit, and the strategies provided below are not recommendations for the City to pursue. The next sections

review and detail how the Housing Strategy recommendations were addressed in previous code update efforts.

The code-related middle housing recommendations from the Housing Strategies Report include:

- *Update standards for accessory dwelling units (ADUs) to encourage their development and to meet state requirements.⁶*
- *Update neighborhood compatibility provisions to ensure standards are clear and objective.*
- *Update density standards to allow denser levels of development and potentially broader mix of housing forms.*
- *Adjust minimum parking requirements for selected land uses or housing types, including low income housing, senior housing and smaller multi-family uses, and mixed use zones.*
- *Consider defining cottage clusters as a housing type, creating specific development and design standards, and permitting outright in some or all residential zones.*
- *Revise development standards in residential zones to ensure that compact, multi-family development is feasible on a wider range of sites.*
- *Amend the development code to allow for co-housing developments*
- *Amend the development code to implement density or height bonuses*
- *Explore the relative costs and benefits of adopting inclusionary zoning requirements (mandatory or incentive-based)*

** Note: We have included this strategy in this list in the interests of providing a complete list. However, this strategy is not directly related to Middle Housing and it is unlikely to have a significant net benefit in The Dalles for a variety of reasons (primarily related to state requirements for local inclusionary housing programs). As a result, **we are not likely to pursue this strategy** as part of this project.**

TABLE 7: RECOMMENDED MIDDLE HOUSING DEVELOPMENT STANDARD REVISIONS FROM HOUSING STRATEGIES REPORT

| Development Standard | Existing Code (RH) | Potential Revisions |
|--|---|--|
| <i>Minimum Lot Area</i> | 2 units: 5,000 sq. ft. 3 units: 8,000 sq. ft. 4 units: 10,000 sq. ft. | 2 units: 3,500 sq. ft. (same as 1-unit) 3-8 units: 7,500 sq. ft. 9 or more units: 10,000 sq. ft. |
| <i>Minimum Site Area per Dwelling Unit</i> | 2 units: 2,500 sq. ft. 3 units: 2,500 sq. ft. | 2 units: 1,750 sq. ft. 3 units: 1,500 sq. ft. |

⁶ While this is not strictly a middle housing or HB 2001 issue, we note it as a housing strategy that the City has already substantially addressed. It also would be helpful to confirm that the City has met all requirements for ADUs associated with Senate Bill (SB) 1051.

| | | |
|------------------------------|---|--|
| | 4 units: 1,500 sq. ft. | 4-8 units: 1,000 sq. ft. 9 or more units: 1,000 sq. ft. |
| <i>Minimum Lot Width</i> | 2 units: 65 ft. 3 or more units: 80 ft. | 2-8 units: 50 ft. 9 or more units: 75 ft. |
| <i>Minimum Side Setbacks</i> | Interior Lots: 5 ft. Exterior Lots: 10 ft. | All lots: 5 ft. |

2019 MIDDLE HOUSING CODE AMENDMENT RECOMMENDATIONS REVIEW

This section reviews how the recommended middle housing code amendments for The Dalles have been addressed to date. The amendments were drafted by Siegel Planning Services and APG in 2019. The items identified in this section as “Not Adopted” or “Not Adopted or Updated” could be considered further as part of this project and draft code amendments may be prepared in subsequent tasks during this project, pending additional discussion with City staff and/or the project advisory committee. In addition, some of the site development or design standards that already have been updated could be further amended to reduce barriers to or expand opportunities for development of other middle housing types (particularly triplexes, quadplexes and townhomes).

AMENDMENTS

Recommendation: Consider defining cottage clusters as a housing type, creating specific development and design standards, and permitting outright in some or all residential zones.

3.086 Cottage Cluster Development [NEW CHAPTER]

ADOPTED

Recommendation: Revise development standards in residential zones to ensure that compact, multi-family development is feasible on a wider range of sites.

5.010 RL Low Density Residential District

- 5.010.050 Neighborhood Compatibility – Remove section entirely: **ADOPTED**

5.020 RH High Density Residential District

- 5.020.020 Permitted Uses – Add Cottage Cluster: **ADOPTED**
- 5.020.060 Development Standards – **UPDATED**
 - The amendment would replace the existing development standards table with a table that does not distinguish between building types. The City kept their original table but updated various aspects that brings it closer to the recommended changes, such as applying smaller minimum lot sizes to all housing types. See Table 8 for detailed assessment.

5.030 RM Medium Density Residential

- 5.030.010 Permitted Uses – Add Cottage Cluster: **ADOPTED**

- 5.030.050 Neighborhood Compatibility – Remove section entirely: **ADOPTED**
- 5.030.060 Development Standards: **UPDATED**
 - The amendment would replace the existing development standards table with a table that does not distinguish between building types. The City kept their original table but updated various aspects that brings it closer to the recommended changes, such as applying smaller minimum lot sizes to all housing types. See Table 9 for a detailed assessment.
- 5.030.070 Design Standards – Remove subsection “C”, encouraging upper story residential to have entry on first floor only: **ADOPTED**
- 5.030.070 Design Standards – Update language to be more clear and objective: **NOT ADOPTED OR UPDATED**

5.040 Neighborhood Center Overlay

- 5.040.010 Development Standards: **UPDATED**
 - See Appendix A for detailed assessment.
- 5.040.060 Design Standards: Remove subsection “B.2”, encouraging upper story residential to have entry on first floor only: **NOT ADOPTED**
- 5.040.070 Neighborhood Compatibility – Remove section entirely: **ADOPTED**

EVALUATION KEY:

| |
|------------------------|
| Adopted |
| Updated |
| Not Adopted or Updated |
| No Recommended Update |

TABLE 8: ASSESSMENT OF MIDDLE HOUSING CODE UPDATES FOR THE RH ZONE

| RH High Density Residential | Standard | | | |
|-------------------------------------|--|--|--|--|
| | One Dwelling Unit per Lot | Two Dwelling Units per Lot | Three Dwelling Units per Lot | Four or More Dwelling Units per Lot |
| Minimum Lot Area | 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 | 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. OR 2,000 sq. ft. for small lot and townhouse clusters (3-8 units) | 2,000 sq. ft. | 2,000 sq. ft. | 1,500 sq. ft. |

| RH High Density Residential | Standard | | | |
|--|---|----------------------------|------------------------------|-------------------------------------|
| | One Dwelling Unit per Lot | Two Dwelling Units per Lot | Three Dwelling Units per Lot | Four or More Dwelling Units per Lot |
| Minimum Lot Width | 25 ft. for corner lots and lots with townhome end-units; and 20 ft. for interior lots | 40 ft. | 60 ft. | 75 ft. |
| Minimum Lot Depth | 60 ft. | 60 ft. | 85 ft. | 85 ft. |
| Building Height* | 35 ft. | 35 ft. | 40 ft. | 40 ft. |
| Minimum Setbacks | | | | |
| Front Yard | 10 ft. | | | |
| Rear Yard | 10 ft. | | | |
| Side Yard (interior) | 5 ft., except 8 ft. where dwelling has zero setback on opposite side, including end unit of townhouse building; and 10 ft. separation between buildings | | | |
| Side Yard (exterior) | 8 ft., except 20 ft. for garage entrance | | | |
| Garage/Carport Entrances (facing street) | 20 ft. minimum (corner lots and interior lots) | | | |
| Lot Coverage | 60% of lot area maximum | | | |
| 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 front door. | | | |
| Pedestrian Access | All multifamily building entrances shall have a clear pedestrian connection to the street/sidewalk in accordance with <i>Section 10.5.020.070(E): Pedestrian Walkways</i> | | | |
| Off-Street Parking (Bicycles and Vehicles) | See <i>Chapter 10.7 - Parking Standards</i> | | | |
| Accessory Uses, Buildings and Structures | See <i>Article 6.030: Accessory Development</i> | | | |
| Landscaping | See <i>Article 6.010: Landscaping Standards</i> | | | |
| Access Management | See <i>Article 6.050: Access Management</i> | | | |
| Minimum Density** | Not more than 4,000 net buildable sq. ft. gross area per dwelling unit. | | | |

TABLE 9: ASSESSMENT OF MIDDLE HOUSING CODE UPDATES FOR THE RM ZONE

| RM Medium Density Residential | Standard | | | |
|--|--|--|--|---|
| | One Dwelling Unit per Lot | Two Dwelling Units per Lot | Three Dwelling Units per Lot | Four or More Dwelling Units per Lot |
| Minimum Lot Area | 2,000 sq. ft. per dwelling unit, not to exceed 17 units per acre | 5,000 sq. ft. per dwelling unit, not to exceed 17 units per acre | 7,500 sq. ft. per dwelling unit, not to exceed 17 units per acre | 10,000 sq. ft. per dwelling unit, not to exceed 17 units per acre |
| Minimum Site Area per Dwelling Unit | 4,000 sq. ft. | 2,500 sq. ft. | 2,500 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 | 50 ft. | 75 ft. | 80 ft. |
| Minimum Lot Depth | 65 ft. | 65 ft. | 85 ft. | 100 ft. |
| Building Height* | 35 ft. | 35 ft. | 40 ft. | 40 ft. |
| Minimum Setbacks | | | | |
| Front Yard | 10 ft., except 20 ft. for garage entrance | | | |
| Rear Yard | 5 ft. | | | |
| Side Yard (interior) | 5 ft. minimum, except where dwelling has a zero setback on opposite side, including end unit of townhome building; and 10 ft. separation between buildings | | | |
| Side Yard (exterior) | 8 ft., except 20 ft. for garage entrance | | | |
| Lot Coverage | 60% of lot area | | | |
| 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 front door | | | |
| Pedestrian Access | All multifamily building entrances shall have a clear pedestrian connection to the street/sidewalk in accordance with <i>Section 10.5.030.070(D): Pedestrian Walkways</i> | | | |
| Off-Street Parking (Bicycles and Vehicles) | See <i>Chapter 10.7 - Parking Standards</i> | | | |
| Accessory Uses, Buildings and Structures | See <i>Article 6.030: Accessory Development</i> | | | |

| RM Medium Density Residential | Standard | | | |
|-------------------------------|--|----------------------------|------------------------------|-------------------------------------|
| | One Dwelling Unit per Lot | Two Dwelling Units per Lot | Three Dwelling Units per Lot | Four or More Dwelling Units per Lot |
| Landscaping | See Article 6.010: Landscaping Standards | | | |
| Access Management | See Article 6.050: Access Management | | | |
| Minimum Density** | Not more than 6,000 net buildable sq. ft. per dwelling unit. | | | |

TABLE 10: ASSESSMENT OF MIDDLE HOUSING CODE UPDATES FOR THE NC ZONE

| NC Neighborhood Commercial | Standard | | |
|-------------------------------------|--|--|---|
| | Commercial Only | Residential Only | Mixed Commercial/Residential |
| Minimum Lot Area | None | 4,000 sq. ft. OR 2,500 sq. ft. per lot for small lot and townhouse clusters (3-8 units) | 4,000 sq. ft. |
| Minimum Site Area per Dwelling Unit | N/A | 2,500 sq. ft. | 2,000 sq. ft. |
| Minimum Lot Width | None | 40 ft. OR 25 ft. per lot for small lot and townhouse clusters (3-8 units) | 40 ft. OR 25 ft. per lot for small lot and townhouse clusters (3-8 units) |
| Minimum Lot Depth | None | 60 ft. | 60 ft. |
| Front Yard Setback | No minimum. 5 ft. maximum, except 15 ft. maximum where outdoor seating for food service or a permanent open area is provided | 10 ft. minimum | 5 ft. minimum, 10 ft. maximum if residential on ground floor. Otherwise no minimum and 5 ft. maximum, except 15 ft. maximum where outdoor seating for food service or a permanent open area is provided |
| Rear Yard Setback | None, except 15 ft. where shares lot line with property zoned residential | 10 ft. minimum | 10 ft. minimum, except 15 ft. where shares lot line with property zoned residential |
| Side Yard Setbacks | None, except 8 ft. from right-of-way line for exterior side yard, and 10 ft. where shares lot line with property zoned residential | 5 ft. minimum, 0 ft. for zero lot lines, 8 ft. for exterior side yard | 5 ft. minimum, except 0 ft. for zero lot lines, 8 ft. from right-of-way line for exterior side yard, and 10 ft. |

| NC Neighborhood Commercial | Standard | | |
|--|--|---|---|
| | Commercial Only | Residential Only | Mixed Commercial/Residential |
| | | | where shares lot line with property zoned residential |
| Building Height | 32 ft. maximum | 32 ft. max. | 35 ft. maximum |
| Lot Coverage (area occupied by buildings, parking, and automobile circulation) | No maximum | 65% of lot area maximum | No lot area maximum |
| Minimum Density* | N/A | 4,000 net buildable sq. ft. per dwelling unit | N/A |
| Garage/Carport Entrance (facing street) | 20 ft. minimum setback (corner lots and interior lots) | | |
| Building Orientation | The front building line shall be parallel to the street or private accessway. Orientation on private access way is allowed only if there is no street frontage. Practical adjustments may be made to accommodate street curvature. The front building line shall include the front door. | | |
| Pedestrian Access | All building entrances shall have a clear pedestrian connection to the street/sidewalk in accordance with Section 10.5.040.060(C): Pedestrian Walkways | | |
| Off-Street Parking (bicycles and vehicles) | See Chapter 10.7 - Parking Standards | | |
| Landscaping | See Article 6.010: Landscaping Standards | | |
| Access Management | See Article 6.050: Access Management | | |
| Accessory Uses, Buildings and Structures | See Article 6.030: Accessory Development | | |

Recommendation: Adjust minimum parking requirements for selected land uses or housing types, including low income housing, senior housing and smaller multi-family uses, and mixed-use zones.

7.060.010 Minimum and Maximum Off-Street Parking Requirements:

TABLE 11: EXISTING PARKING STANDARDS FOR MIDDLE HOUSING

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

| | | | |
|--------------------------------|---|------|------------------------------|
| 4 to 12 units (multifamily) | 6 spaces, plus 1.5 spaces per dwelling unit in excess of 3 units | None | 1 space per dwelling unit |
|--------------------------------|---|------|------------------------------|

The drafted code amendments did not recommend any specific legislative amendments to the above table itself. However, the report does offer some general options for maximizing parking efficiency in residential areas, including:

- Count parking in front setback on a paved driveway: **NOT ADOPTED**
- Credits for on-street parking: **NOT ADOPTED**
- Reduce or eliminate minimum required parking (rely on market to provide adequate parking): **NOT ADOPTED**

FINAL CONSIDERATIONS AND NOTES

- The Housing Strategies Report and the Code Amendment Recommendations offered several suggested updates to regulating standards for accessory dwelling unit (ADU) provisions. The City addressed these recommendations as follows:
 - Do not require owner-occupancy for ADUs: **ADOPTED**
 - Allow two ADUs per lot: **ADOPTED**
 - Permit ADUs on lots with duplexes outright in all zones: **ADOPTED**⁷
 - Expand maximum size to 75-80% of primary structure or 800 – 1,000 sqft: **ADOPTED**
 - Do not require design compatibility with primary structure: **ADOPTED**
 - Waive system development charges for ADUs: **NOT ADOPTED**⁸
- The Code Amendment Recommendations report and Housing Strategies report both suggested adding height and density bonuses as an incentive for affordable housing. The Code Amendment report drafted a new “Affordable Housing Incentives” chapter (3.085). These amendments were **NOT ADOPTED**.
 - A component of the height/density bonus and affordable housing recommendations included exploring “inclusionary zoning”. These recommendations were also not adopted.
- Consider revising the language for the minimum lot area standard in each residential zone. Specifically, they each establish minimum lot size *per dwelling unit* – this suggests that the minimum lot sizes are as follows:
 - Duplex: 10,000 square feet (5,000 *per dwelling unit*)
 - Triplex: 22,500 square feet (7,500 *per dwelling unit*)
 - Quadplex: 40,000 square feet (10,000 *per dwelling unit*)

⁷ ADUs are permitted on lots of 5,000 square feet or greater with duplexes in all residential zones.

⁸ SDC reductions have been established per CDD and Public Works Staff, however specific language of these reductions is not listed in the Code.

- The minimum lot sizes are too large to effectively promote greater density in residential areas. Single-family dwellings on their minimum lot sizes yields greater density than the middle housing types on their minimum lot sizes. For instance, 2 SFDs on two separate 2,000 square foot lots results in a higher unit-per-acre ratio than one duplex on one 5,000 square foot lot.
- Similar to minimum lot size standards, a reduction in lot width standards for the middle housing types also will help promote greater density.

NEXT STEPS

This audit will be reviewed by the project management team (PMT), which includes The Dalles Planning staff and representatives from DLCD. Once the audit is reviewed and finalized by the PMT, the project Advisory Committee will review the findings of the audit and discuss needed policy and code updates. Following the Advisory Committee meeting, the team will begin drafting amendments for The Dalles Development Code.

APPENDIX: CITY'S PROPOSED LAND USE REVISION LIST

| HB2001 Possible Land Use Code Revision List | | |
|--|---|--|
| <u>Code Section</u> | <u>Narrative on why revision needed</u> | <u>Proposed new code language (optional)</u> |
| 10.2.030 (<i>Dwelling, Multifamily</i>) & 10.7.060.010 | Definition of multi-family (10.2.030) is 3 or more units; parking section (10.7.060.010) has "4 to 12 units (multifamily)" and "In multifamily developments, the applicant". Inconsistency with sections. | Multifamily = 3 or 4 units; consistent with the code |
| 10.2.030 Meaning of Specific Words and Terms | Definition of Density transfer does not include in the code. | A method of retaining areas of significance on a property by compacting density, usually near already existing areas of urbanization, allowing for maintenance of open spaces, historic or sensitive areas, etc. Developers can increase the density of a zone proposed for development by purchasing property intended for public usage and transferring the permitted density of that area into their proposed developmental zone. |

| | | |
|---|---|---|
| 10.2.030 Meaning of Specific Words and Terms | Tiny Home Definition. Currently, we recognize tiny homes (with wheels) as “mobile homes” and restrict them to the RM zone. Would it be worth adding in a definition to allow tiny homes in other zones? | |
| 10.2.030 Meaning of Specific Words and Terms | Net Density Definition | |
| 10.2.030 Meaning of Specific Words and Terms | Gross Density definition | |
| 10.3.010.035 Pre-Application Requirements | No need for 18 copies; possibly add in language about # of copies and electronic | |
| 10.3.020.050 (A) | Add Quasi-Judicial Adjustments (Article 3.080.020 D.) | n/a |
| 10.3.020.060 (C) | Remove HLC and PC from list of legislative hearings requiring newspaper notice; these are not legislative hearings | "At least 10 days before the legislative hearings of the Historic Landmarks Commission, the Planning Commission, or the Council, notice of the..." |
| 10.3.080.020 - Adjustments (B)(6) | Ensuring densities follow comp plan/land use code. | 6. To allow an increase <u>or decrease</u> in density above <u>or below</u> the allowed density of the applicable zone. |
| 10.3.080.020 (B) | Proposed language for prohibited items: Retroactive adjustment request; adjustments to plans should be made prior to beginning site work | 7. For all retroactive adjustment requests. |
| 10.3.080.050 | Typo - insure should be "ensure" | n/a |

| | | |
|---|--|---|
| 10.5.010.010 Purpose - RL Zone with Comp Plan - Goal 10 Policies #22 | Municipal Code: "This district implements the RL - Low Density Residential Comprehensive Plan designation, which allows for a range of zero to 6 single-family dwelling units per gross acre. The RL district is intended to provide low density family residential areas for present and future needs, together with a full range of urban services." Comp Plan: "Low Density Residential 3-6 units/gross acre" | This was identified in previous housing code amendments, need to have the two match. |
| 10.5.010.060 Design Standards - RL Minimum Density * | Added narrative to include public easement to be also excluded in calculations for required densities. Also clean up to make sure that all three residential zoning districts have similar language. This could be errors from last code update with Siegel. | "...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." |
| 10.5.020.010 | The density range cites the Comp Plan incorrectly; the Comp Plan calls for a 10-25 range, however, the section lists a 7-25 range | "..., which allows for a range of 7 10 to 25 single-family and multifamily dwellings..." |
| 10.5.020.020(1) (B)(C) | Add requirements for Site Plan Review for all multifamily and cottage cluster development; Site Plan Review for all forms of attached single-family housing? (10.5.020.020(1)(a)) | |
| 10.5.020.020(2) (D) - Attached town houses | Remove "attached town houses (zero lot line, 3 to 8 unit clusters)" and replace with single-family attached (townhouse). No | ...and attached town houses (zero lot line, 3 to 8 unit clusters) single-family attached (townhouses). |

| | | |
|---|---|--|
| | cluster definition, townhouse definition defines more than 3 units; why is 3-8 a range? | |
| 10.5.020.020(2) (D) - Small Lot single family. | Remove "small lot single- family detached dwellings (3 to 8 unit clusters)" from permitted uses. Not necessary. | Small lot single-family detached dwellings (3 to 8 unit clusters) and attached town houses (zero lot line, 3 to 8 unit clusters). |
| 10.5.020.060 | RH Development standards - Minimum Lot Area. Needs edit. Also needs to remove 'Minimum Site Area' | n/a |
| 10.5.020.060 - Minimum Lot Area | Remove "per dwelling unit" from each column. Not necessary; <i>Suggestion: Move "Not to exceed 25 units per gross acre" underneath "Minimum Lot Area"?</i> | Minimum Lot Area (<i>not to exceed 25 units per gross acre</i>) 1,500 sq. ft. 3,000 sq. ft. etc... |
| 10.5.020.060 - Minimum Site Area... | Remove "Minimum Site Area per Dwelling Unit". Not necessary, conflicts with "Minimum Lot Area" | Strikeout entire row "Minimum Site Area..." |
| 10.5.020.060 - Side yard (interior) | Replace "buildings" with "dwelling units". I assume this is not separation other building types (garage, shed, carport, etc.), permitted or unpermitted The RL zone is absent of this requirement. | "...townhouse building; and 10 ft. separation between buildings-dwelling units ." |
| 10.5.020.060 Design Standards - RH Minimum Density ** | Added narrative to include public easement to be also excluded in calculations for required densities. Also clean up to make sure that all three residential zoning districts have similar language. This could be errors from last code update with Siegel. | "This 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." |

| | | |
|---|--|--|
| 10.5.020.060 Development Standards - RH | Legal lot of record that does not meet the density requirements. See City of Milwaukie Section 19.501.1 Lot Size Exceptions for reference. | Add to table: Any legal lot of record that does not meet the area of dimensional requirements specified in table may be put to a use permitted by the requirements of the code, with the following limitations: Single-family detached dwelling shall not be built on a lot with less than XX sq feet or not more than XX sq feet of lot area. |
| 10.5.020.070 (E) Multiple Buildings on One Lot | Replace "buildings" with "dwelling units". I assume this is not separation other building types (garage, shed, carport, etc.), permitted or unpermitted The RL zone is absent of this requirement. | Multiple Buildings Dwelling Units on One Lot— Separation Between Buildings Dwelling Units, Parking Areas, Walks, and Drives. To provide privacy, light, air, and access to the dwellings within the development, the following minimum standards shall apply: |
| 10.5.020.070 (E)(1) | Replace "buildings" with "dwelling units". I assume this is not separation other building types (garage, shed, carport, etc.), permitted or unpermitted The RL zone is absent of this requirement. | Buildings Dwelling Units with windowed walls facing buildings with windowed walls: 10 feet separation. |
| 10.5.020.070 (E)(3) | Replace "buildings" with "dwelling units". I assume this is not separation other building types (garage, shed, carport, etc.), permitted or unpermitted The RL zone is absent of this requirement. | Buildings Dwelling Units with opposing blank walls: 10 feet separation. |
| 10.5.020.070(E) (2) | Replace "buildings" with "dwelling units". I assume this is not separation other building types (garage, shed, carport, etc.), permitted or unpermitted The RL zone is absent of this requirement. | Buildings Dwelling Units with windowed walls facing buildings with a blank wall: 10 feet separation. |

| | | |
|--|--|---|
| 10.5.020.070(E) (4) | Replace "buildings" with "dwelling units". I assume this is not separation other building types (garage, shed, carport, etc.), permitted or unpermitted The RL zone is absent of this requirement. | Building Dwelling Unit separation shall also apply to building projections such as balconies, bay windows, and room projections. |
| 10.5.020.070(E) (5) | Replace "buildings" with "dwelling units". I assume this is not separation other building types (garage, shed, carport, etc.), permitted or unpermitted The RL zone is absent of this requirement. | Buildings Dwelling Units with courtyards shall maintain separation of opposing walls as listed in paragraphs 1 through 4 above for walls in separate buildings. |
| 10.5.020.070, F | Repetitive statement; already listed in 10.5.020.070, A | 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) |
| 10.5.030.010 Purpose - RH Zone with Comp Plan - Goal 10 Policies #22, c | Municipal Code: "This district implements the RH - High Density Residential Comprehensive Plan designation, which allows for a range of 7 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. Adequate urban services shall be available to all development | This was identified in previous housing code amendments, need to have the two match. |

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| | without exception." Comp Plan: High Density Residential 10-25 units/gross acre | |
| 10.5.030.020(2)(A) | Question: Site Plan Review for all forms of attached single-family housing? (currently required in TDMC for RM zone only) | |
| 10.5.030.020(2)(B)(C) | Add/Modify requirements for Site Plan Review for all multifamily and cottage cluster development | |
| 10.5.030.020(2)(D) - Attached town houses | Remove "attached town houses (zero lot line, 3 to 8 unit clusters)" and replace with single-family attached (townhouse). No cluster definition, townhouse definition defines more than 3 units; why is 3-8 a range? | ...and attached town houses (zero lot line, 3 to 8 unit clusters) single-family attached (townhouses). |
| 10.5.030.020(2)(D) - Small Lot single family. | Remove "small lot single-family detached dwellings (3 to 8 unit clusters)" from permitted uses. Not necessary. | Small lot single-family detached dwellings (3 to 8 unit clusters) and attached town houses (zero lot line, 3 to 8 unit clusters). |
| 10.5.030.060 | RM Development standards - Minimum Lot Area. Needs edit. Also needs to remove 'Minimum Site Area' | n/a |
| 10.5.030.060 - Minimum Lot Area | Remove "per dwelling unit" from each column. Not necessary; <i>Suggestion: Move "Not to exceed 17 units per gross acre" underneath "Minimum Lot Area"?</i> | Minimum Lot Area (<i>not to exceed 17 units per gross acre</i>) 2,000 sq. ft. 5,000 sq. ft. etc... |

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| 10.5.030.060 - Minimum Site Area... | Remove "Minimum Site Area per Dwelling Unit". Not necessary, conflicts with "Minimum Lot Area" | Strikeout entire row "Minimum Site Area..." |
| 10.5.030.060 - Rear Yard setback | Rear yard setback = 5'; misalignment in previous code version, which resulted in 5' rear yard setback; the dimension of the side yard setback one column below; both RL and RH zone have 10' rear yard setback | Rear yard setback: 10 ft |
| 10.5.030.060 - Side yard (interior) | Replace "buildings" with "dwelling units". I assume this is not separation other building types (garage, shed, carport, etc.), permitted or unpermitted The RL zone is absent of this requirement. | "...townhouse building; and 10 ft. separation between buildings dwelling units." |
| 10.5.030.060 Design Standards - RM Minimum Density ** | Added narrative to include public easement to be also excluded in calculations for required densities. Also clean up to make sure that all three residential zoning districts have similar language. This could be errors from last code update with Siegel. | "This 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." |
| 10.5.030.060 Development Standards - RL | Legal lot of record that does not meet the density requirements. See City of Milwaukie Section 19.501.1 Lot Size Exceptions for reference. | Add to table: Any legal lot of record that does not meet the area of dimensional requirements specified in table may be put to a use permitted by the requirements of the code, with the following limitations: Single-family detached dwelling shall not be built on a lot with less than XX sq feet or not more than XX sq feet of lot area. |
| 10.5.030.070 (D) Multiple Buildings on One Lot | Replace "buildings" with "dwelling units". I assume this is not separation other building types (garage, shed, carport, etc.), permitted or | Multiple Buildings Dwelling Units on One Lot— Separation Between Buildings Dwelling Units, Parking Areas, Walks, and Drives. To provide privacy, light, air, and access to the dwellings within the development, the following minimum standards shall apply: |

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| | unpermitted The RL zone is absent of this requirement. | |
| 10.5.030.070 (D)(1) | Replace "buildings" with "dwelling units". I assume this is not separation other building types (garage, shed, carport, etc.), permitted or unpermitted The RL zone is absent of this requirement. | Buildings Dwelling Units with windowed walls facing buildings with windowed walls: 10 feet separation. |
| 10.5.030.070 (D)(3) | Replace "buildings" with "dwelling units". I assume this is not separation other building types (garage, shed, carport, etc.), permitted or unpermitted The RL zone is absent of this requirement. | Buildings Dwelling Units with opposing blank walls: 10 feet separation. |
| 10.5.030.070 (D)(4) | Replace "buildings" with "dwelling units". I assume this is not separation other building types (garage, shed, carport, etc.), permitted or unpermitted The RL zone is absent of this requirement. | Building Dwelling Unit separation shall also apply to building projections such as balconies, bay windows, and room projections. |
| 10.5.030.070 (D)(5) | Replace "buildings" with "dwelling units". I assume this is not separation other building types (garage, shed, carport, etc.), permitted or unpermitted The RL zone is absent of this requirement. | Buildings Dwelling Units with courtyards shall maintain separation of opposing walls as listed in paragraphs 1 through 4 above for walls in separate buildings. |
| 10.5.030.070 (E) | Repetitive statement; already listed in 10.5.030.070, A | 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) |

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| 10.5.030.070, (D)(2) | Replace "buildings" with "dwelling units". I assume this is not separation other building types (garage, shed, carport, etc.), permitted or unpermitted The RL zone is absent of this requirement. | Buildings Dwelling Units with windowed walls facing buildings with a blank wall: 10 feet separation. |
| 10.5.050.030 (19) - Residential in CBC Zone | This language effectively prohibits duplex development unless there is a commercial use on the ground floor. If we could at least remove the language for Sub-districts 1 and 3, I think it would be advantageous. More downtown living could be cool. It may take some discussing, as I'm not sure we would want a brand new SFD downtown, and lacking a minimum density requirement, it'd be difficult to enforce. Could we potential use the following language? | 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. b. Attached town houses (zero lot line, 3-8 unit clusters), allowed only outside Sub-district 2. c. Multifamily dwellings with dwellings on the first floor, allowed only outside Sub-district 2. Option #2: 19. Residential uses as follows: a. 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. |
| 10.6.030.020 Accessory Development & 10.6.030.050 Accessory Dwellings | Would like to discuss and look at possibly having consistent reductions for setbacks for all detached accessory development. Concerns with future conversions of detached accessory garages to ADU's. | |
| 10.6.120.040 (F) | Remove: "Garages and Carports..." | Neighborhood Compatibility? Can we (or do we want to) require someone to build a carport/garage in RL and RH zones. Requirement does not exist in the RM zone. |
| 11.12.050 (A)(3) | \$85 is now required; currently TDMC states that no application fee will be charged | No application fee will be charged for either application. |

