



## 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

CITY HALL COUNCIL CHAMBERS  
313 COURT SREET  
THE DALLES, OREGON 97058  
CONDUCTED IN A MEETING ROOM IN COMPLIANCE WITH ADA STANDARDS  
**THURSDAY, DECEMBER 5, 2019**  
**6:00 P.M.**

### CALL TO ORDER

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

### ROLL CALL

Commissioners Present: Brent Bybee, Cody Cornett, Bruce Lavier, Steve Ross and Jeff Stiles

Commissioners Absent: Sherry DuFault and Mark Poppoff

Staff Present: Director Steve Harris and Senior Planner Dawn Marie Hert

### APPROVAL OF AGENDA

The Agenda was amended to correct Agenda Item VI. Section 10.3.030.030 (K), should read Section 10.3.030.020 (K).

It was moved by Bybee and seconded by Cornett to approve the Agenda of December 5, 2019, as amended. The motion passed 5/0; Bybee, Cornett, Lavier, Ross and Stiles in favor, none opposed, DuFault and Poppoff absent.

### APPROVAL OF MINUTES

It was moved by Cornett and seconded by Ross to approve the Minutes of October 3, 2019, as written. The motion passed 5/0; Bybee, Cornett, Lavier, Ross and Stiles in favor, none opposed, DuFault and Poppoff absent.

### PUBLIC COMMENT

None.

### LEGISLATIVE HEARING

#### Zoning Ordinance Amendment 101-19, City of The Dalles

Request: To expand *The Dalles Municipal Code, Title 10 – Land Use and Development, Section 10.3.030.020 (K) Emergency Management and Response Plans* to provide language that requires development over 20,000 square feet and/or renewable energy projects to verify that the fire

department has appropriate equipment, training, and personnel to respond to emergency incidents.

Chair Lavier read the rules of a public hearing. He then asked the Commission if they had any ex parte contact, conflict of interest, or bias that would prevent an impartial decision. Hearing none, Chair Lavier opened the public hearing at 6:05 p.m.

Senior Planner Hert presented the staff report.

Commission discussion included:

- Large industrial developments increasing demand on fire department resources
- Applicants will work with Mid-Columbia Fire and Rescue (MCFR) to ensure adequate resource requirements are met
- This requirement affects structures of 20,000 square feet or more

Chair Lavier invited testimony.

Robert Palmer, Fire Chief, Mid-Columbia Fire and Rescue, 1400 W. 8<sup>th</sup> Street

Chief Palmer provided an overview of the fire district. The district covers 110 square miles. In 2018 the district responded to almost 3,000 calls for service.

MCFR must have adequate resources to protect the community. Reduced personnel and recent commercial development have impacted their ability to provide service.

Commissioner Poppoff arrived at 6:18 p.m.

MCFR follows the NFPA standard for staffing. The title page and pertinent sections are attached as Exhibit A. A complete copy of the *NFPA 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and special Operations to the Public by Career Fire Departments* is on file in the Community Development Department.

During discussion, Chief Palmer said renewable energy projects bring different requirements for fire suppression. Commission consensus was to remove the word “renewable” from the proposed amendment.

It was moved by Cornett and seconded by Poppoff to recommend City Council approval of the proposed amendment with removal of the word “renewable.” The motion passed 6/0; Bybee, Cornett, Lavier, Poppoff, Ross and Stiles in favor, none opposed, DuFault absent.

The public hearing closed at 6:28 p.m.

## **RESOLUTION**

Resolution PC 587-19: Recommendation for City Council approval of an amendment to The Dalles Municipal Code, Title 10 – Land Use and Development

It was moved by Ross and seconded by Bybee to approve Resolution PC 587-19 recommending City Council approval of the amendment to The Dalles Municipal Code, Title 10 – Land Use and Development, with removal of the word “renewable.” The motion passed 6/0; Bybee, Cornett, Lavier, Poppoff, Ross and Stiles in favor, none opposed, DuFault absent.

## **STAFF COMMENTS**

Director Harris stated the next regularly scheduled meeting was December 19, 2019; there were no public hearings scheduled. The subsequent meeting, January 2, 2019, had nothing scheduled. Commission consensus was to cancel those meetings.

Staff is working with Northern Wasco County Parks and Recreation (NWPRD) regarding their recently adopted Master Plan; this is considered a supporting document for the City's Comprehensive Plan. Due to NWPRD's use of an updated standard (park acreage per 1,000 population), the Comprehensive Plan policy language requires an amendment. This topic will go before the Planning Commission in January.

Results of the public hearing on Code Amendments for residential development were forwarded to, and adopted by, City Council.

The updated document, "Guidance on Implementing the Accessory Dwelling Units (ADU) Requirement," was provided by the Oregon Department of Land Conservation and Development, Exhibit B.

Staff presented the new Short Term Rental ordinance at the last City Council meeting. The ordinance was referred back to staff and will return to City Council at a later date.

Staff will present a new Mobile Food Vendors ordinance to City Council on December 9, 2019.

The Land Use Board of Appeals (LUBA) ruled in favor of the City for Adjustment 18-037. Mr. and Mrs. Hunt stated they would not appeal.

The Urban Renewal Agency received two proposals in response to the RFP issued for the Tony's Building. The proposal by The Dalles Fitness Hub was approved.

A bid opening is scheduled Monday, December 9, 2019, for the Feasibility Study for undergrounding of utilities in the downtown area.

Controlled demolition work and weatherization was completed on the Recreation Building. The engineer's report stated the cause of collapse was due to overall age and deterioration of the structure. When the bowling alley was installed in 1958, a number of supporting columns were removed and a bowstring truss was installed. Over time, deterioration and movement affected the truss; the storm in August contributed to the collapse.

Staff will prepare a year end summary of applications and activities in January.

#### **COMMISSIONER COMMENTS OR QUESTIONS**

None.

#### **ADJOURNMENT**

Chair Lavier adjourned the meeting at 6:43 p.m.

Respectfully Submitted  
Paula Webb, Secretary  
Community Development Department

  
\_\_\_\_\_  
Bruce Lavier, Chair

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# NFPA® 1710

## Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments

### 2016 Edition



NFPA, 1 Batterymarch Park, Quincy, MA 02169-7471  
An International Codes and Standards Organization

be made available, availability of interoperable communications, and the designation of the incident commander.

**4.8.2** Procedures and training of personnel for all fire departments in mutual aid, automatic aid, and fire protection agreement plans shall be comprehensive to produce an effective fire force and to ensure uniform operations.

## Chapter 5 Fire Department Services

### 5.1 Purpose.

**5.1.1** The services provided by the fire department shall include those activities identified by the organizational statement developed as required by Chapter 4.

**5.1.2** The procedures involved in providing these services, including operations and deployment, shall be established through written administrative regulations, standard operating procedures (SOPs), and departmental orders.

### 5.2\* Fire Suppression Services.

#### 5.2.1 Fire Suppression Capability.

**5.2.1.1** Fire suppression operations shall be organized to ensure that the fire department's fire suppression capability encompasses deployment of personnel, equipment, and resources for an initial arriving company, the initial full alarm assignment, and additional alarm assignments.

**5.2.1.2** The fire department shall be permitted to use established automatic aid and mutual aid agreements to comply with the requirements of Section 5.2.

**5.2.2\* Staffing.** The number of on-duty fire suppression members shall be sufficient to perform the necessary fire-fighting operations given the expected fire-fighting conditions.

**5.2.2.1** These numbers shall be determined through task analyses that take the following factors into consideration:

- (1) Life hazard to the populace protected
- (2) Provisions of safe and effective fire-fighting performance conditions for the fire fighters
- (3) Potential property loss
- (4) Nature, configuration, hazards, and internal protection of the properties involved
- (5) Types of fireground tactics and evolutions employed as standard procedure, type of apparatus used, and results expected to be obtained at the fire scene

**5.2.2.2\*** On-duty members assigned to fire suppression shall be organized into company units and shall have appropriate apparatus and equipment assigned to such companies.

**5.2.2.2.1\*** The fire department shall identify minimum company staffing levels as necessary to meet the deployment criteria required in 5.2.4 to ensure that a sufficient number of members are assigned, on duty, and available to safely and effectively respond with each company.

**5.2.2.2.2** Each company shall be led by an officer who shall be considered a part of the company.

**5.2.2.2.3\*** Supervisory chief officers shall be dispatched or notified to respond to all full alarm assignments.

**5.2.2.2.4** The supervisory chief officer shall ensure that the incident management system is established as required in Section 6.2.

**5.2.2.2.5\*** Supervisory chief officers shall have staff aides deployed to them for purposes of incident management and accountability at emergency incidents.

**5.2.3 Operating Units.** Fire company staffing requirements shall be based on minimum levels necessary for safe, effective, and efficient emergency operations.

**5.2.3.1** Fire companies whose primary functions are to pump and deliver water and perform basic fire fighting at fires, including search and rescue, shall be known as engine companies.

**5.2.3.1.1** These companies shall be staffed with a minimum of four on-duty members.

**5.2.3.1.2** In jurisdictions with a high number of incidents or geographical restrictions, as identified by the AHJ, these companies shall be staffed with a minimum of five on-duty members.

**5.2.3.1.2.1** In jurisdictions with tactical hazards, high-hazard occupancies, or dense urban areas, as identified by the AHJ, these fire companies shall be staffed with a minimum of six on-duty members.

**5.2.3.2** Fire companies whose primary functions are to perform the variety of services associated with truck work, such as forcible entry, ventilation, search and rescue, aerial operations for water delivery and rescue, utility control, illumination, overhaul, and salvage work, shall be known as ladder or truck companies.

**5.2.3.2.1** These fire companies shall be staffed with a minimum of four on-duty members.

**5.2.3.2.2** In jurisdictions with a high number of incidents or geographical restrictions, as identified by the AHJ, these fire companies shall be staffed with a minimum of five on-duty members.

**5.2.3.2.2.1** In jurisdictions with tactical hazards, high-hazard occupancies, or dense urban areas, as identified by the AHJ, these fire companies shall be staffed with a minimum of six on-duty members.

#### 5.2.3.3 Other Types of Companies.

**5.2.3.3.1** Other types of companies equipped with specialized apparatus and equipment shall be provided to assist engine and ladder companies where necessary to support the fire departments' SOPs.

**5.2.3.3.2** These companies shall be staffed with the minimum number of on-duty members required to deal with the tactical hazards, high-hazard occupancies, high incident frequencies, geographical restrictions, or other pertinent factors as identified by the AHJ.

#### 5.2.3.4 Fire Companies with Quint Apparatus.

**5.2.3.4.1** A fire company that deploys with quint apparatus, designed to operate as either an engine company or a ladder company, shall be staffed as specified in 5.2.3.

**5.2.3.4.2** If the company is expected to perform multiple roles simultaneously, additional staffing, above the levels specified in 5.2.3, shall be provided to ensure that those operations can be performed as required.

### 5.2.4 Deployment.

#### 5.2.4.1 Single-Family Dwelling Initial Full Alarm Assignment Capability.

**5.2.4.1.1\*** The initial full alarm assignment to a structure fire in a typical 2000 ft<sup>2</sup> (186 m<sup>2</sup>), two-story single-family dwelling





without basement and with no exposures shall provide for the following:

- (1) Establishment of incident command outside of the hazard area for the overall coordination and direction of the initial full alarm assignment with a minimum of one member dedicated to this task
- (2) Establishment of an uninterrupted water supply of a minimum of 400 gpm (1520 L/min) for 30 minutes with supply line(s) maintained by an operator
- (3) Establishment of an effective water flow application rate of 300 gpm (1140 L/min) from two handlines, each of which has a minimum flow rate of 100 gpm (380 L/min) with each handline operated by a minimum of two members to effectively and safely maintain the line
- (4) Provision of one support member for each attack and backup line deployed to provide hydrant hookup and to assist in laying of hose lines, utility control, and forcible entry
- (5) Provision of at least one victim search and rescue team with each such team consisting of a minimum of two members
- (6) Provision of at least one team, consisting of a minimum of two members, to raise ground ladders and perform ventilation
- (7) If an aerial device is used in operations, one member to function as an aerial operator to maintain primary control of the aerial device at all times
- (8) Establishment of an IRIC consisting of a minimum of two properly equipped and trained members

**5.2.4.1.2** When an incident escalates beyond an initial full alarm assignment, or when significant risk is present to the member due to the magnitude of the incident, the incident commander shall request an EMS crew consisting of a minimum of two members to provide treatment and transport for injured members and civilians.

**5.2.4.1.3** When an incident escalates beyond an initial full alarm assignment or when significant risk is present to the members due to the magnitude of the incident, the incident commander shall upgrade the IRIC to a full rapid intervention crew (s) (RIC) that consists of an officer and at least three members who are fully equipped and trained in RIC operations.

#### **5.2.4.2 Open-Air Strip Shopping Center Initial Full Alarm Assignment Capability.**

**5.2.4.2.1\*** The initial full alarm assignment to a structure fire in a typical open-air strip shopping center ranging from 13,000 ft<sup>2</sup> to 196,000 ft<sup>2</sup> (1203 m<sup>2</sup> to 18,209 m<sup>2</sup>) in size shall provide for the following:

- (1) Establishment of incident command outside the hazard area for the overall coordination, direction, and safety of the initial full alarm assignment with a minimum of two members dedicated to managing this task.
- (2) Establishment of two uninterrupted water supplies at a minimum of 500 gpm (1892 L/min), with each supply line maintained by an operator.
- (3) Establishment of an effective water flow application rate of 500 gpm (1892 L/min) from three handlines, each of which has a minimum flow rate of 150 gpm (568 L/min), with each handline operated by a minimum of two members to effectively and safely maintain each handline.
- (4) Provision of one support member for each attack, backup, and exposure line deployed to provide hydrant hookup and to assist in laying of hose lines, utility control, and forcible entry.

- (5) Provision of at least two victim search-and-rescue teams, each team consisting of a minimum of two members.
- (6) Provision of at least two teams, each team consisting of a minimum of two members, to raise ground ladders and perform ventilation.
- (7) If an aerial device(s) is used in operations, one member to function as an aerial operator and maintain primary control of the aerial device at all times.
- (8) The establishment of an RIC consisting of an officer and at least three members who are fully equipped and trained in RIC operations.
- (9) The establishment of an initial medical care component consisting of at least two members capable of providing immediate on-scene emergency medical support and transport that provides rapid access to civilians or members potentially needing medical treatment. Where this level of emergency medical care is provided by outside agencies or organizations, these agencies and organizations shall be included in the deployment plan and meet these requirements.

#### **5.2.4.3 Apartment Initial Full Alarm Assignment Capability.**

**5.2.4.3.1** The initial full alarm assignment to a structure fire in a typical 1200 ft<sup>2</sup> (111 m<sup>2</sup>) apartment within a three-story, garden-style apartment building shall provide for the following:

- (1) Establishment of incident command outside the hazard area for the overall coordination, direction, and safety of the initial full alarm assignment with a minimum of two members dedicated to managing this task.
- (2) Establishment of two uninterrupted water supplies at a minimum of 400 gpm (1520 L/min), with each supply line maintained by an operator.
- (3) Establishment of an effective water flow application rate of 300 gpm (1140 L/min) from three handlines, each of which has a minimum flow rate of 100 gpm (380 L/min), with each handline operated by a minimum of two members to effectively and safely maintain each handline.
- (4) Provision of one support member for each attack, backup, and exposure line deployed to provide hydrant hookup and to assist in laying of hose lines, utility control, and forcible entry.
- (5) Provision of at least two victim search-and-rescue teams, each team consisting of a minimum of two members.
- (6) Provision of at least two teams, each team consisting of a minimum of two members, to raise ground ladders and perform ventilation.
- (7) If an aerial device is used in operations, one member to function as an aerial operator and maintain primary control of the aerial device at all times.
- (8) The establishment of an RIC consisting of an officer and at least three members who are fully equipped and trained in RIC operations.
- (9) The establishment of an initial medical care component consisting of at least two members capable of providing immediate on-scene emergency medical support, and transport that provides rapid access to civilian or members potentially needing medical treatment. Where this level of emergency medical care is provided by outside agencies or organizations, those agencies and organizations must be included in the deployment plan and meet these requirements.

#### **5.2.4.4\* High-Rise Initial Full Alarm Assignment Capability.**

**5.2.4.4.1** Initial full alarm assignment to a fire in a building with the highest floor greater than 75 ft (23 m) above the

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**GUIDANCE ON IMPLEMENTING  
THE ACCESSORY DWELLING UNITS (ADU) REQUIREMENT  
UNDER OREGON SENATE BILL 1051  
UPDATED TO INCLUDE HB 2001 (2019)**



*M. Klepinger's backyard detached ADU, Richmond neighborhood, Portland, OR.  
(Photo courtesy of Ellen Bassett and [accessorydwellings.org](http://accessorydwellings.org).)*

**OREGON DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**

**MARCH 2018, updated SEPTEMBER 2019**



## Introduction

As housing prices in Oregon go up, outpacing employment and wage growth, the availability of affordable housing is decreasing in cities throughout the state. While Oregon's population continues to expand, the supply of housing, already impacted by less building during the recession, has not kept up. To address the lack of housing supply, House Speaker Tina Kotek introduced House Bill (HB) 2007 during the 2017 legislative session to, as she stated, "remove barriers to development." Through the legislative process, legislators placed much of the content of HB 2007 into Senate Bill (SB) 1051, which then passed, and was signed into law by Governor Brown on August 15, 2017 (codified in amendments to Oregon Revised Statute 197.312). In addition, a scrivener's error<sup>1</sup> was corrected through the passage of HB 4031 in 2018.

Among the provisions of SB 1051 and HB 4031 is the requirement that cities and counties of a certain population allow accessory dwelling units (ADUs) as described below:

- a) A city with a population greater than 2,500 or a county with a population greater than 15,000 shall allow in areas within the urban growth boundary that are zoned for detached single-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.*
- b) As used in this subsection, "accessory dwelling unit" means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.*

This requirement became effective on July 1, 2018 and subject cities and counties must now accept applications for ADUs inside urban growth boundaries (UGBs).

On August 8, 2019, Governor Brown signed HB 2001, which established that off-street parking and owner-occupancy requirements are not "reasonable local regulations relating to siting and design." This means that, even if a local development code requires off-street parking and owner-occupancy, as of January 1, 2020, local jurisdictions may not mandate off-street parking spaces for ADUs nor require a property owner to live in either a primary or

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<sup>1</sup> The scrivener's error in SB 1051 removed the words "within the urban growth boundary." HB 4031 added the words into statute and thus limited the siting of ADUs to within UGBs. As a result, land within a city with a population greater than 2,500 but that is not within a UGB is not required by this law to be zoned to allow accessory dwelling units. For counties with a population greater than 15,000, only those unincorporated areas within a UGB are required by this law to be zoned to allow accessory dwelling units.

accessory dwelling. The law provides an exception for ADUs that are used as vacation rentals, which may be mandated to provide off-street parking or have owner-occupancy requirements.

Some local governments in Oregon already have ADU regulations that meet the requirements of SB 1051 and HB 2001, however, many do not. Still others have regulations that, given the overall legislative direction to encourage the construction of ADUs to meet the housing needs of Oregon's cities, are not "reasonable." The Oregon Department of Land Conservation and Development (DLCD) is issuing this guidance and model code language to help local governments comply with the legislation. The model code language is included at the end of this document.

#### **Guidance by Topic**

The purpose of the following guidance is to help cities and counties implement the ADU requirement in a manner that meets the letter and spirit of the law: to create more housing in Oregon by removing barriers to development.

#### *Number of Units*

The law requires subject cities and counties to allow "at least one accessory dwelling unit for each detached single-family dwelling." While local governments must allow one ADU where required, DLCD encourages them to consider allowing two units. For example, a city or county could allow one detached ADU and allow another as an attached or interior unit (such as a basement conversion). Because ADUs blend in well with single-family neighborhoods, allowing two units can help increase housing supply while not having a significant visual impact. Vancouver, BC is a successful example of such an approach.

#### *Siting Standards*

In order to simplify standards and not create barriers to development of ADUs, DLCD recommends applying the same or less restrictive development standards to ADUs as those for other accessory buildings. Typically that would mean that an ADU could be developed on any legal lot or parcel as long as it met the required setbacks and lot coverage limits; local governments should not mandate a minimum lot size for ADUs. So that lot coverage requirements do not preclude ADUs from being built on smaller lots, local governments should review their lot coverage standards to make sure they don't create a barrier to development. Additionally, some jurisdictions allow greater lot coverage for two ADUs. To address storm water concerns, consider limits to impermeable surfaces rather than simply coverage by structures.

Any legal nonconforming structure (such as a house or outbuilding

that doesn't meet current setback requirements) should be allowed to contain, or be converted to, an ADU as long as the development does not increase the nonconformity and it meets building and fire code.

#### *Design Standards*

Any design standards required of ADUs must be clear and objective (ORS 197.307[4]). Clear and objective standards do not contain words like "compatible" or "character." With the exception of ADUs that are in historic districts and must follow the historic district regulations, DLCD does not recommend any special design standards for ADUs. Requirements that ADUs match the materials, roof pitch, windows, etc. of the primary dwelling can create additional barriers to development and sometimes backfire if the design and materials of the proposed ADU would have been of superior quality to those of the primary dwelling, had they been allowed. Other standards, such as those that regulate where entrances can be located or require porches and covered entrances, can impose logistical and financial barriers to ADU construction.

#### *Public Utilities*

Development codes that require ADUs to have separate sewer and water connections create barriers to building ADUs. In some cases, a property owner may want to provide separate connections, but in other cases doing so may be prohibitively expensive.

#### *System Development Charges (SDCs)*

Local governments should consider revising their SDC ordinances to match the true impact of ADUs in order to remove barriers to their development. In fact, HB 2001, passed by the Oregon Legislature in 2019, requires local governments to consider ways to increase the affordability of middle housing types through ordinances and policies, including waiving or deferring system development charges. ADUs are not a middle housing type, but if a local government is reviewing its SDCs for middle housing, that would be a good time to review ADU SDCs as well. ADUs are generally able to house fewer people than average single-family dwellings, so their fiscal impact would be expected to be less than a single-family dwelling. Accordingly, it makes sense that they should be charged lower SDCs than primary detached single-family dwellings. Waiving SDCs for ADUs has been used by some jurisdictions to stimulate the production of more housing units.

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## Accessory Dwellings (model code)

**Note:** ORS 197.312 requires that at least one accessory dwelling be allowed per detached single-family dwelling in every zone within an urban growth boundary that allows detached single-family dwellings. The statute does not allow local jurisdictions to include off-street parking nor owner-occupancy requirements. Accessory dwellings are an economical way to provide additional housing choices, particularly in communities with high land prices or a lack of investment in affordable housing. They provide an opportunity to increase housing supply in developed neighborhoods and can blend in well with single-family detached dwellings. Requirements that accessory dwellings have separate connections to and pay system development charges for water and sewer services can pose barriers to development. Concerns about neighborhood compatibility and other factors should be considered and balanced against the need to address Oregon's housing shortage by removing barriers to development.

The model development code language below provides recommended language for accessory dwellings. The italicized sections in brackets indicate options to be selected or suggested numerical standards that communities can adjust to meet their needs. Local housing providers should be consulted when drafting standards for accessory dwellings, and the following standards should be tailored to fit the needs of your community.

Accessory dwellings, where allowed, are subject to review and approval through a Type I procedure[, pursuant to Section \_\_\_\_\_,] and shall conform to all of the following standards:

**[A. One Unit.** *A maximum of one Accessory Dwelling is allowed per legal single-family dwelling. The unit may be a detached building, in a portion of a detached accessory building (e.g., above a garage or workshop), or a unit attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).*

/

**A. Two Units.** *A maximum of two Accessory Dwellings are allowed per legal single-family dwelling. One unit must be a detached Accessory Dwelling, or in a portion of a detached accessory building (e.g., above a garage or workshop), and one unit must be attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).]*

### **B. Floor Area.**

1. A detached Accessory Dwelling shall not exceed [800-900] square feet of floor area, or [75-85] percent of the primary dwelling's floor area, whichever is smaller.
2. An attached or interior Accessory Dwelling shall not exceed [800-900] square feet of floor area, or [75-85] percent of the primary dwelling's floor area, whichever is smaller. However, Accessory Dwellings that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the Accessory Dwelling would be more than [800-900] square feet.

**C. Other Development Standards.** Accessory Dwellings shall meet all other development standards (e.g., height, setbacks, lot coverage, etc.) for buildings in the zoning district, except that:

1. Conversion of an existing legal non-conforming structure to an Accessory Dwelling is allowed, provided that the conversion does not increase the non-conformity;

2. No off-street parking is required for an Accessory Dwelling;
3. Properties with two Accessory Dwellings are allowed [10-20%] greater lot coverage than that allowed by the zone in which they are located; and
4. Accessory dwellings are not included in density calculations.

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**Definition** (This should be included in the “definitions” section of the zoning ordinance. It matches the definition for Accessory Dwelling found in ORS 197.312)

**Accessory Dwelling** – An interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling.