MINUTES

PLANNING COMMISSION MEETING

March 18, 2021 5:30 p.m.

VIA ZOOM

PRESIDING: Brent Bybee, Chair

COMMISSIONERS PRESENT: Karly Aparicio, Alan Easling, Philip Mascher, Linda

Miller, Mark Poppoff

COMMISSIONERS ABSENT: Cody Cornett

STAFF PRESENT: Director Alice Cannon, City Attorney Jonathan Kara,

Senior Planner Dawn Marie Hert, Associate Planner Joshua

Chandler, Secretary Paula Webb

CALL TO ORDER

The meeting was called to order by Chair Bybee at 5:33 p.m.

PLEDGE OF ALLEGIANCE

Chair Bybee led the Pledge of Allegiance.

APPROVAL OF AGENDA

It was moved by Miller and seconded by Bybee to approve the agenda as submitted. The motion carried 6 to 0; Aparicio, Bybee, Easling, Mascher, Miller and Poppoff voting in favor, Cornett absent, none opposed.

APPROVAL OF MINUTES

It was moved by Easling and seconded by Aparicio to approve the minutes of February 18, 2021 as submitted. The motion carried 6 to 0; Aparicio, Bybee, Easling, Mascher, Miller and Poppoff voting in favor, Cornett absent, none opposed.

PUBLIC COMMENT

Danielle Minton, MPM Hotels, 2750 SW Lars Terrace, Beaverton, OR 97003

Ms. Minton stated she was in attendance for the public hearing. Chair Bybee stated she could comment during the hearing.

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STAFF COMMENTS / PROJECT UPDATES

Director Cannon stated the decision was received for the Legacy subdivision appeal [SUB 74-19, APL 031-20] submitted to the Land Use Board of Appeals (LUBA). The decision was reversed by LUBA. The right to appeal to the Court of Appeals was not exercised. The decision is now final. The subdivision was approved with the conditions of approval submitted by the Planning Commission to the City Council. Director Cannon requested Commission or citizen questions be directed to the Community Development Department staff. Director Cannon noted she had never seen a decision reversed by LUBA. Typically, LUBA directs the decision back to the deciding body for correction.

At the direction of City Council, staff will bring forward transitional housing code amendment options for consideration by the Planning Commission. There currently is no allowance of any kind to address or allow transitional housing.

COMMISSIONER COMMENTS / QUESTIONS

Commissioner Poppoff requested an update on the Recreation building. Director Cannon replied engineering has been completed and revised plans have been submitted.

Commissioner Mascher requested an update on the Tony's building. Director Cannon replied the Urban Renewal Agency Board directed staff to prepare documents for demolition to make way for a shovel-ready development site for mixed use and additional housing. Costs for the demolition, estimated between \$200,000 and \$250,000, will be covered by Urban Renewal.

QUASI-JUDICIAL PUBLIC HEARING

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

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

Chair Bybee read the rules of a public hearing. He then asked if any Commissioner had ex parte contact, conflict of interest or bias which would prevent an impartial decision. Hearing none, Chair Bybee opened the public hearing at 5:59 p.m.

Associate Planner Chandler provided the staff report, Exhibit 1.

Director Cannon noted the applicant should have the opportunity to comment following presentation of the staff report.

Commissioner Miller asked if Chevron commented on the application. Chandler replied the sign is for a new product in the Chevron convenience store.

Commissioner Poppoff asked if strong winds would affect the sign. Chandler replied that question would be addressed by Wasco County Building Codes.

Chair Bybee invited testimony from proponents and opponents. There was none.

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Chair Bybee closed the public hearing at 6:19 p.m.

Commissioner Mascher stated it was clear the application did not meet the criteria.

Commissioner Aparacio thanked staff for a thorough, detailed review. If this variance was approved, additional requests similar in nature could be expected.

It was moved by Mascher and seconded by Easling for denial of Variance 129-21, a request to install an additional sign on an existing freestanding sign, resulting in the total sign area exceeding the maximum allowed size of the subject property. The motion carried 6 to 0; Aparicio, Bybee, Easling, Mascher, Miller and Poppoff voting in favor, Cornett absent, none opposed.

RESOLUTION

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

Due to an error, the resolution was postposed to a future meeting.

DISCUSSION ITEM

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

Senior Planner Hert directed attention to the Angelo Planning Group's memorandum dated March 11, 2021 detailing Batch 3 recommendations. Batch 2 will be summarized followed by work on Batch 3 consisting of code recommendations that assist in additional housing options, removal of existing barriers and consideration of less traditional housing types. Hert noted comments submitted by Charlie Foote and Ed Devlaeminck were received March 18, 2021. Those comments will be distributed to the Planning Commission and are included here in Exhibit 2.

Matt Hastie, Angelo Planning Group (APG), said tonight's focus would cover Batch 3 of the proposed code amendments, Exhibit 3. APG's next step is to return with a combined set of revised code amendments with combined feedback from the Planning Commission. After further review, the amendments will go through the adoption process with the Planning Commission and City Council. The goal is to complete the process by the end of May.

Hastie provided a brief update on the Online Open House/Survey results. Hastie noted survey responses were largely supportive of more housing, particularly middle housing, multi-family housing/apartments and affordable housing. The highest ranked housing objectives included homeownership opportunities and affordable housing.

Batch 1 and 2 Update Revisions

Hastie briefly discussed analysis of impacts of increasing minimum lot size for single-family detached in the High Density Residential (RH) and Medium Density Residential (RM) zones,

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noting that existing lots that are below the proposed minimum lot size increase represent a relatively small portion of all lots (1% for RH, 12% for RM) in both zones and that most of them are already developed or undevelopable.

Nate Stice asked about underdeveloped lots that could potentially be subdivided. Stice sees several "double yards" throughout town and wonders if those could be partitioned and accommodate small lot sizes (i.e., 1,500 or 2,000 sq. ft.). The lot size analysis did not take into account potential subdivisions of larger lots into those smaller lots. Stice suggested it is not capturing the full net impact of the policy change of lot size increases.

Hastie replied they did not look at those numbers. In this case, a property owner could not partition an existing lot to less than minimum lot size and develop a single family detached (SFD) dwelling or duplex (i.e., for newly created lots).

Chair Bybee clarified in the RH zone, a 2,500 sq. ft. lot would be required for two homes on the same parcel; 4,000 sq. ft. would be required for two homes in the RM zone. Hastie agreed. Above that, any additional housing units in the RH zone would be at 1,500 sq. ft. per unit, in the RM zone 2,000 sq. ft. per unit.

Senior Planner Hert noted non-conforming lots of record would allow development of SFD or duplexes (i.e., existing lots that are below minimum lot size, created before code changes).

Director Cannon stated it is still staff's recommendation that the RH minimum lot size be changed to 2,500 sq. ft., and RM minimum lot size to 4,000 sq. ft.

Commissioner Mascher asked whether the main reason to increase minimum lot size is to comply with duplexes being allowed on existing lots. Hastie replied that was correct.

Director Cannon explained staff's rationale for the recommendation. In October 2019, staff recommended and the Planning Commission and City Council approved, lowering minimum lot size in the RH zone to 1,500 sq. ft. and 2,000 sq. ft. in the RM zone. With new laws in effect due to HB 2001, the City is now in the position of saying an applicant must fit a duplex on a 1,500 sq. ft. lot. Although possible, the duplex size and parking would be difficult. Larger lot sizes would be more accommodating while remaining in the character of The Dalles.

Mascher noted one of the objectives was to increase density to allow more growth within the Urban Growth Boundary (UGB). If the minimum lot size is increased, is the Commission undoing what was intended while not fulfilling the ultimate objective of increasing urban density within the UGB? Commissioner Poppoff stated even with the increased lot size, theoretically, the population of The Dalles could be doubled or tripled.

Hastie replied the decreased minimum lot size for other housing types, i.e. triplexes and quadplexes, will help offset the increase in lot size for SFD for RM and RH zones; the proposed minimum lot size change is still small for SFD.

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Commission consensus was in favor of staff's recommendation for lot size changes.

Associate Planner Chandler recommended revising "attached two-family dwellings" to "attached duplexes" to have consistent terminology in Design Standards, subsection F.

Code Update Batch 3 – Container and Tiny Homes

Hastie discussed the possibility of defining intermodal container homes and tiny homes separately from single-family detached dwellings, and permitting these housing types outright in all residential zones. Senior Planner Hert stated container homes are currently prohibited in residential zones. Hastie asked whether the City should have separate definitions for these housing types and if there are building code or design issues with these housing types.

Hert noted that manufactured homes often require upgrades to meet the minimum six design standards. These requirements could increase costs to homeowners and developers.

Chair Bybee asked what design standard challenges a container home could face. Chandler replied high end models could probably meet design standards. High end models are in the \$150,000 to \$200,000 price range, not including land. Standard models, less than \$150,000 in cost, would probably have difficulty meeting minimum design standards. Hert added that bay/bow windows, window sills, roof pitches, and siding material are design features that container homes usually do not meet or face difficulty meeting. Hert reiterated adding these features could add considerable costs.

Commissioner Poppoff added that there would be building code upgrades required for a container home. Container homes are not an economy housing solution comparable to a modular or mobile homes.

Chair Bybee asked if staff was referring to a pre-fab designer that creates the homes. Chandler replied there are nice models available. However, many are missing exterior window sills, bay or bow windows, commercially available siding and roof pitch.

Commissioner Easling thought container homes could look poorly in design standards were not kept. Chair Bybee felt they should be allowed if they met design standards.

Commissioner Aparacio asked if it was intentional that container homes were not allowed by the code, or if it was a new style of housing the Code had not met. Hert replied it was a mix of both. The City received complaints from property owners when containers began popping up, typically without any aesthetic improvements. In response, the City prohibited containers in residential areas. The Code was later expanded to allow containers in General Commercial and Industrial zones.

Director Cannon cautioned containers could show up in neighborhoods as accessory storage units. Without design standards, containers can be unsightly. In Cannon's opinion, containers as

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housing add an edgier character to the City. The Commission should consider the desired character of the City when allowing different housing types. Cannon noted the Commission could direct staff to revisit this topic in more detail at a later date.

Commission consensus was to revisit container homes at a later date. Chair Bybee noted different design standards may be applied. Commissioner Poppoff leaned toward retaining the existing standards. Commissioner Aparacio anticipated significant input from the community may require additional time for discussion. Commissioner Mascher thought container housing should be allowed, but implementation should be thoughtfully considered.

Hastie stated container homes would be removed from this update. He noted the next online outreach opportunity could gauge community interest in container homes. Also, the final report could provide additional information about this topic to inform future community discussions and potential code update processes.

Code Update Batch 3 – Lot Size Changes

Hastie discussed recommended code updates to reduce minimum lot width to 50 feet for triplexes and above in RH and RM zones, and reducing maximum height to 35 feet for triplexes and quadplexes. He described how Cascadia Partners noticed many existing lots were 50 feet wide; a larger width requirement may preclude redevelopment of triplexes and quadplexes in existing neighborhoods. In addition, a lower maximum height and pitched roofs will help these housing types be more compatible with neighboring single-family and duplex housing. Hert noted the City allows flat roofs in residential zones. Hastie suggested to help control massing, the City may want to consider requiring pitched roofs for housing exceeding 25 feet in height.

Commissioner Poppoff commented that reduced height for triplexes and quadplexes makes sense when building in a developed area.

Commissioner Easling asked if the fire department had or would have any input on the height change. Commissioner Poppoff noted that their largest ladder truck has a 100 foot reach. Hert noted the fire department has specific fire/life/safety requirements in terms of water, whether it be a sprinkler or fire suppression system for multi-family construction. Chandler added the main requirement is fire department apparatus needs to be within 150 feet of all sides of the building.

Commission consensus supported a reduced maximum height and reduced lot width.

<u>Code Update Batch 3</u> – Parking for row houses/townhomes

Hastie described the code update recommendation to reduce minimum parking requirements to one space per unit for single-family attached or townhomes.

Commissioner Poppoff thought the City should keep the requirement at two spaces per dwelling unit. Commissioner Miller agreed.

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Commissioner Mascher thought it made sense to treat duplex and townhome parking consistently, one space per unit. Commissioner Aparacio thought it was problematic to require two different parking standards for functionally similar housing types.

Chair Bybee stated he would support a middle ground between existing requirements and the recommended update in order to allow more land area for development.

Mr. Stice noted more parking equals less housing, but agreed parking would be a big issue.

Commissioner Easling did not agree with the state mandate. He noted row houses or townhomes removed available on-street parking by providing additional driveways for off-street parking.

Stice stated market demand will determine parking provision for developments. Landowners and developers have the option to provide more parking beyond the minimum requirement.

Hastie noted the diversity of opinion would likely lead to further conversation regarding parking.

Code Graphics – Parking Recommendations

Hastie reviewed the code graphics for three parking reduction options for triplexes and quadplexes presented during Batch 2 Code Updates:

- Recommendation 1: One space per unit. A quadplex would require four parking spaces.
- Recommendation 2: Two spaces for first unit and one space for each additional unit. A quadplex would require five parking spaces.
- Recommendation 3: One and one-half spaces per unit. A quadplex would require six parking spaces.

Chair Bybee asked if there were setback standards for parking. Hert replied there are screening requirements for multi-family housing and parking located directly off the right-of-way.

Commissioner Aparacio preferred recommendation one or two; recommendation three would limit the ability to develop a fourplex.

Commissioner Mascher preferred recommendation one; the requirement should be one space per unit regardless of housing type.

Senior Planner Hert noted three or more units require a site plan review. Any parking lot over four spaces would require "forward in, forward out" movement, even onto an alley, and must meet minimum setback widths as well as minimum setbacks from the side property line.

Director Cannon stated the additional layer of complexity required additional analysis of this issue to make an informed recommendation.

Commissioner Miller did not support parking reductions.

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Code Update Batch 3 - Landscaping Requirements

Mr. Hastie reviewed the recommendation to apply the same landscaping standards for quadplexes that are required for one to three units. The multi-family standard might be excessive for quadplexes and may make them difficult to develop.

Commission consensus was in support of this recommendation.

Next Steps

Matt briefly described the next steps, noting the next meeting on final/combined code updates will be held April 22, 2021, prior to the adoption process initiated in May.

Chair Bybee invited public comment. There was none.

ADJOURNMENT

Being no further business, the meeting adjourned at 8:17 p.m.

Submitted by/ Paula Webb, Secretary Community Development Department

SIGNED:

Brent Bybee, Chair

ATTEST:

Paula Webb, Secretary

Community Development Department



City of The Dalles Planning Commission

THURSDAY MARCHES IDST - BORM

Variance Application No. 129-21

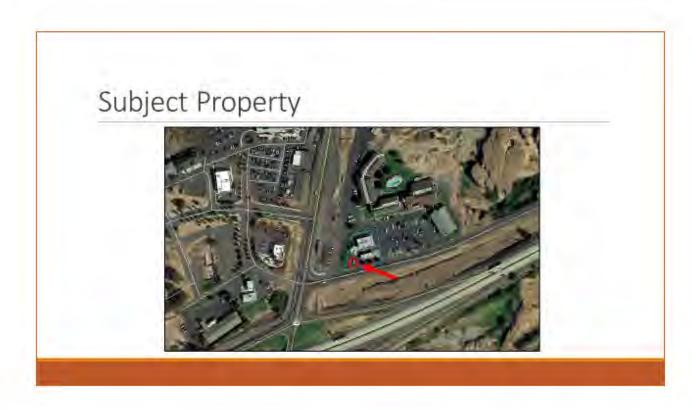
Applicant: Meyer Sign Co. of Oregon

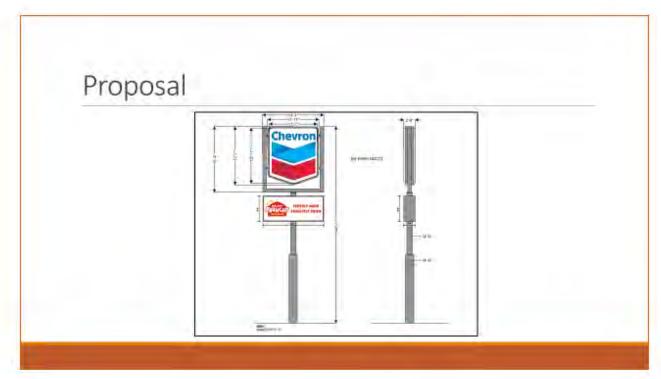
Address: 3213 Bret Cladfelter Way

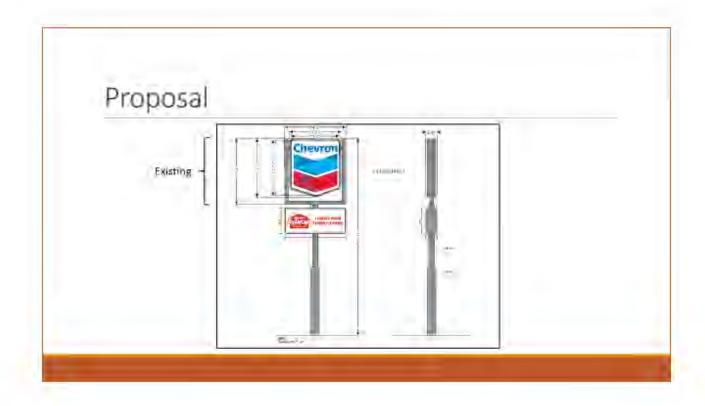
Assessor's Map and Tax Lot: 1N 13E 1 AB 400

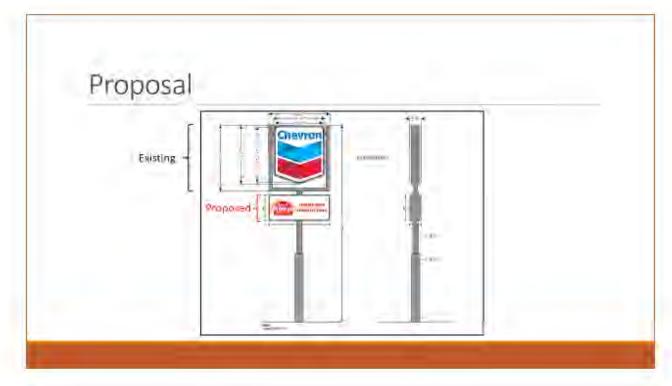
Zoning District: General Commercial "CG" and Highway District (per Chapter 10-13).

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











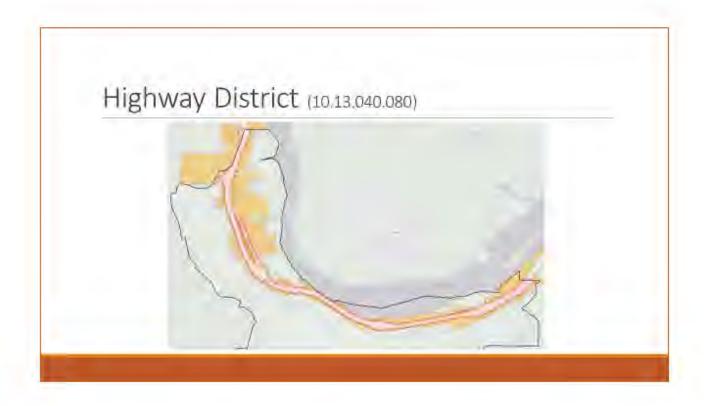
Highway District Criteria (10.13,040.080)

- The same principal signs as allowed in the Central Business Zone. Section 10, 18,0/0,050, except that a freestanding sign may have a maximum area of 250 square feet, given I square foot of sign area per linear foot of major street frontage.
- A secondary sign if the building is set back at least 50 feet from the property line, a
 maximum of 50 square feet of sign area with a maximum height of 20 feet above grade.

Highway District Criteria (10.13.040.080)

The same principal signs as allowed in the Central Business Zone, Section 10,13,040,050, except that a freestanding sign may have a maximum area of 250 square feet, given <u>1</u> square foot of sign area per linear foot of major street frontage





Variance Review Criteria (10.070.030)

A variance to the requirements of this Title shall be granted only in the event that each of the following circumstances is found to exist:

- The proposed variance will not be contrary to the purposes of this Title, policies of the Comprehensive Plan, or any other applicable policies and standards adopted by the City.
- Exceptional or extraordinary circumstances apply to the subject property, which do not apply generally to
 other property in the same zone or vicinity. Such circumstances are a result of lot size or shape,
 topography, or circumstances over which the applicant has no control.
- The variance is necessary for the preservation of a property right of the applicant which is substantially
 the same as owners of other property in the same zone or vicinity.
- The conditions or circumstances justifying the variance have not been willfully or purposely self-imposed, and do not result from a violation of this Title since its effective date.
- The proposed variance will not substantially reduce the amount of privacy enjoyed by users of neighboring land uses if the variance were not allowed.
- The proposed variance is the minimum variance which would alleviate the difficulty.

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- The proposed variance will not be contrary to the purposes of this Title, policies of the Comprehensive Plan, or any other applicable policies and standards adopted by the City. Criterion met.
 - Exceptional or extraordinary circumstances apply to the subject property, which do not apply generally to other property in the same zone or vicinity. Such circumstances are a result of lot size or shape, topography, or circumstances over which the applicant has no control. Criterian incl. met.
- The variance is necessary for the preservation of a property right of the applicant which is substantially
 the same as owners of other property in the same zone or vicinity. Orderon not met.
- The conditions or circumstances justifying the variance have not been willfully or purposely self-imposed, and do not result from a violation of this Title since its effective date, Criterion not met.
- The proposed variance will not substantially reduce the amount of privacy enjoyed by users of neighboring land uses if the variance were not allowed. Criterion met.
- The proposed variance is the minimum variance which would alleviate the difficulty. Criterion not met.

Commission Alternatives

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

Ideas to Promote Multifamily Development

- -Waive SDCs on 4th unit to help offset fire suppression requirement which is required for 4 or more units. This could encourage a developer to build 4 units instead of 3.
- -Delayed payment of SDCs. Due on sale or within a certain amount of time if property is retained. Set up payment plan or due date.
- -Discounts given for SDCs when 2 or more units are developed.
- -I agree that Parks & Rec needed to increase their SDC and I think the Parks Director and board do a phenomenal job but I believe this SDC is too high to promote needed development. I also believe Parks should give a discount for multifamily if there are 2 or more units instead of the current 5 or more units. I also believe they should discount the SDC for an ADU.
- -Not require ADA parking requirement when existing structures may be converted to multifamily structures where an ADA unit may not be reasonably feasible.
- -Offer incentives to developers who opt to do multifamily: SDC credits, sidewalk credits, etc.
- -Waive requirement of professional interior plans for an existing dwelling to be converted to multifamily if a standard can be met.
- -Parking requirement be 1/1 or base parking requirement off of size of dwelling or amount of bedrooms.
- -Lot dimensions for multifamily be decreased or a variance be granted if other requirements can be met (setbacks, parking, etc). It looks like this is being considered and I fully support this.
- -Not require owners/developers to bare the burden of upgrading city infrastructure to develop a property.

Container Homes

I recommend shipping container homes be allowable within the city if the required design features are met and approved by City Planning. Container homes are being build and installed in neighboring communities and are just as aesthetically pleasing as a stick-built home. I also believe container homes can be built in a quicker time frame and can be more cost effective than a stick-built home. I believe if shipping container homes were approved that it could help with the needed development of cottage clusters and needed infill.

Thank you.

Charlie Foote Ed Devlaeminck PO BOX 1371 The Dalles, OR. 97058

The Dalles Middle Housing Code Update

Planning Commission/Advisory Committee March 18, 2021, 6:00 pm







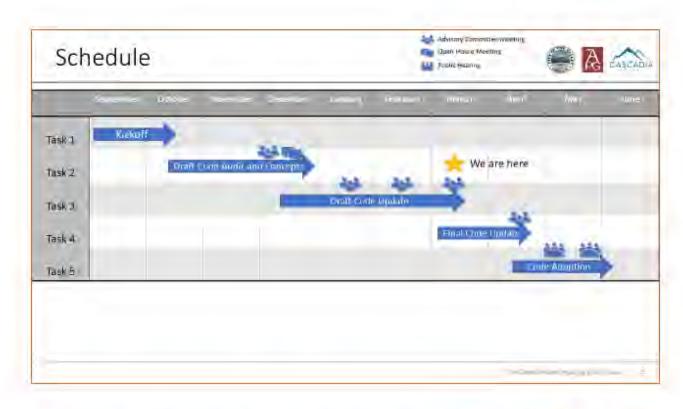
Agenda

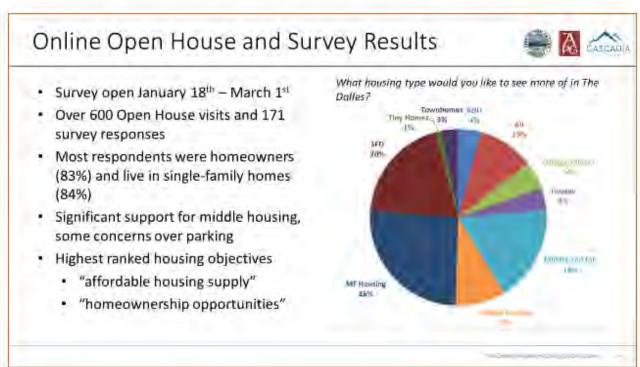






- 1. Project Update/Status report
- a) Timeline/schedule
 - b) Online Open House/Survey results
- 2. Status of revisions to Batch 1 and 2 amendments
- 3. Draft Batch 3 amendments
- 4. Additional code graphics
 - a) Building height
 - b) Parking
- Next Steps





Batch 1 and 2 Update Revisions







- Lot size increase for single-family detached in RH and RM impact evaluation
- + RH: 1,500 sqft to 2,500 sqft 32 parcels in that range
 - RM: 2,000 sqft to 4,000 sqft 93 parcels in that range
- Exceptions to Standards (all residential zones)
 - A. Lot Size. In planned developments and subdivision development.. [p]rovided that the overall project density does not exceed 17 units per gross acre...
 - B. Density Calculations. Permitted accessory dwellings and duplexes shall not be counted in density calculations for proposed development.
- Garage and Carport, Setbacks on Alleys. Rear yard setbacks for garage/carports and accessory dwelling units on alleys may be waived...

Batch 1 and 2 Update Revisions







The Meaning of Specific Words and Terms

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

Design Standards

- E. Multiple Buildings on One Lot—Separation Between Buildings, Parking Areas, Walks, and Drives. Except for détached duplèxes and ADUs, the following standards are required to provide privacy, light, air, and access to the dwellings within the development, the following minimum standards shall apply:
- F. All one and two-family dwelling units located on a single tax lot shall have at least one a traditional front entry that is parallel to the street on the ground level included in the front building line. Attached two-family dwellings may have a side entry that does not face the street. A detached duplex must have both front entries face the street unless one dwelling has more than 50 percent of its street-facing facade separated from the street property line by the other dwelling. The front entry Entries for all one- and two-family dwellings in the front building line shall be connected by hard surface to the right-of-way.

Code Update Batch 3 - Container and Tiny Homes







The Meaning of Specific Words and Terms

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

Dwelling, Tiny Home. Single-family residences up to 400 square feet built to the Oregon Small Home Specialty Code (SHSC).

Permitted Uses (all residential zones)

- d. Tiny home
- e. Container home

Discussion Questions: Should the City define and regulate these housing types separately from singlefamily detached dwellings?

Are there possible building code or design issues with these housing types? Other unintended consequences?

Code Update Batch 3 – Lot Size Changes





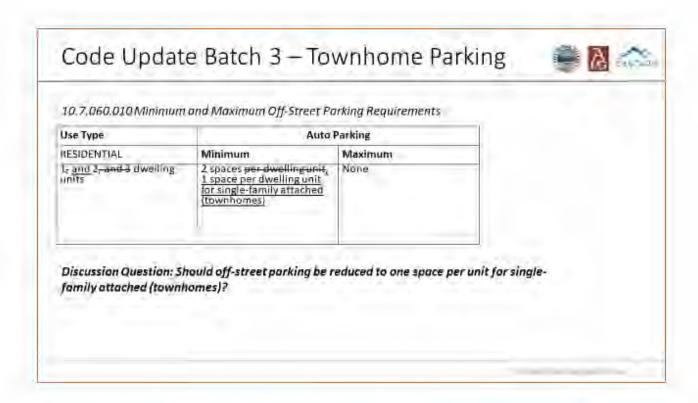


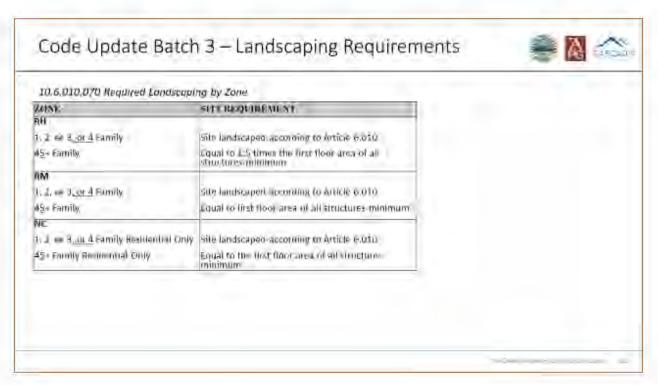
- Reduce min. lot width to 50 ft for triplex and above
- Reduce max, height to 35 ft, for tri- and quad-plex, increase to 45 ft, for 5+ units

10.5.020.060 (RH) & 10.5.030,060 (RM) Development Standards

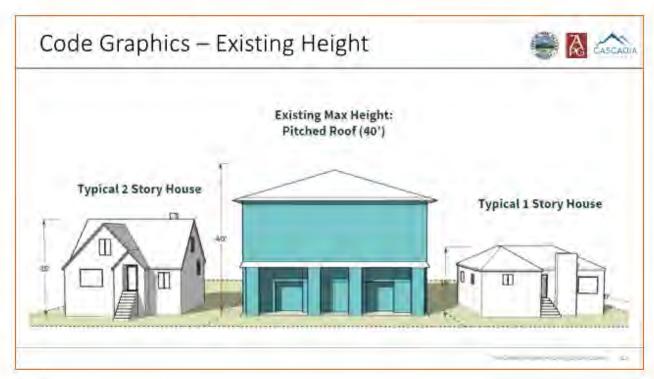
IOF and DM Westernini	Scripturd	
	Three Dwelling Units per Lot	Tour or More Owelling Units per Lot
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Contiduity afterprise	-ia 33.1(,	40-20 th for America and the for 5- units.
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Discussion Question: Are the proposed width and height changes appropriate for the RH and RM zones?

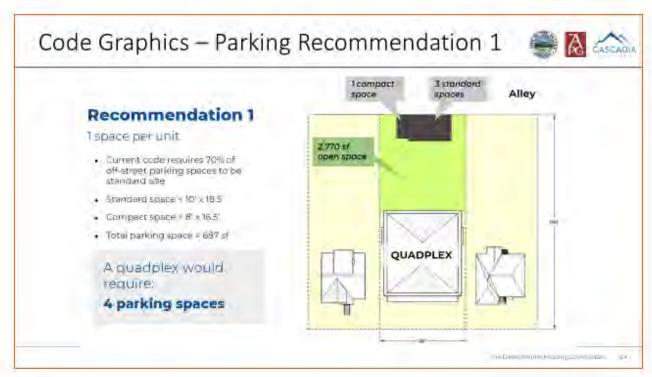


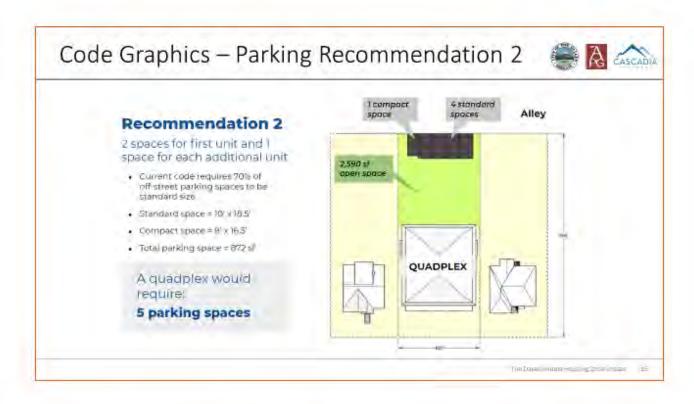


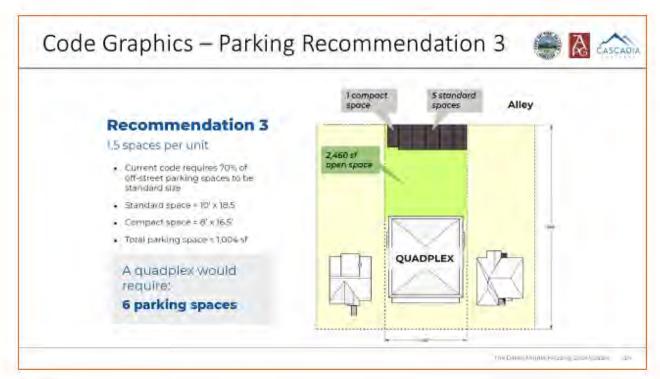


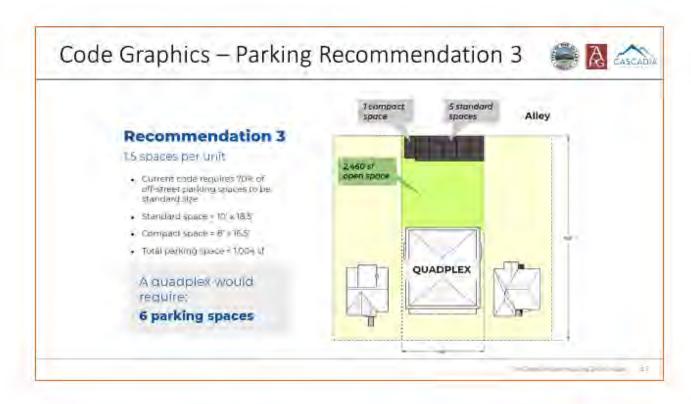


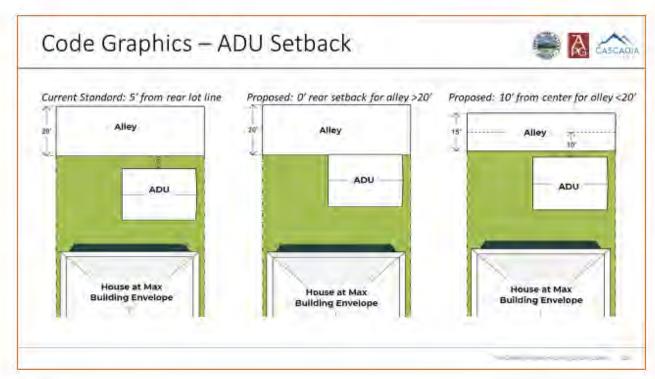


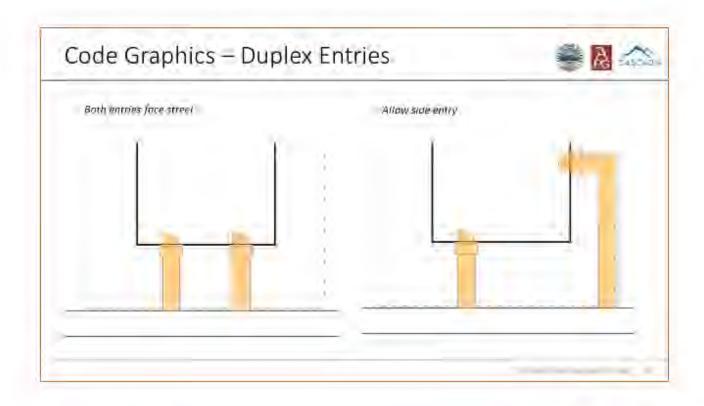












Next Steps Revise Batch 3 Code updates and graphics Draft combined Code updates (Batches 1-3) Planning Commission/Advisory Committee meeting #5 (04/22) Code Adoption Process (May)