

RESOLUTION NO. PC 228-92

A RESOLUTION INITIATING AMENDMENT TO TEXT OF  
ZONING ORDINANCE NO. 80-986

I. RECITALS

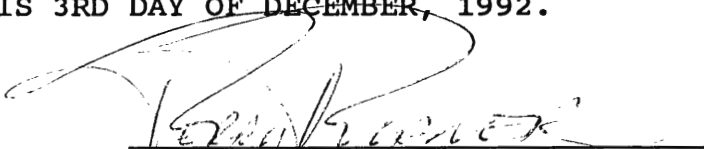
- A. A public hearing was scheduled for November 19, 1992 to review the application submitted by Columbia Cascade Housing Corporation to construct a six unit apartment building. Section 23 of the zoning ordinance, concerning "special housing projects" for the elderly and handicapped, provides that such projects are permitted in multiple family zoned districts, subject to the issuance of a conditional use permit.
- B. Upon staff's recommendation, the November 19, 1992, hearing was continued until December 3, 1992, to allow staff to research issues concerning the legality of Section 23 in light of the Americans with Disabilities Act, which was enacted on July 26, 1990. Upon further research, the staff has concluded that Section 23 conflicts with the provisions of the ADA, and should be repealed. Upon staff's recommendation, Columbia Cascade Housing Corporation has agreed to withdraw their original application, and to submit a new application at the appropriate time.
- C. Staff has also discovered that recent court decisions have raised questions as to the validity of the current

definition of "family", in Section 3(b) of the zoning ordinance. Staff recommends that an amended definition of the term "family" be prepared, to ensure the City's zoning ordinance complies with recent changes in the law.

II. RESOLUTION; NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of The Dalles as follows:

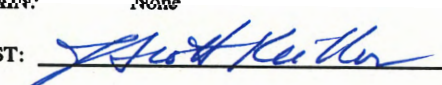
- A. That it would be proper for the Planning Commission to initiate zoning ordinance amendments to repeal Section 23 of the zoning ordinance, and amend the definition of "family" in Section 3(b) of the ordinance.
- B. That a public hearing be scheduled to consider the amendments.
- C. The Secretary of the Planning Commission shall certify the adoption of this Resolution and transmit a copy of said Resolution to the City Council of the City of The Dalles.

ADOPTED AND APPROVED THIS 3RD DAY OF DECEMBER, 1992.

  
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Terry Turner  
Planning Commission Chairman

I, Scott Keillor, Secretary to the Planning Commission of the City of The Dalles, hereby certify that the foregoing Resolution was adopted at the regular meeting of the City Planning Commission, held on the 3rd day of December, 1992.

AYES: Walter Hoffman, Ken Farner, Michael Maier, Carol Cutler, Terry Turner  
NOES: None  
ABSENT: Carri Ramsey, Rod Runyon  
ABSTAIN: None

ATTEST:  \_\_\_\_\_, Secretary, Planning Commission