

RESOLUTION NO. P.C. 92-87

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF THE DALLES INITIATING ZONING ORDINANCE AMENDMENTS
AND COMPREHENSIVE PLAN MAP AMENDMENTS

I. Recitals.

- (A) The Planning Commission has reviewed and approved a staff recommendation for a West Second Street map amendment from Light Industrial to General Commercial which is consistent with Goal Nine for the economy.
- (B) The Planning Commission has reviewed and approved a proposed amendment relating to community based care which is necessary for consistency with state law and recent court decisions.
- (C) Amendments of the Flood Damage Prevention section of the Zoning Ordinance are necessary because of recent changes in the National Flood Insurance Program.
- (D) The Planning Commission has determined that it is appropriate to amend CHAPTER VIII, OFF STREET PARKING, to add Development Standards for Off Street Parking Areas which were previously adopted by resolution.
- (E) The Planning Commission has reviewed and approved a staff recommendation for other text amendments which are consistent with the Comprehensive Plan.

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 proposed in Exhibits "A" and "B" attached to this Resolution.
- (B) That a public hearing shall be scheduled for May 7, 1987, to consider the amendments.
- (C) The Secretary of the Planning Commission shall (a) certify to the adoption of the Resolution; and (b) forthwith transmit a copy of the said Resolution to the City Council of the City of The Dalles.

ADOPTED AND APPROVED THIS 19TH DAY OF FEBRUARY, 1987.


CHAIRMAN, PLANNING COMMISSION

I, Jack Lesch, Secretary to the Planning Commission of the City of The Dalles, hereby certify that the foregoing Resolution was adopted at a Regular Meeting of the Planning Commission of the City of The Dalles, held on the 19th day of February, 1987.

AYES: COMMISSIONERS: Byrne, Walker, O'Herron, Donnell, Earl, and Turner

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: Hawkins

ABSTAIN: COMMISSIONERS: None

ATTEST:


Secretary, Planning Commission

Exhibit "A"

PROPOSED ZONING ORDINANCE AMENDMENTS

1. Amend Section 13 "CB" CENTRAL BUSINESS DISTRICT, (B) Conditional Uses Permitted, to add:

11. Assembly, fabricating or packaging of products from previously prepared materials such as, but not limited to, cloth, plastic, wood (excluding molding plants or saw and planing mills) paper, cotton, metal, or stone provided all such operations are conducted entirely within the building.

2. Amend "CN" NEIGHBORHOOD COMMERCIAL, "CB" CENTRAL BUSINESS, and "CG" GENERAL COMMERCIAL Districts, Sections 12.3, 13.3 and 14.3. Property Development Standards, to add:

(H) Design Requirements

1. Outdoor storage, when permitted, shall be effectively screened by a wall, fence or planting so that such materials will not be visible from a public way.

2. All yards and unused property shall be landscaped or otherwise maintained for a neat appearance.

3. All materials shall be stored and all grounds shall be maintained in a manner which will not attract or aid the propagation of insects or rodents or create health or fire hazards.

3. Amend Section 3. Definitions, as follows:

Delete the following definition:

Rest Home or Boarding Home. See "Residential Care Facility "

Change "Nursing Home" as follows (deleted language is crossed out):

Nursing Home. ~~See "Residential Care Facility."~~ An institution providing convalescent or chronic care, or both, for ill or infirm patients. Convalescent and chronic care may include, but need not be limited to, the procedures commonly employed in nursing and caring for the sick.

Revise "Residential Care Facility" to read:

Residential Care Facility. An establishment licensed or certified by the State or County for more than five unrelated individuals which is for 24 hour care of persons in need of personal services, supervision, or assistance needed for sustaining the activities of daily living, or for the protection of the individual, excluding individuals requiring acute hospital or nursing care.

Add the following new definition:

Residential Care Home. A residence for five or fewer unrelated physically or mentally handicapped persons and for staff persons who need not be related to each other or to any other home resident.

Amend Conditional Uses Permitted in all residential districts, Sections 7.2, 8.2, 9.2, and 10.2, as follows: (deleted language is crossed out, and new language is underscored):

Residential care facility, hospitals, sanitariums, nursing homes, group care homes and home nursing facilities (except for home nursing facilities for a contagious disease, liquor or drug addiction, or mental illness) conditioned upon but not limited to:

Submission of an acceptable site plan for landscaping, off-street parking, signing and street access, to provide separation from adjoining residential properties as required by the Planning Commission.

Amend Principal Permitted Uses in all residential districts, Sections 7.2, 8.2, 9.2, and 10.2 with the following new provision:

Residential Care Home, as defined in Section 3.

4. Amend Section 3, Definitions, as follows (deleted language is crossed out):

Child Care Center. An institution for the care of children ~~of preschool age~~, the activity of which shall be conducted between the hours of 7 a.m. and 7 p.m. Even though some instruction may be offered in connection with such care, the institution shall not be considered a "school" within the meaning of this Ordinance.

Amend Conditional Uses Permitted in all residential districts, Sections 7.2, 8.2, 9.2, and 10.2 with the following new provision:

Child Care Center

5. Amend Definition of Home Occupation in Section 3 to add the following:

G. Include no retail sales on the premises other than telephone sales.

The applicant shall obtain a permit from the Planning Department.

Amend R-1 Single Family Residential District, Section 7.2 (A) Principal Permitted Uses to add (3) Home Occupations. Delete Home Occupations from Section 7.2 (B) Uses Permitted Subject to Conditional Use Permit.

6. Additional amendments are proposed to address "backyard" automobile wrecking and storage operations.

Amend Section 19 GENERAL STANDARDS as follows (new language is underscored):

(C) Material storage, junk yards or salvage yards and automobile wrecking yards as hereinafter defined, shall not be permitted in any district unless expressly specified by the regulations governing such district.

Amend Section 3, Definitions, to add the following:

Automobile Wrecking Yard. Any property where two or more vehicles not in running condition, or parts thereof, are: wrecked, dismantled, disassembled, or substantially altered and are stored in the open and are not being restored to operation; or any land used for wrecking or storing of such motor vehicles or parts thereof for a period exceeding three (3) months.

7. Amend Section 3, Definitions, as follows (deleted language is crossed out):

Satellite Receiving Antenna. ~~Shall mean a combination of (1) a device or structure used for receiving television, telecommunication or microwave signals transmitted from satellites or earth-based transmitters; and (2) an amplifier which is situated at the focal point of the receiving component and whose purpose is to magnify and transfer signals. (Added by Ordinance No. 84-1057 passed June 18, 1984).~~

8. Amend CHAPTER VIII OFF-STREET PARKING to add Development Standards for Off-Street Parking Areas which were previously adopted by resolution.

Delete Section 27 (A) 4. and add the standards in the resolution.

9. Amend CHAPTER IV GENERAL STANDARDS to add:

Section 23. Maintenance of Landscaped Areas.

It shall be the continuing obligation of the property owner to maintain landscape areas required by this Ordinance in an attractive manner free of weeds and noxious vegetation. In addition, the minimum amount of required living landscape materials shall be maintained.

PROPOSED ZONING ORDINANCE AMENDMENTS

Relating to Flood Damage Prevention

1. Amend definition of Base Flood in Section 3 as follows (new language is underscored):

Base Flood. The flood having a one percent chance of being equalled or exceeded in any given year. Also referred to as the "100-year flood." Designation on maps always includes the letters A or V.

Add a new definition to Section 3 as follows:

Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance found at Section 24.2(H) 2.

2. Add reference to floodway in Section 24.1(C) 3. "Use of other base flood data" as follows (new language is underscored):

When base flood elevation data has not been provided in accordance with Section 24B, Basis for Establishing the Areas of Special Flood Hazard, the Planning Director will obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, State or other source, in order to administer Section 24.2(H) Specific Standards, Residential Construction; 24.2(I) Specific Standards, Nonresidential Construction; and 24.2(J) Specific Standards, Mobile Homes; and Section 24.3 Floodway Provisions.

3. Delete specific mobile home anchoring standards in Section 24.2(B) 2 and (B) 3 and add the following new language:

2. All mobile homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).

4. Amend Section 24.2(C) Construction Materials and Methods to add:

3. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

5. Amend Section 24.2(H) Residential Construction to add:

2. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

- (i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- (ii) The bottom of all openings shall be no higher than one foot above grade.
- (iii) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

6. Amend Section 24.2(I) Non Residential Construction with amended language in paragraph 3 (new language is underscored and deleted language is crossed out) and new paragraphs to be numbered 4 and 5.

- 3. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection ~~are satisfied based on their development and/or review of the structural design, specifications and plans.~~ Such certifications shall be provided to the official as set forth in Section 24.1.4.B.
- 4. Nonresidential structures that are elevated, not flood-proofed, must meet the same standards for space below the lowest floor as described in 24.2(H)2.
- 5. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building constructed to the base flood level will be rated as one foot below that level).

7. Amend Section 24.2(J) Mobile Homes to delete existing language and to add the following new provision:

(J) Mobile Homes

All mobile homes to be placed or substantially improved within Zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the mobile home is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of Section 24.2(B)2.

EXHIBIT "B"

C O L U M B I A R

