

RESOLUTION NO. P.C. 42-83

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF THE DALLES INITIATING ZONING ORDINANCE TEXT AMENDMENTS.

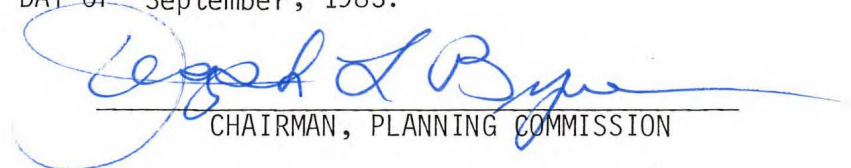
I. Recitals.

- (A) City Council Resolution No. 83-057 commits the City to amend the Zoning Ordinance to provide for an Historical Overlay District, to add language to Paragraph (C) of Chapter X (Site Plan Review), and to amend Sec. 21, Height Limitation, dealing with airport imaginary surfaces.
- (B) The minutes of the July 7, 1983 Planning Commission meeting indicate that the Planning Commission agreed that a Staff recommendation regarding satellite receiving antenna should be presented at a public hearing.
- (C) Federal standards (Title 44, Code of Federal Regulations, Part 60), administered by the Federal Emergency Management Agency require that the City's land use ordinances contain provisions for the floodway portion of the flood plain in order to maintain eligibility for the National Flood Insurance Program.

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 text amendments, shown in Exhibit "A" attached to this Resolution.
- B. That a public hearing will be held Thursday, October 20, 1983, at 7:30 P.M. in the City Council Chambers to consider amending the Zoning Ordinance.
- C. The Secretary of the 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 15th DAY OF September, 1983.

  
CHAIRMAN, PLANNING COMMISSION

I, Jack Lesch, Secretary to the Planning Commission of the City of The Dalles, do hereby certify that the foregoing Resolution was passed at a Regular Meeting of the Planning Commission of the City of The Dalles, held on the 15th day of September, 1983.

AYES: COMMISSIONERS: Ward, Donnell, Honald, Elliott, Matthew.  
NOES: COMMISSIONERS: none.  
ABSENT: COMMISSIONERS: Northrop.  
ABSTAIN: COMMISSIONERS: none.

ATTEST:   
Secretary, Planning Commission

EXHIBIT "A", PLANNING COMMISSION RESOLUTION NO. P.C. 42-83

ZONING ORDINANCE AMENDMENTS

Amend Sec. 18.1 "OH" Historical Overlay to read:

Historical Overlay Districts established pursuant to City of The Dalles ordinance relating to historical buildings, sites and overlay districts shall be designated on a special zoning map or maps.

Amend Sec. 37 Initiation and Adoption of Amendments, Paragraph (A) to read:

- (A) Any amendment provided by this Section which changes any land from one district to another district, or imposes any regulation upon property not theretofore imposed, or removes or modifies any such regulation, shall be initiated and adopted as hereinafter set forth in this Section, except as provided for in City of The Dalles general ordinance relating to historical buildings, sites, and overlay districts.

Amend Paragraph (C) of CHAPTER X with the following new sentence:

"When considering a site plan for a needed housing type as identified in the Comprehensive Plan, conditions shall not be placed which would exclude needed housing, unnecessarily decrease density, or allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay."

Amend Sec. 21 HEIGHT LIMITATION as follows:

- (A) Except for the requirements of Paragraph (B) of this Section, height limitations shall not apply to grain elevators or water towers. Necessary roof structures, elevators, stairways, tanks, fans and ventilators, towers and steeples, flag poles, smokestacks, skylights, solar or wind energy devices, and fire or parapet walls may be erected above the height limits of the zone in which they are located provided no useable floor space is provided in such structures above the required height limits and further provided ~~the structures are not located within the approach or clear zones to runways for The Dalles Municipal Airport (see The Dalles Municipal Airport Master Plan).~~ the structures meet the requirements of Paragraph (B) of this Section.
- (B) In order to assure safety in the operation of public-use airports, no structure shall be erected or altered, and no object of natural growth shall be allowed to intrude into any imaginary surface established under the provisions of FAR Part 77 (see The Dalles Municipal Airport Master Plan). Variances may be granted only after approval by the FAA and Oregon Aeronautics Division. Such structures as may be permitted under this section shall be marked/or lighted when required by FAA or OAD.

Note: Material underscored is new; matter crossed out is existing ordinance language to be omitted.

Amend Sec. 3 Definitions with the following new terms:

Satellite Receiving Antenna. Means any device or structure used for receiving television, telecommunication or microwave signals transmitted from satellites or earth-based transmitters.

Microwave Receiving Antenna. See "Satellite Receiving Antenna".

Amend CHAPTER IV GENERAL PROVISIONS as follows:

Section 19.1 SATELLITE RECEIVING ANTENNA

- (A) Screening: All microwave receiving antennae in the R-1, R-2, R-3, RMH, CR, and CN Districts shall be placed on the ground, and shall be screened by sight-obscuring fences and/or dense landscape buffers, as approved by the Planning Director.
- (B) Application of Provisions: The provisions of Section 19.1 (A) shall not apply to satellite receiving antennae having a diameter or largest lineal dimension of three (3) feet or less.
- (C) Permit: Installation or use of any satellite receiving antennae shall be subject to issuance of a permit from the Planning and Building Department.

Amend CHAPTER V FLOOD DAMAGE PREVENTION, Sec. 24. GENERAL PROVISIONS, Paragraph (B) as follows:

- (B) Basis for Establishing the Areas of Special Flood Hazard: The areas of special flood hazard identified by the ~~Corps of Engineers in a scientific and engineering report entitled "Special Flood Hazard Information", Mill Creek at The Dalles, April, 1979, and the final Federal Emergency Management Agency in a report entitled "Flood Insurance Study", City of The Dalles, with accompanying Flood Insurance Rate Maps and Flood Boundary - Floodway Map~~ is hereby adopted by reference and declared to be a part of this Ordinance. The reports are on file at the City Planning Office.

Amend Sec. 24.1 ADMINISTRATION, Paragraph (C) as follows:

- (C) Duties and Responsibilities: Duties of the Planning Director shall include, but not be limited to:
  - 1. Review all development permits to determine that the permit requirements of this Chapter have been satisfied.
  - 2. Review all development permits to determine if proposed development adversely affects the flood-carrying capacity of the area of special flood hazard. ~~For the purposes of this Ordinance, "adversely affects" means damage to adjacent properties because of rises in flood stages attributed to physical changes of the channel and the~~

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adjacent-overbank-areas- is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 24.3 are met.

Change (J) Encroachments, Sec. 24.2, to read:

(J) Existing Mobile Home Parks

Substantial improvement of damaged pads or other facilities in existing mobile home parks shall comply with federal standards for flood plain management except when relief is granted through the variance process in this ordinance.

Add new Section:

Sec. 24.3 Floodway Provisions:

- (A) Prohibit encroachments, including fill, new construction, substantial improvements, and other developments unless a technical evaluation demonstrates that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (B) If Section 24.3 (A) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard standards in Section 24.2.
- (C) Prohibit the placement of any mobile homes, except in an existing mobile home park or existing mobile home subdivision.