

AGENDA

PLANNING COMMISSION

October 6, 2022

5:30 p.m.

City Hall Council Chambers
313 Court Street, The Dalles, Oregon

Via Zoom

<https://us06web.zoom.us/j/82327794645?pwd=c1d2UGhUb1BoVithR0tFUzZcWtXQT09>

Meeting ID: **823 2779 4645** Passcode: **001537**

Dial: 1-669-900-6833 or 1-253-215-8782

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES – August 11, 2022
6. PUBLIC COMMENT – During this portion of the meeting, anyone may speak on any subject that does not later appear on the agenda. Five minutes per person will be allowed.
7. DISCUSSION ITEM
Second review of Land Use and Development Ordinance (LUDO) text amendments to clarify regulations relating to residential density. Clarifications were requested by the Planning Commission in February 2022.
8. STAFF COMMENTS / PROJECT UPDATES
9. COMMISSIONER COMMENTS / QUESTIONS
10. ADJOURNMENT

Meeting conducted in a room in compliance with ADA standards.

Prepared by/
Joshua Chandler, Interim Director
Community Development Department

CITY OF THE DALLES

"By working together, we will provide services that enhance the vitality of The Dalles."

MINUTES

PLANNING COMMISSION MEETING

August 11, 2022
5:30 p.m.

City Hall Council Chambers
313 Court Street, The Dalles, Oregon 97058
Via Zoom / Livestream via City Website

PRESIDING: Cody Cornett, Chair

COMMISSIONERS PRESENT: Philip Mascher, Maria Pena (arrived at 5:34 p.m.) Mark Poppoff, Nik Portela, one position vacant

COMMISSIONERS ABSENT: Karly Aparicio

STAFF PRESENT: Associate Planner Kaitlyn Cook, Secretary Paula Webb

CALL TO ORDER

The meeting was called to order by Chair Cornett at 5:35 p.m.

PLEDGE OF ALLEGIANCE

Chair Cornett led the Pledge of Allegiance.

APPROVAL OF AGENDA

It was moved by Mascher and seconded by Portela to approve the agenda as submitted. The motion carried 4/0; Cornett, Mascher, Poppoff and Portela voting in favor, none opposed, Aparicio and Pena absent, one position vacant.

APPROVAL OF MINUTES

It was moved by Portela and seconded by Poppoff to approve the minutes of July 7, 2022 as submitted. The motion carried 4/0; Cornett, Mascher, Poppoff and Portela voting in favor, none opposed, Aparicio and Pena absent, one position vacant.

PUBLIC COMMENT

Warren Sawyer, Sawyer Properties, 500 E. Third Street, The Dalles

Mr. Sawyer stated he is in favor of development and downtown improvement, but is opposed to the application for additional building height. Mr. Sawyer's concerns are stated in Attachment 1.

Russ Brown, 903 E. 14th Street, The Dalles

Mr. Brown stated in light of other approved projects that have created problems, he is concerned about this application. At least one car will be associated with each unit, some may have as many as three cars. Mr. Brown said there is already a parking problem; this application should be seriously considered.

Ron Walters, 2710 SE Merritt Drive, Battleground, Washington 98604

Mr. Walters owns property at 602 E. Third Street and 518 E. Second Street. Mr. Walters is against the height increase due to impacts parking. His tenants expect to have parking near their businesses. Where will you put all the cars?

Daniel Bonham, 624 E. Second Street, The Dalles

Mr. Bonham said he echoed the others' concerns. His parking requirement was seven spaces for a vacant lot and a two-story building with 800 SF each of retail and office space, and 2400 SF of warehouse space. He said the City should be fair and equitable in the decision-making process.

Vince Vann, Jack's Body Shop, 621 E. Second Street, The Dalles

Mr. Vann, while trying to develop his rear lot, was told cars must be put away or they would be tagged and towed away. The proposed project only has to have 36 parking spots, but Mr. Vann has easily 50 cars to put on his lot every night. Mr. Vann said sufficient parking should be provided on the site.

QUASI-JUDICIAL PUBLIC HEARING

Conditional Use Permit (CUP) 205-22, Chris Hodney, Hacker Architects

Request: Approval of a height increase to exceed the maximum allowed height of the underlying zoning district for a mixed-use multi-family development. The proposed height of the building is 60 feet, which exceeds the maximum building height of 55 feet within the Central Business Commercial zoning district. Upon approval of CUP 205-22, the Applicant will proceed with a Site Plan Review to site and construct the development.

Chair Cornett 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, he opened the public hearing at 5:53 p.m.

Associate Planner Kaitlyn Cook provided the staff report and presentation, Attachment 2.

Planner Cook clarified the application. If approved, the Applicant must submit a Site Plan Review application. The Site Plan reviews not only the number of parking spaces, but the amount of landscaping, location, public improvements and impacts, among other criteria. The current application criteria reviews only the height of the structure.

Chris Hodney, Hacker Architects, 12301 SW Athens Lane, Wilsonville, Oregon 97070

Mr. Hodney's presentation is Attachment 3. Mr. Hodney stated his intent to provide a modern day, mixed-use building to complement existing buildings and reinforce the character of The Dalles. The 55 foot height limit allows five stories of housing and results in a 15-foot ground floor. For a building of this scale, a 15-foot ground floor can be limiting. There is a consistent

range of 17-19 feet ground floors for the majority of the prominent buildings downtown. The proposed building will be roughly the same height as the Commodore II building. Additional ground floor height will allow a wider range of commercial uses.

Chair Cornett invited comment.

Warren Sawyer, Sawyer Properties, 500 E. Third Street, The Dalles

Mr. Sawyer is adamantly opposed to the height increase. The increased height will cause other issues to take place. Mr. Sawyer said the Applicant was asking for a height increase before the Site Plan Review process and discussing other, more important, issues. From the plans and extensive drawings, Mr. Sawyer said the developer already assumes they are exempt from certain code requirements.

Chris Hodney, Hacker Architects, 12301 SW Athens Lane, Wilsonville, Oregon 97070

Mr. Hodney reiterated that 15-foot ceiling height is a viable commercial space, but the goal is to activate the downtown area by creating the most flexible and attractive retail space.

Commissioner Mascher asked if the height could be addressed concurrently or after the Site Plan Review process. Associate Planner Cook replied a site plan considers the actual plan for, not the idea of, a project.

City Attorney Kara added the City's obligation is to make a final decision on this application within 120 days after the application is deemed complete. The City has no discretion to force an applicant down a different path.

Commissioner Mascher asked if the Commission is bound to make a decision on the height restriction separate from the site plan review. City Attorney Kara replied, "yes."

Commissioner Mascher stated a 20-foot ceiling is not unusual in the comparison with other buildings.

Chair Cornett closed the public hearing at 6:25 p.m.

It was moved by Portela and seconded by Mascher to approve CUP 205-22 with the proposed Conditions of Approval, based on findings of fact and conclusions of law set forth in the Agenda Staff Report. The motion carried 5/0; Cornett, Mascher, Pena, Poppoff and Portela voting in favor, none opposed, Aparicio absent, one position vacant.

RESOLUTION

Resolution PC 605-22: Approval of CUP 205-22, Chris Hodney, Hacker Architects

It was moved by Cornett and seconded by Poppoff to approve Resolution 605-22. The motion carried 5/0; Cornett, Mascher, Pena, Poppoff and Portela voting in favor, none opposed, Aparicio absent, one position vacant.

ADJOURNMENT

Chair Cornett adjourned the meeting at 6:32 p.m.

Submitted by/
Paula Webb, Secretary
Community Development Department

SIGNED: _____

Cody Cornett, Chair

ATTEST: _____

Paula Webb, Secretary
Community Development Department

DRAFT

Warren Sawyer
Sawyer Properties
500 E. 3rd St.
The Dalles, Or

Thank you for your time and allowing me and others to voice concerns regarding the proposed development and specifically the Conditional Use Permit for the increase in building height. First I want to say that I'm for development and improving the downtown area and our community and this certainly has some positive aspects with very attractive conceptual drawings, but the development also appears to present some very serious issues based on what I've seen. First some facts as I know them which have a bearing on this application and should not be excluded from the discussion to approve or deny the Conditional Use Permit. It's my understanding the development proposes a 5 story structure with ground floor business/retail of approximately 9800 Sqft and 4 stories of residential totaling 100 residential units with 36 on site parking stalls which includes 2 ADA stalls for the 100 apartments, retail employees, and customers. The Conditional Use Permit also calls out 22 additional on street parking spots but most, if not all, of those spots are in the Downtown Parking District for customers and are designated as "Prohibited Parking" under Municipal Code 6.08.020 which prohibits a person to park a vehicle in the zone while at their place of employment, business profession, or residence. This Zone encompasses most of the Central Business District. So essentially this development proposes 36 parking spots for the employees of almost 10,000 sq ft of retail, 100 residential units, facilities maintenance staff and customers. I'm not sure the parking requirements needed, but easily could be 4 to 5 times or more the 36 spots. I've been told that the proposed development is within the CBC-2 sub district and that the minimum parking requirement may be waived and as a result the development is not required to provide parking. Actually I believe the code states that the Off Steet Parking Requirements "May be Waived" for CBC-2, not that is waived or exempt or has to be waived but that it "May Be" which sounds to me like it is up to the planning commission's discretion whether to waive or not. The words "May Be" are important and the planning commission needs to consider the intention of the ordinances are to provide for business development within the Central Business District so you are not restricting small business development in an area where parking is limited and should be reserved for customers. I don't believe the intention was to provide for a large mixed use development to include hundreds of residential units without regard to some unintended consequence.

The applicant has requested a 2 stage review process where the Conditional Use Permit for a building height increase is requested first then phase two for all other aspects. It's my opinion that the two different reviews are linked and not mutually exclusive of the ramifications of approving the additional building height. By increasing the height you also open up for the potential of an additional floor of either retail or residential which changes the potential occupancy of the building and future parking requirements. Because of this I am opposed to the Conditional Use Permit allowing for additional height and ask that you carefully consider all aspects of the project to ensure it is an asset to the downtown and the community instead of a liability to the other downtown business, landlords, and residences because the infrastructure cannot support the occupancy.

Thank you,
Warren Sawyer





City of The Dalles Planning Commission

AUGUST 11, 2022 | 5:30 PM

1

Conditional Use Permit 205-22

- ❑ **Applicant:** Chris Hodney, Hacker Architects
- ❑ **Land Owner:** TD 3RD LLC
- ❑ **Address:** 523 E. 3rd Street
- ❑ **Zoning:** Central Business Commercial Zone Subdistrict 2

Proposal: Applicant is requesting approval of a height increase to exceed the maximum allowed height of the underlying zoning district for a mixed-use multi-family development. The proposed height of the building is 60', which exceeds the maximum building height within the CBC zoning district of 55'.

2

Background

- Formerly known as the Griffith Motors
- Site Plan Review Required
- Two comments received during the 14 day comment period.

Proposed Site Plan

Review Criteria

Section 10.3.050.040

A. Permitted Conditional Use. The proposed use is conditionally permitted in the zone district where it is proposed to be located.

Pursuant to TDMC 10.5.050.060, the maximum building height within the CBC zoning district is 55'; however, the building height may be increased to 75' with a CUP. **Criterion met.**

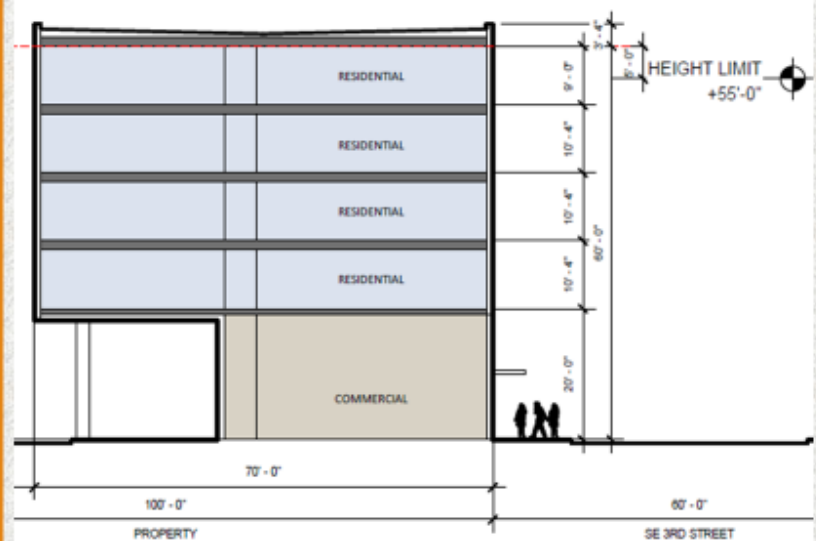
B. Standards. The proposed use conforms to all applicable standards of the zone district where the use is proposed to be located. The proposed use will also be consistent with the purposes of this Title, and any other statutes, ordinances, or policies that may be applicable.

Addressed in the Staff Report. **Criterion met.**

5

Proposal

- Increase the height to 60' to exceed the maximum allowed height of 55' in the underlying CBC zoning district



5

Height Limitation Exceptions

10.6.090.010 A.

3. ...necessary roof structures...not used for human occupancy with a height limit, measured from the adjacent grade, of 75 feet or less are not subject to the zone district height limits.

- The Applicant demonstrated an overall physical building height of 63'-4", including 3'-4" of "necessary roof structures"; however, presented the building height as 60' for purposes of areas used for human occupancy.
- Staff determined the discrepancy in the two height measurements as negligible and has no impact on the CUP review criteria listed within this staff report.
- All buildings within the CBC zoning district may be increased by 20' (from 55' to 75') through the CUP application process.

7

Height Limitation Exceptions

10.6.090.010 A.

3. ...necessary roof structures...not used for human occupancy with a height limit, measured from the adjacent grade, of 75 feet or less are not subject to the zone district height limits...

Criterion met

8



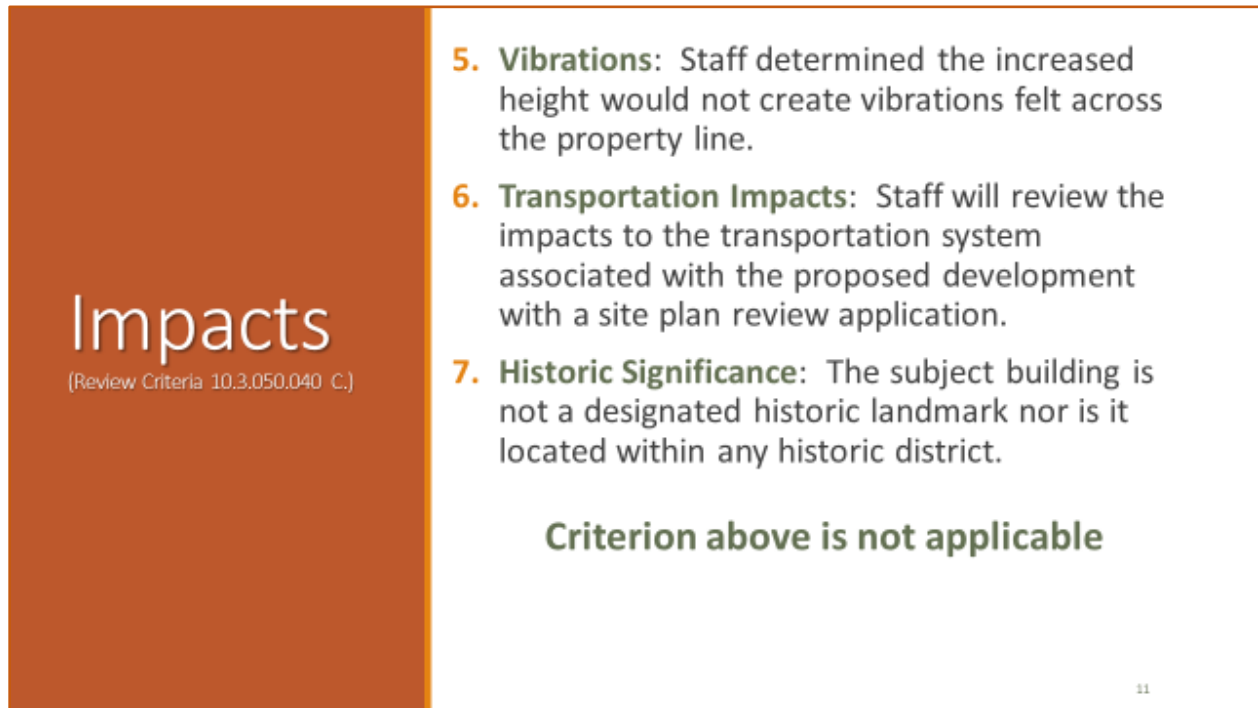
Impacts

(Review Criteria 10.3.050.040 C.)

- 1. Noise impacts:** Staff determined the increased height would have no impact on noise levels
- 2. Lighting impacts:** Staff will review impacts from lighting associated with the proposed development during the subsequent SPR application
- 3. Dust and other particulate matter:** Staff determined the increased height would not produce dust or particulate matter.
- 4. Odors:** Staff determined the increased height would not produce any of the above mentioned odors.

Criterion above is not applicable

10



Impacts
(Review Criteria 10.3.050.040 C.)

- 5. **Vibrations:** Staff determined the increased height would not create vibrations felt across the property line.
- 6. **Transportation Impacts:** Staff will review the impacts to the transportation system associated with the proposed development with a site plan review application.
- 7. **Historic Significance:** The subject building is not a designated historic landmark nor is it located within any historic district.

Criterion above is not applicable

11



Conditions of Approval


1. The final building height must be consistent with the plans included with this Conditional Use Permit application request.
1. Following an approved Conditional Use Permit, Applicant must proceed with a Site Plan Review to site and construct the development.

13

Commission Alternatives

1. **Staff recommendation:** The Planning Commission move to adopt Resolution 605-22 approving Conditional Use Permit 205-22, with the proposed Conditions of Approval included with this report, based upon the findings of fact and conclusions of law set forth in the Agenda Staff Report.
2. If the Planning Commission desires to deny Conditional Use Permit No. 205-22, move to direct staff to prepare a resolution of denial. The Planning Commission shall identify the specific criteria concerning this decision.

14



HACKER 523 E 3rd St Multifamily - Conditional Use Permit Hearing
Address : 523 E. 3rd St, The Dalles, OR
Date : August 11, 2022
For : Hanlon Development

OVERVIEW | Project Description and Narrative



Project Description:

The proposed project combines 100 for-rent apartments over 9,821 sf of retail, resident amenity and building services in a 92,000 gross square feet mixed-use building. The anticipated construction type will be (4) floors of Type VA over a Type IA podium, and fully sprinklered with an NFPA 13R system.

Open-air, 'tuck-under' surface parking is proposed along the alley, with ground-floor retail, resident lobby, amenity, and building services wrapping along all pedestrian frontages. Open-air retail courtyards outdoor seating niches are proposed along E. 3rd and Laughlin frontages to activate the corners, and provide expanded public sidewalk areas.

The conceptual design recognizes tall ground-floor heights and varied building widths of the district as a defining character, and emulates these through a modern, timeless expression. The building massing is broken to read as (4) separate masses, and the building plane alternates to pull back from E. 3rd - creating expanded outdoor seating off the sidewalk, and breaking up the overall bulk of the building.

Conditional Use Review:

The project is requesting a two-phase Conditional Use Review utilizing a Concept Review to allow additional building height. The CBC zone allows 55' height in the zone, with up to 75' allowed under Conditional Use review.

This proposal is requesting an additional 5 feet of building height be allowed to grow the height of the ground floor (see Appendix B). The additional height will allow the ground floor to have a truly civic scale and match existing patterns for corner or more public buildings (see Appendix A). The resulting building height would be very similar to the historic Commodore at E. 3rd and Court Streets.

The additional height provides some benefits to the vitality of the ground-floor, such as:

- Provides civic scale and prominence to the ground-floor for the pedestrian experience
- Allows ground-floor height that is consistent with commercial corner buildings of the district
- Provides better proportion of ground-floor height to overall building height
- Improves leasability - Creates flexible retail space that is attractive to a wider variety of tenant types (restaurants, micro-breweries want taller ceilings)
- Improves natural daylighting of the ground-floor spaces

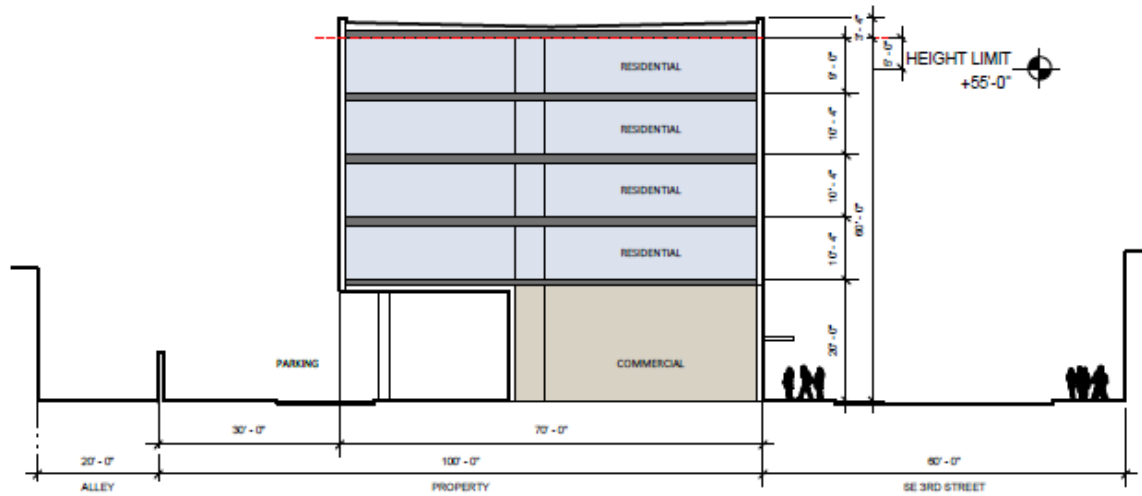
APPENDIX A | Context - Corner building heights and ground floor heights

HANLON
DEVELOPMENT

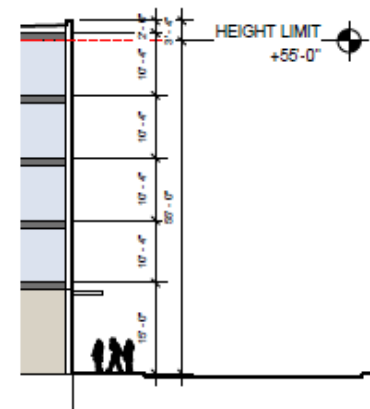


- The proposed design is most similar in height to the Commodore at E. 3rd and Court St. (bottom left). The proposed design will anchor the East end of the district with a similar scale to the Commodore.
- Multistory commercial buildings in the district are commonly 35', 40', and range up to 61' tall.
- Corners are often anchored by taller buildings, and taller ground-floor heights (or reading) to give prominence to the ground floor.
- Ground-floor heights commonly range from 16'-19' tall.

APPENDIX B | Proposed Building Section With Height Increase



Building Section Of Proposed Design With Height Increase



Building Section Within Height Limit

APPENDIX C.1 | By-Right Massing From SW on E. 3rd Street



523 E 3rd St Multifamily | CUP Hearing | August 11, 2022

HACKER

APPENDIX C.2 | Proposed Massing From SW on E. 3rd Street



523 E 3rd St Multifamily | CUP Hearing | August 11, 2022

HACKER



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: City of The Dalles Planning Commission

Meeting Date: October 6, 2022

Re: Second review of Land Use and Development Ordinance (LUDO) text amendments to clarify regulations relating to residential density. Clarifications were requested by the Planning Commission in February 2022.

Prepared by: Joshua Chandler, Interim Community Development Director

DISCUSSION:

During the July 7, 2022 Planning Commission (Commission) meeting, Community Development Department Staff facilitated discussion regarding proposed amendments to The Dalles Municipal Code (TDMC) pertaining to “density”. At the direction of the Commission, Staff distributed these proposed amendments to multiple local homebuilders, surveyors, and engineers for input on August 11, 2022. To date, only one comment has been received; however, Staff had additional discussions with one of the surveying/engineering firms. From this feedback and discussions with the Commission, Staff is proposing two major modifications to the draft code amendments previously included the July 7 Commission meeting packet:

1. Increase density ranges consistent with minimum lot sizes
2. Apply gross density calculations for maximum density and net density calculations for minimum density.

Staff has included redlined comments detailing proposed modifications to the July 7 draft amendments within the October 6, 2022 Commission packet.

Increase density ranges consistent with minimum lot sizes

One of the major modifications to the July 7 draft amendments is the proposal to adjust the maximum density for each residential zone to correspond with the minimum lot sizes of each zone. For reference, the current density ranges and *minimum lot sizes* for each residential zone are listed below:

- Low Density Residential (RL): 3-6 dwellings per gross acre | 5,000 SF

- Medium Density Residential (RM): 7-17 dwellings per gross acre | 2,000 SF
- High Density Residential (RH): 10-25 dwellings per gross acre | 1,500 SF

Density standards have remained the same in TDMC since 2011; however, lot sizes in all residential zones have been adjusted through multiple code amendments, most recently in 2021. Minimum lot sizes in the RM and RH zones vary depending on building type and number of dwelling units; therefore, Staff used the smallest lot size option in each of these zones for calculation. Both density standards and minimum lot sizes are outlined as development regulations in all residential zones within TDMC. One is to ensure target density ranges are met, while the other defines a specific dimensional threshold that must be met. For additional context, any residentially zoned lot is allowed at least one dwelling unit, thus having a density of at least one dwelling: *one lot = one dwelling*. This is referenced in 10.6.170.020 (E) of the draft code amendments.

For all proposed developments, the total number of dwellings must be within the associated density range and all proposed lots must be no less than the minimum lot size. However, these regulations are not evenly divisible into a specified area (in this case, per acre). For example, when referencing lot size alone, one may assume a 15,000 SF lot could accommodate three dwellings/lots; however, due to the underlying density range, this is not the case. See below:

- 15,000 SF / 5,000 SF (min. lot size) = 3 dwellings/lots
- $0.34 (15,000 \text{ SF}^1) \times 6 \text{ (max. density)} = 2 \text{ dwellings/lots (rounded down from 2.06)}$

The examples provided above demonstrate the discrepancy within the RL zone; however, these discrepancies also exist in the RH and RM zones.

For consideration, Staff detailed two options to address this discrepancy: 1) *adjust minimum lot size per the density range*, or 2) *adjust the density range per the minimum lot size*. Option #1 would result in increasing minimum lot sizes in all residential zones. See below:

- RL: Current = 5,000 SF; *Option #1 increase = 7,260 SF (43,560 / 5,000)*
- RM: Current = 2,000 SF; *Option #1 increase = 2,562 SF (43,560 / 2,000)*
- RH: Current = 1,500 SF; *Option #1 increase = 1,742 SF (43,560 / 1,500)*

This increase would result in less overall density, place new restrictions on all residentially zoned properties, and would be contrary to recent housing code amendments. Staff does not recommend Option #1.

Conversely, Option #2 adjusts the density range by effectively embedding these ranges into the minimum lot sizes, thus allowing an individual to rely on lot size alone when dividing land. This option allows for more overall density and places fewer restrictions on all residentially zoned properties. Staff recommends Option #2 as follows:

- RL: 3-**8.71** units per gross acre ($43,560 / 5,000 = 8.712$)
- RM: 7-**21.78** units per gross acre ($43,560 / 2,000 = 21.78$)

¹ 15,000 / 43,560 = 0.34

- RH: 10-29.04 units per gross acre ($43,560 / 1,500 = 29.04$)

Rather than applying fractional rounding standards to the maximum density range, rounding will only occur on a per development basis. To account for this increase, as well as previously discussed fractional rounding standards, Staff is proposing an additional rounding provision for those developments with density calculations that exceed the maximum density:

Any rounded whole number, which results in a total number of dwelling units exceeding the maximum Comprehensive Plan density range, shall be permitted no more than one dwelling unit greater than the density range. For example, a RL zoned development with a maximum density of 8.65 may be rounded up to 9; thus exceeding the 8.712 maximum allowed density of the RL zoning district.

In addition, Staff is proposing to truncate the RL zone maximum density to the nearest hundredths (8.712 truncated to 8.71).

Apply gross density calculations for maximum density and net density calculations for minimum density.

The second major modification to the July 7 draft amendments is the proposal to incorporate both gross and net density into density calculations, with gross used for maximum allowed and net used for minimum required. As previously discussed, “gross density” is defined as the number of residential units per acre of land, while “net density” is the number of units per acre of land, excluding various constraints (required infrastructure, floodplains, or slopes, to name a few). In general, gross density can be helpful to understand the overall, and at times hypothetical, density of an area, while net density accounts for “buildable” land by acknowledging site-specific characteristics. Staff had initially proposed replacing gross with net density throughout TDMC; however, the Commission raised concerns during the July 7 meeting as this method could effectively reduce allowed density of a development. This reduction was later demonstrated while reviewing a new 10-lot subdivision proposal, where the inclusion of a required street system into lot design resulted in the loss of two lots, with gross density having no impact on the total number of lots.

Rather than considering one or the other, Staff evaluated incorporating both gross and net into the calculation process. Doing so creates a more permissive approach to density regulation and promotes flexibility. This allows an individual to determine how best to maximize or minimize the density of their proposed development. Staff is recommending the following amendment:

1. *When determining minimum required density of an individual development, net density is used for calculations.*
2. *When determining maximum allowed density of an individual development, gross density is used for calculations.*

Additional minor modifications have been included in the most recent draft of code amendments reflecting the two major modifications discussed above.

NEXT STEPS:

Subsequent to the Commission’s review of the attached draft code amendments, Staff will make any necessary modifications prior to proceeding with a formal land use application. All

appropriate noticing procedures will be followed, including notices to the Department of Land Conservation and Development (DLCD), Wasco County Planning, and Ballot Measure 56 notices (if applicable). Notification of the both legislative hearings before the Commission and City Council will be published in the local newspaper.

Staff anticipates the following timeline for the adoption of these amendments:

- Commission adoption/recommendation hearing: 11/17/22
 - DLCD notice (35 days prior to first evidentiary hearing): 10/13/22
- City Council adoption hearing: 12/12/22
- Alternative City Council adoption hearing: 1/10/23
- Amendments take effect: January/February 2023

Density Code Amendments, 2022 (Revisions: 10/6/22):

Language to be removed

Language proposed

The Dalles Comprehensive Plan

Goal 10 Policies

22. To provide variety and flexibility in site design and densities, residential lands shall be divided into land use planning districts with the following prescribed density ranges for each district:

- a. Low Density Residential 3-6 **8.71** units/~~gross~~ acre
- b. Medium Density Residential 7-17 **21.78** units/~~gross~~ acre
- c. High Density Residential 10-25 **29.04** units/~~gross~~ acre

Appendix B, page b

The Dalles Comprehensive Land Use Plan includes three residential plan designations:

- Low Density Residential (3-6 **8.712** units per ~~gross~~ acre)
- Medium Density Residential (7-17 **21.78** units per ~~gross~~ acre)
- High Density Residential (17-25 **29.04** units per ~~gross~~ acre)

The Dalles Municipal Code

10.2.030 Meaning of Specific Words and Terms

- **Accessory Dwelling Unit (ADU). A smaller, independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached) single-family home or duplex. For the purposes of calculating minimum density, accessory dwelling units are counted as one dwelling unit. For the purposes of calculating maximum density, accessory dwelling units are counted as zero dwelling units.**
- **Dwelling, Duplex.** Two dwelling units located on a single lot or development site, placed either so that some structural parts are in common (attached), or so the units are physically separate structures (detached). **For the purposes of calculating minimum density, duplexes are counted as two dwelling units. For the purposes of calculating maximum density, duplexes are counted as one dwelling unit.**
- **Gross.** When referring to area, the total area of land located within lot lines proposed for use or development.
- **Gross Density.** The total number of dwelling units per ~~gross~~ acre.
- **Net.** When referring to area, the total area of land proposed for use or development but excluding public rights-of-way existing or anticipated to exist, land constrained

by slopes of 25% or greater, land located within the 100-year floodplain identified by the Federal Emergency Management Agency (FEMA) on the Flood Insurance Rate Maps for the City of The Dalles (unless an application includes either a FEMA-approved Letter of Map Amendment or Letter of Map Revision Based on Fill), lands determined by the Oregon Department of State Lands (DSL) to be wetlands (unless an application includes a DSL-approved Removal-Fill Permit), land in stream corridors (as defined in Article 5.130), land designated open space or parkland anticipated to be publicly owned, land designated open space owned in common by owners within a residential development, and land encumbered by public utility easements.

- Net Density. The total number of dwelling units per developable area of a lot, parcel, or tract (i.e., total area minus roads, easements, etc.). The total number of dwelling units per net acre.

#

10.6.030.040 General Regulations

D. Density. See 10.6.170.040 (C) for minimum required and maximum allowed density standards for accessory dwelling units.

#

10.6.070.020 Fractions Rounding

When calculations result in fractions the results will be rounded as follows:

A. Minimum Requirements. When a regulation is expressed in terms of a minimum requirement, any fractional result will be rounded up to the next consecutive whole number. For example, if a minimum requirement of one tree for every 30 feet is applied to a 50-foot strip, the resulting fraction of 1.67 is rounded up to 2 required trees.

B. Maximum Limits. When a regulation is expressed in terms of maximum limits, any fractional result will be rounded down to the next lower whole number. For example, if a maximum limit of one dwelling unit for every 3,000 square feet is applied to an 8,000 square foot site, the resulting fraction of 2.67 is rounded down to 2 allowed dwelling units.

- A. When calculations required or allowed by this Title result in fractions, the results shall be rounded to a fraction truncated to the hundredths place. For example, 3.4235 shall be truncated to 3.42, and 3.42 shall be applied. Where a resulting fraction is equal to or greater than 0.50, the result shall be rounded up to the next whole number. For example, 3.51 shall be rounded to 4.00, and 4.00 shall be applied. Where a resulting fraction is less than 0.50, the result shall be rounded down to the preceding whole number. For example, 3.49 shall be rounded to 3.00, and 3.00 shall be applied.
- B. Any rounded whole number, which results in a total number of dwelling units exceeding the maximum Comprehensive Plan density range, shall be permitted no

more than one dwelling unit greater than the density range. For example, a RL zoned development with a maximum density of 8.65 may be rounded up to 9; thus exceeding the 8.712 maximum allowed density of the RL zoning district.

#

Article 6.170 Density

10.6.170.010 Purpose

This Article explains how density is regulated within this Title.

10.6.170.020 Calculating Density

- A. Density Denominator –Density is determined on an individual development proposal basis. For developments including multiple lots or parcels, the overall density of the entire proposed development site is calculated.**
- B. Gross and Net Density**
- 1. When determining minimum required density of an individual development, net density is used for calculations.**
 - 2. When determining maximum allowed density of an individual development, gross density is used for calculations.**
- C. Deductions to Calculate Net Area**
- Net area is the total area of land within an individual development, excluding the following areas (measured in sq. ft.):**
- 1. Right-of-way dedications for new rights-of-way or expansions of existing rights-of-way;**
 - 2. Land constrained by slopes of 25% or greater;**
 - 3. 100-year floodplains, as determined by the Federal Emergency Management Agency;**
 - 4. Wetlands, as determined by the Oregon Department of State Lands;**
 - 5. Stream corridors, as defined in Article 5.130;**
 - 6. Open space or parkland anticipated to be publicly owned or open space owned in common by owners within a residential development; and**
 - 7. Public utility easements.**
- D. Density Calculations**
- 1. Minimum Density**
 - a. The minimum number of dwelling units required is calculated by dividing the net area (pursuant to TDMC 10.6.170.020(C)) by 43,560 sq. ft. to convert the area to acres, then by multiplying the resulting acreage by the most restrictive minimum required dwelling unit density applicable to the project’s zone district. See TDMC 10.6.070.020 for fractional rounding.**

2. Maximum Density

- b. The maximum number of dwelling units permitted is calculated by dividing the gross area by 43,560 sq. ft. to convert the area to acres, then by multiplying the resulting acreage by the least restrictive maximum required dwelling unit density applicable to the project's zone district. See TDMC 10.6.070.020 for fractional rounding.**

E. Minimum Lot Allowances

- A. Regardless of the density calculation described above, any residentially zoned lot of record is allowed at least 1 dwelling unit.**
- B. Any residentially zoned lot of record has a density of at least 1 dwelling unit.**

10.6.170.030 Discrepancy between Minimum Required and Maximum Allowed Density

Where the calculation of maximum allowed density results in a number smaller than the minimum required density, the result from the minimum allowed density is both the minimum required and maximum allowed density.

10.6.170.040 Regulating Density

- A. No proposed development may exceed the maximum gross density prescribed to all developments within the underlying zone.**

B. RL, RH, and RM zoning districts (All development)

For all proposed developments not meeting minimum density requirements, an approved redevelopment plan (pursuant to TDMC 10.3.120) shall be filed with the Wasco County Clerk at the applicant's expense and all development proposed shall comply with the approved redevelopment plan, unless a new redevelopment plan is approved by the City.

C. Duplexes and Accessory Dwelling Units

a. Minimum Density

- i. Duplexes: For the purposes of calculating minimum density, duplexes are counted as two dwelling units.**
- ii. Accessory Dwelling Units: For the purposes of calculating minimum density, accessory dwelling units are counted as one dwelling unit.**

b. Maximum Density

- i. Duplexes: For the purposes of calculating maximum density, duplexes are counted as one dwelling unit.**
- ii. Accessory Dwelling Units: For the purposes of calculating maximum density, accessory dwelling units are counted as zero dwelling units.**

#

10.9.020.020 (D,8) Redevelopment Plans

~~Redevelopment Plans. A redevelopment plan shall be required when dividing residential land into large lots that have the potential for further subdivision or partition at some future date. The redevelopment plan shall show street extensions, utility extensions, and lot patterns to:~~

- ~~a. Indicate how the property(ies) may be further developed to 70% of maximum Comprehensive Plan density for the particular zone district.~~
- ~~b. Demonstrate that the proposal will not inhibit development of adjacent lands.~~

Article 3.120 Redevelopment Plans

A redevelopment plan shall be provided for all proposed developments as outlined in Section 6.170.040. The purpose of a redevelopment plan is to govern development patterns, including the layout of subdivisions, planned developments, and partitions, in order to maximize the long-term potential for residential development and achieve the density prescribed by the Comprehensive Plan. All redevelopment plans must indicate how the property(ies) may be further developed to meet minimum density without inhibiting development of adjacent lands. The redevelopment plan shall clearly indicate all of the following information applicable to the particular development proposal:

- 1. Project name.**
- 2. A separate vicinity map indicating location of the proposed development.**
- 3. Scale. The scale shall be at least 1 inch equals 50 feet (1:50), unless a different scale is authorized by the Director.**
- 4. North arrow.**
- 5. Date of plan.**
- 6. Location and names of all existing rights-of-way and location of proposed rights-of-way within or on the boundary of the proposed development.**
- 7. Lot layout with dimensions for all lot lines (if applicable).**
- 8. Location and dimensions of all existing and proposed dwellings and structures. Indicate which dwellings and/or structures are to remain and which are to be removed.**
- 9. Location and dimensions of all yards and setbacks from all property lines.**
- 10. Distances between existing and proposed dwellings and structures.**
- 11. Location and description of any slopes greater than 25%.**
- 12. Location of existing and proposed utilities and easements.**
- 13. Location of any reasonably significant natural features including, but not limited to, water courses, trees, rock outcroppings, ponds, floodplains, drainage ways, and wetlands.**
- 14. Any additional information reasonably required by the Director to act on the application.**

#

10.5.010.010 Purpose

This district implements the RL - Low Density Residential Comprehensive Plan designation, ~~which allows for a range of 3 to 6 single family dwelling units per gross acre. This density does not apply to duplexes.~~ The RL district is intended to provide low density family residential areas for present and future needs, together with a full range of urban services. (Ord. 21-1384)

10.5.020.010 Purpose

This district implements the RH - High Density Residential Comprehensive Plan designation, ~~which allows for a range of 10 to 25 single family and multifamily dwelling units per gross acre. This density does not apply to duplexes.~~ The RH district is intended to provide areas where single-family detached dwellings, single-family attached dwellings, duplexes, town houses, condominiums, and multifamily developments may be constructed under various ownership patterns. Adequate urban services shall be available to all development without exception. (Ord. 21-1384)

10.5.030.010 Purpose

This district implements the ~~Mobile Home~~ **RM – Medium Density** Residential Comprehensive Plan designation, ~~which allows for a range of 7 to 17 single family and multifamily dwelling units per gross acre.~~ The RM district is intended to provide medium density areas for the full range of residential dwelling types listed in this Article. Adequate urban services shall be available to all development without exception.

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10.5.010.060 Development Standards

<u>Minimum Density*</u>	<u>Not more than 10,000 net buildable sq. ft. per dwelling unit.</u>
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~~* This standard is applicable to new subdivisions and planned developments, but does not apply to infill development approved through the minor partition process. Compliance with this standard is measured by determining the buildable square footage on a proposed development site (exclusive of areas to be dedicated for public rights of way, constrained by slopes of 25% or greater, public utility easements, wetlands, riparian corridors and floodplain), then dividing by minimum density square footage standard, and rounding down. For example, an RL site with 5 buildable acres would be required to provide at least 21 dwelling units (217,800 buildable sq. ft./10,000 sq. ft. = 21.78, rounded down to 21).~~

<u>Minimum Density</u>	<u>3 units per net acre*</u>
<u>Maximum Density</u>	<u>8.71 units per gross acre*</u>

~~*See 6.170.020 for more information regarding net acreage.~~

10.5.020.060 Development Standards

<u>Minimum Density**</u>	<u>Not more than 4,000 net buildable sq. ft. gross area per dwelling unit.</u>
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****** Measured by determining the net buildable square footage on a proposed development site (exclusive of areas to be dedicated for public rights-of-way, constrained by slopes of 25% or greater, wetlands, riparian corridors and floodplain), then dividing by minimum density square footage standard, and rounding down. For example, an RH site with one net buildable acre would be required to provide at least 10 dwelling units (43,560 buildable sq. ft./4,000 sq. ft. = 10.89, rounded down to 10).

<u>Minimum Density</u>	<u>10 units per net acre*</u>
<u>Maximum Density</u>	<u>29.04 units per gross acre*</u>

*** See 6.170.020 for more information regarding net acreage.**

10.5.030.060 Development Standards

<u>Minimum Density**</u>	<u>Not more than 6,000 net buildable sq. ft. per dwelling unit.</u>
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****** Measured by determining the net buildable square footage on a proposed development site (exclusive of areas to be dedicated for public rights-of-way, constrained by slopes of 25% or greater, wetlands, riparian corridors and floodplain), then dividing by minimum density square footage standard, and rounding down. For example, an RM site with two buildable acres would be required to provide at least 14 dwelling units (87,120 buildable sq. ft./6,000 sq. ft. = 14.52, rounded down to 14).

<u>Minimum Density</u>	<u>7 units per net acre*</u>
<u>Maximum Density</u>	<u>21.78 units per gross acre*</u>

*** See 6.170.020 for more information regarding net acreage.**

10.5.040.050 Development Standards

	Standard		
NC Neighborhood Commercial	Commercial Only	Residential Only	Mixed Commercial/Residential
Minimum Lot Area	None	4,000 sq. ft. OR 2,500 sq. ft. per lot for <u>small lot</u> and townhouse clusters (3-8 units)	4,000 sq. ft.

NC Neighborhood Commercial	Standard		
	Commercial Only	Residential Only	Mixed Commercial/Residential
Minimum Lot Width	None	40 ft. OR 25 ft. per lot for small lot and townhouse clusters (3-8 units)	40 ft. OR 25 ft. per lot for small lot and townhouse clusters (3-8 units)

Minimum Density*	N/A	4,000 net buildable sq. ft. per dwelling unit Not more than 4,000 net sq. ft. per dwelling unit.	N/A
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* Measured by determining the net buildable square footage on a proposed development site (exclusive of areas to be dedicated for public rights of way, constrained by slopes of 25% or greater, wetlands, riparian corridors and floodplain), then dividing by minimum density square footage standard, and rounding down. See examples for underlying zones

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10.5.040.020 Permitted Uses (A,2,d)

d. ~~Small lot single family detached dwellings and Attached town houses (zero lot line, 3-8 unit clusters).~~

#

10.9.050.040 Conceptual Development Plan Applications

B. Graphics. A conceptual development plan application shall include all of the requirements of Section 10.3.030.030(A): Site Plan as part of the site plan review requirements for a conditional use, and all of the following graphic information where applicable:

- 2. Site plan(s) and other graphics drawn to scale and containing a sheet title, date, north arrow, and legend placed in the same location on each sheet and containing the following:
 - b. General location of existing and proposed structures, including building types and heights, and gross and net density per acre. An indication of approximate building envelopes may be required where necessary to evaluate building relationships.

C. Narrative Requirements. A written statement accompanying the conceptual development plan shall include:

- 4. Quantitative data for the following where appropriate:

- d. ~~Gross~~ **Densities** per acre.

10.9.040.030 Subdivision Applications

- B. Graphics Requirements. Subdivision applications shall include the following graphic information where applicable.
 - 2. Tentative subdivision plat and other graphics drawn to scale and containing sheet titles, date, north arrow, and legend placed in the same location on each sheet and containing the following:
 - e. General location of existing and proposed structures including building types and heights, **gross and net** density per acre and proposed use restrictions. An indication of approximate building envelopes may be required where necessary to evaluate building relationships.
- C. Narrative Requirements. A written statement accompanying the subdivision application shall include:
 - 4. General data not included on the tentative plat such as:
 - d. ~~Gross~~ **Densities** per acre.

10.9.050.060 Detailed Development Plan Review

- A. Application Requirements. Applications for detailed development plans shall meet the application and review requirements specified for conceptual development plans in Sections 10.9.050.040 and 10.9.050.050 of this Article, and include the following:
 - 1. Graphic Requirements. The following graphic requirements are required in addition to those specified for a conceptual development plan:
 - c. Location and floor area of existing and proposed structures and other at-grade and above-grade improvements, easements and rights-of-way, and density per **gross and net** acre (for residential developments).

10.5.010.080 Exceptions to Standards

- A. Lot Size.
 - 2. Where open space is reserved on a separate tract of land, permitted density from that open space tract may be transferred to buildable portions of the site to allow for town house lots through the subdivision process, provided that the overall project density does not exceed **68.71** dwelling units per **gross** acre. The proposed development must conform to this and other City ordinances.

#

10.5.020.080 Open Area

- B. A minimum of 30% of the **gross net** lot area shall be developed as permanent open area. The minimum open area shall be landscaped and permanently maintained per the

provisions of Article 6.010: Landscaping Standards. Decorative design elements such as fountains, pools, benches, sculptures, planters, and similar elements may be placed within the open area. These provisions shall apply to all new projects and to additions or remodels of existing structures that create new dwelling units. The following apply to the required open area:

10.5.030.080 Open Area

- B. A minimum of 30% of the gross net lot area shall be developed as permanent open space. The minimum open area shall be landscaped and permanently maintained per the provisions of Article 6.010: Landscaping Standards. Decorative design elements such as fountains, pools, benches, sculptures, planters, and similar elements may be placed within the open area. These provisions shall apply to all new projects and to additions or remodels of existing structures that create new dwelling units. The following apply to the required open area:

Density Code Amendments, 2022:

Language to be removed

Language proposed

The Dalles Comprehensive Plan

Goal 10 Policies

22. To provide variety and flexibility in site design and densities, residential lands shall be divided into land use planning districts with the following prescribed density ranges for each district:

- a. Low Density Residential 3-~~68.71~~ units/~~gross net~~ acre
- b. Medium Density Residential 7-~~1721.78~~ units/~~gross net~~ acre
- c. High Density Residential 10-~~2529.04~~ units/~~gross net~~ acre

Appendix B, page b

The Dalles Comprehensive Land Use Plan includes three residential plan designations:

- Low Density Residential (3-~~68.71~~ units per ~~gross~~ acre)
- Medium Density Residential (7-~~1721.78~~ units per ~~gross~~ acre)
- High Density Residential (10-~~2529.04~~ units per ~~gross~~ acre)

The Dalles Municipal Code

10.2.030 Meaning of Specific Words and Terms

- ~~Gross Density. The total number of dwelling units per total area of a lot, parcel, or tract.~~
- Accessory Dwelling Unit (ADU). A smaller, independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached) single-family home or duplex. For the purposes of calculating minimum density, accessory dwelling units are counted as one dwelling unit. For the purposes of calculating maximum density, accessory dwelling units are counted as zero dwelling units.
- Dwelling, Duplex. Two dwelling units located on a single lot or development site, placed either so that some structural parts are in common (attached), or so the units are physically separate structures (detached). For the purposes of calculating minimum density, duplexes are counted as two dwelling units. For the purposes of calculating maximum density, duplexes are counted as one dwelling unit.
- Gross. When referring to land, the total area of land proposed for use or development.
- Gross Density. The total number of dwelling units per gross acre.

Density Code Amendments
July 7, 2022 | Page 1 of 10

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- **Net.** When referring to area, the total area of land proposed for use or development but excluding public rights-of-way existing or anticipated to exist, land constrained by slopes of 25% or greater, land located within the 100-year floodplain identified by the Federal Emergency Management Agency (FEMA) on the Flood Insurance Rate Maps for the City of The Dalles (unless an application includes either a FEMA-approved Letter of Map Amendment or Letter of Map Revision Based on Fill), lands determined by the Oregon Department of State Lands (DSL) to be wetlands (unless an application includes a DSL-approved Removal-Fill Permit), land in stream corridors (as defined in Article 5.130), land designated open space or parkland anticipated to be publicly owned, land designated open space owned in common by owners within a residential development, and land encumbered by public utility easements.
- **Net Density.** The total number of dwelling units per developable area of a lot, parcel, or tract (i.e., total area minus roads, easements, etc.). **The total number of dwelling units per net acre.**

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10.6.030.040 General Regulations

- D. Density.** See 10.6.170.040 (C) for minimum required and maximum allowed density standards for accessory dwelling units.

#

10.6.070.020 Fractions Rounding

When calculations result in fractions the results will be rounded as follows:

A. Minimum Requirements. When a regulation is expressed in terms of a minimum requirement, any fractional result will be rounded up to the next consecutive whole number. For example, if a minimum requirement of one tree for every 30 feet is applied to a 50-foot strip, the resulting fraction of 1.67 is rounded up to 2 required trees.

B. Maximum Limits. When a regulation is expressed in terms of maximum limits, any fractional result will be rounded down to the next lower whole number. For example, if a maximum limit of one dwelling unit for every 3,000 square feet is applied to an 8,000 square foot site, the resulting fraction of 2.67 is rounded down to 2 allowed dwelling units.

- A.** When calculations required or allowed by this Title result in fractions, the results shall be rounded to a fraction truncated to the hundredths place. For example, 3.4235 shall be truncated to 3.42, and 3.42 shall be applied. Where a resulting fraction is equal to or greater than 0.50, the result shall be rounded up to the next whole number. For example, 3.51 shall be rounded to 4.00, and 4.00 shall be applied. Where a resulting fraction is less than 0.50, the result shall be rounded down to the preceding whole number. For example, 3.49 shall be rounded to 3.00, and 3.00 shall be applied.

- B.** Any rounded whole number, which results in a total number of dwelling units exceeding the maximum Comprehensive Plan density range, shall be permitted no

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more than one dwelling unit greater than the density range. For example, a RL zoned development with a maximum density of 8.65 may be rounded up to 9; thus exceeding the 8.712 maximum allowed density of the RL zoning district.

#

Article 6.170 Density

6.170.010 Purpose

This Article explains how density is regulated within this Title.

6.170.020 Calculating Density

A. Density Denominator – ~~Net acreage~~ Density is determined on an individual development proposal basis. For developments including multiple lots or parcels, the overall density of the entire proposed development site is calculated.

B. Gross and Net Density

i. When determining minimum required density of an individual development, net density is used for calculations.

A.ii. When determining maximum allowed density of an individual development, gross density is used for calculations.

B.C. Deductions to Calculate Net Area

Net area is the total area of land within an individual development, excluding the following areas (measured in sq. ft.):

1. Right-of-way dedications for new rights-of-way or expansions of existing rights-of-way;
2. Land constrained by slopes of 25% or greater;
3. 100-year floodplains, as determined by the Federal Emergency Management Agency;
4. Wetlands, as determined by the Oregon Department of State Lands;
5. Stream corridors, as defined in Article 5.130;
6. Open space or parkland anticipated to be publicly owned or open space owned in common by owners within a residential development; and
7. Public utility easements.

C.D. Density Calculations

1. Minimum Density

- a. The minimum number of dwelling units required is calculated by dividing the net area (pursuant to TDMC 10.6.170.020(B.C)) by 43,560 sq. ft. to convert the area to acres, then by multiplying the resulting acreage by the most restrictive minimum required dwelling unit density applicable to the project's zone district. See TDMC 10.6.070.020 for fractional rounding.

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2. Maximum Density

- b. The maximum number of dwelling units permitted is calculated by dividing the grossnet area (pursuant to TDMC 10.6.170.020(B)) by 43,560 sq. ft. to convert the area to acres, then by multiplying the resulting acreage by the least restrictive maximum required dwelling unit density applicable to the project's zone district. See TDMC 10.6.070.020 for fractional rounding.

D.E. Minimum Lot Allowances

- A. Regardless of the density calculation described above, any residentially zoned lot of record is allowed at least 1 dwelling unit.
- B. Any residentially zoned lot of record has a density of at least 1 dwelling unit.

6.170.030 Discrepancy between Minimum Required and Maximum Allowed Density

Where the calculation of maximum allowed density results in a number smaller than the minimum required density, the result from the minimum allowed density is both the minimum required and maximum allowed density.

6.170.040 Regulating Density

- A. No proposed development may exceed the maximum net-gross density prescribed to all developments within the underlying zone.
- B. RL, RH, and RM zoning districts (All development)

For all proposed developments not meeting minimum density requirements, an approved redevelopment plan (pursuant to TDMC 10.3.120) shall be filed with the Wasco County Clerk at the applicant's expense and all development proposed shall comply with the approved redevelopment plan, unless a new redevelopment plan is approved by the City.

C. Duplexes and Accessory Dwelling Units

a. Minimum Density

- i. Duplexes: For the purposes of calculating minimum density, duplexes are counted as two dwelling units.
- ii. Accessory Dwelling Units: For the purposes of calculating minimum density, accessory dwelling units are counted as one dwelling unit.

b. Maximum Density

- i. Duplexes: For the purposes of calculating maximum density, duplexes are counted as one dwelling unit.
- ii. Accessory Dwelling Units: For the purposes of calculating maximum density, accessory dwelling units are counted as zero dwelling units.

#

10.9.020.020 (D,8) Redevelopment Plans

Redevelopment Plans. A redevelopment plan shall be required when dividing residential land into large lots that have the potential for further subdivision or partition at some future date. The redevelopment plan shall show street extensions, utility extensions, and lot patterns to:

- a. Indicate how the property(ies) may be further developed to 70% of maximum Comprehensive Plan density for the particular zone district.
- b. Demonstrate that the proposal will not inhibit development of adjacent lands.

Article 3.120 Redevelopment Plans

A redevelopment plan shall be provided for all proposed developments as outlined in Section 6.170.040. The purpose of a redevelopment plan is to govern development patterns, including the layout of subdivisions, planned developments, and partitions, in order to maximize the long-term potential for residential development and achieve the density prescribed by the Comprehensive Plan. All redevelopment plans must indicate how the property(ies) may be further developed to meet minimum density without inhibiting development of adjacent lands. The redevelopment plan shall clearly indicate all of the following information applicable to the particular development proposal:

- 1. Project name.**
- 2. A separate vicinity map indicating location of the proposed development.**
- 3. Scale. The scale shall be at least 1 inch equals 50 feet (1:50), unless a different scale is authorized by the Director.**
- 4. North arrow.**
- 5. Date of plan.**
- 6. Location and names of all existing rights-of-way and location of proposed rights-of-way within or on the boundary of the proposed development.**
- 7. Lot layout with dimensions for all lot lines (if applicable).**
- 8. Location and dimensions of all existing and proposed dwellings and structures. Indicate which dwellings and/or structures are to remain and which are to be removed.**
- 9. Location and dimensions of all yards and setbacks from all property lines.**
- 10. Distances between existing and proposed dwellings and structures.**
- 11. Location and description of any slopes greater than 25%.**
- 12. Location of existing and proposed utilities and easements.**
- 13. Location of any reasonably significant natural features including, but not limited to, water courses, trees, rock outcroppings, ponds, floodplains, drainage ways, and wetlands.**
- 14. Any additional information reasonably required by the Director to act on the application.**

#

10.5.010.010 Purpose

This district implements the RL - Low Density Residential Comprehensive Plan designation, ~~which allows for a range of 3 to 6 single family dwelling units per gross acre. This density does not apply to duplexes.~~ The RL district is intended to provide low density family residential areas for present and future needs, together with a full range of urban services. (Ord. 21-1384)

10.5.020.010 Purpose

This district implements the RH - High Density Residential Comprehensive Plan designation, ~~which allows for a range of 10 to 25 single family and multifamily dwelling units per gross acre. This density does not apply to duplexes.~~ The RH district is intended to provide areas where single-family detached dwellings, single-family attached dwellings, duplexes, town houses, condominiums, and multifamily developments may be constructed under various ownership patterns. Adequate urban services shall be available to all development without exception. (Ord. 21-1384)

10.5.030.010 Purpose

This district implements the ~~Mobile Home~~ **RM – Medium Density** Residential Comprehensive Plan designation, ~~which allows for a range of 7 to 17 single family and multifamily dwelling units per gross acre.~~ The RM district is intended to provide medium density areas for the full range of residential dwelling types listed in this Article. Adequate urban services shall be available to all development without exception.

#

10.5.010.060 Development Standards

<u>Minimum Density*</u>	<u>Not more than 10,000 net buildable sq. ft. per dwelling unit.</u>
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~~* This standard is applicable to new subdivisions and planned developments, but does not apply to infill development approved through the minor partition process. Compliance with this standard is measured by determining the buildable square footage on a proposed development site (exclusive of areas to be dedicated for public rights of way, constrained by slopes of 25% or greater, public utility easements, wetlands, riparian corridors and floodplain), then dividing by minimum density square footage standard, and rounding down. For example, an RL site with 5 buildable acres would be required to provide at least 21 dwelling units (217,800 buildable sq. ft./10,000 sq. ft. = 21.78, rounded down to 21).~~

<u>Minimum Density</u>	<u>3 units per net acre*</u>
<u>Maximum Density</u>	<u>6-8.71 units per net gross acre*</u>

*See 6.170.020 for more information regarding net acreage.

10.5.020.060 Development Standards

Minimum Density**	Not more than 4,000 net buildable sq. ft. gross area per dwelling unit.
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**** Measured by determining the net buildable square footage on a proposed development site (exclusive of areas to be dedicated for public rights of way, constrained by slopes of 25% or greater, wetlands, riparian corridors and floodplain), then dividing by minimum density square footage standard, and rounding down. For example, an RH site with one net buildable acre would be required to provide at least 10 dwelling units (43,560 buildable sq. ft./4,000 sq. ft. = 10.89, rounded down to 10).**

Minimum Density	10 units per net acre*
Maximum Density	25-29.04 units per net gross acre*

*** See 6.170.020 for more information regarding net acreage.**

10.5.030.060 Development Standards

Minimum Density**	Not more than 6,000 net buildable sq. ft. per dwelling unit.
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**** Measured by determining the net buildable square footage on a proposed development site (exclusive of areas to be dedicated for public rights of way, constrained by slopes of 25% or greater, wetlands, riparian corridors and floodplain), then dividing by minimum density square footage standard, and rounding down. For example, an RM site with two buildable acres would be required to provide at least 14 dwelling units (87,120 buildable sq. ft./6,000 sq. ft. = 14.52, rounded down to 14).**

Minimum Density	7 units per net acre*
Maximum Density	17-21.78 units per net gross acre*

*** See 6.170.020 for more information regarding net acreage.**

10.5.040.050 Development Standards

NC Neighborhood Commercial	Standard		
	Commercial Only	Residential Only	Mixed Commercial/Residential
Minimum Lot Area	None	4,000 sq. ft. OR 2,500 sq. ft. per lot for small lot and townhouse clusters (3-8 units)	4,000 sq. ft.

NC Neighborhood Commercial	Standard		
	Commercial Only	Residential Only	Mixed Commercial/Residential
Minimum Lot Width	None	40 ft. OR 25 ft. per lot for small lot and townhouse clusters (3-8 units)	40 ft. OR 25 ft. per lot for small lot and townhouse clusters (3-8 units)

Minimum Density*	N/A	4,000 net buildable sq. ft. per dwelling unit Not more than 4,000 net sq. ft. per dwelling unit.	N/A
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~~* Measured by determining the net buildable square footage on a proposed development site (exclusive of areas to be dedicated for public rights of way, constrained by slopes of 25% or greater, wetlands, riparian corridors and floodplain), then dividing by minimum density square footage standard, and rounding down. See examples for underlying zones~~

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10.5.040.020 Permitted Uses (A,2,d)

d. ~~Small lot single family detached dwellings and~~ Attached town houses (zero lot line, 3-8 unit clusters).

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10.9.050.040 Conceptual Development Plan Applications

B. Graphics. A conceptual development plan application shall include all of the requirements of Section 10.3.030.030(A): Site Plan as part of the site plan review requirements for a conditional use, and all of the following graphic information where applicable:

- 2. Site plan(s) and other graphics drawn to scale and containing a sheet title, date, north arrow, and legend placed in the same location on each sheet and containing the following:
 - b. General location of existing and proposed structures, including building types and heights, and ~~gross and net~~ density per acre. An indication of approximate building envelopes may be required where necessary to evaluate building relationships.

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C. Narrative Requirements. A written statement accompanying the conceptual development plan shall include:

- 4. Quantitative data for the following where appropriate:

- d. ~~Gross Net D~~**densities** per acre.

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10.9.040.030 Subdivision Applications

- B. Graphics Requirements. Subdivision applications shall include the following graphic information where applicable.
 - 2. Tentative subdivision plat and other graphics drawn to scale and containing sheet titles, date, north arrow, and legend placed in the same location on each sheet and containing the following:
 - e. General location of existing and proposed structures including building types and heights, **gross and net** density per acre and proposed use restrictions. An indication of approximate building envelopes may be required where necessary to evaluate building relationships.
- C. Narrative Requirements. A written statement accompanying the subdivision application shall include:
 - 4. General data not included on the tentative plat such as:
 - d. ~~Gross Net D~~**densities** per acre.

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10.9.050.060 Detailed Development Plan Review

- A. Application Requirements. Applications for detailed development plans shall meet the application and review requirements specified for conceptual development plans in Sections 10.9.050.040 and 10.9.050.050 of this Article, and include the following:
 - 1. Graphic Requirements. The following graphic requirements are required in addition to those specified for a conceptual development plan:
 - c. Location and floor area of existing and proposed structures and other at-grade and above-grade improvements, easements and rights-of-way, and density per **gross and net** acre (for residential developments).

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10.5.010.080 Exceptions to Standards

- A. Lot Size.
 - 2. Where open space is reserved on a separate tract of land, permitted density from that open space tract may be transferred to buildable portions of the site to allow for ~~small lot single family and~~ town house lots through the subdivision process, provided that the overall project density does not exceed ~~68.71~~ dwelling units per **gross net** acre. The proposed development must conform to this and other City ordinances.

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10.5.020.080 Open Area

B. A minimum of 30% of the gross net lot area shall be developed as permanent open area. The minimum open area shall be landscaped and permanently maintained per the provisions of Article 6.010: Landscaping Standards. Decorative design elements such as fountains, pools, benches, sculptures, planters, and similar elements may be placed within the open area. These provisions shall apply to all new projects and to additions or remodels of existing structures that create new dwelling units. The following apply to the required open area:

10.5.030.080 Open Area

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