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**CITY OF CONDON
WORK SESSION AGENDA
PLANNING COMMISSION MEETING
Tuesday, December 21, 2021, 5:30 PM
CONDON CITY HALL**

- 1. CALL REGULAR MEETING TO ORDER**
- 2. ROLL CALL**
- 3. ADDITIONS TO AGENDA**
- 4. REVIEW & APPROVE THE NOVEMBER 23, 2021 PLANNING COMMISSION MEETING MINUTES**
 - 4.1. November 23, 2021 Minutes**
- 5. DISCUSSION ZONING CHANGES**
 - 5.1. Letter & Draft Changes - Planner Kirk Fatland**
- 6. NEXT REGULAR MEETING DATE**
 - 6.1. The next regular Condon Planning Commission meeting is Tuesday, January 18, 2021, 5:30 p.m.**
- 7. ADJOURN REGULAR MEETING**

Agenda prepared and distributed December 14, 2021



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Tuesday, November 23, 2021, 5:00 PM
CONDON CITY HALL**

1. LOCATION & ZOOM LINK - CITY HALL - MASKS REQUIRED

1.1. <https://us02web.zoom.us/j/83035691524?pwd=aTJ3ejFKQmFhcUFITVZNUmYwRWJJQT09>

**Meeting ID: 830 3569 1524
Passcode: 491362**

2. Call the Meeting to Order - Roll Call

Planning Commission Chair Vernon Grey called the meeting to order at 5 p.m.

Present: Commissioners Grey, Cody Bettencourt, Haylee Potter and Derek Hiser (zoom); Staff - City Administrator Kathryn Greiner and Planning Consultant Kirk Fatland

Absent: Commissioner Rachel Weinstein

3. Review & Approve October 19, 2021 Planning Commission Meeting Minutes

3.1. Minutes

A motion was made by Commissioner Bettencourt to approve the October 19, 2021 planning commission meeting minutes. The motion was seconded by Councilor Potter and approved unanimously.

4. Public Hearing - Silvia Durfey - Tentative Partition Plat - Application #613

4.1. Open Hearing

Chair Grey opened the hearing at 5:01 p.m.

4.2. Hearing Disclosure Statement, Declare Conflicts of Interest, Ex Parte Contact or Personal Bias

Chair Grey asked if any Commissioners had conflicts of interest, ex parte contact or a personal bias, and none were noted. He also asked if the audience wanted to challenge any of the Commissioners on the hearing before them and none were noted.

4.3. Staff Report & Applicant Testimony

Fatland summarized the staff report saying that Durfey is requesting you to partition four 50' x 100' lots into two lots - one will be 100' x 75' and the second 125' x 100'. It would create a more conforming situation as it is currently being used with a livable house on the back portion facing Lincoln Street, and an uninhabitable house on the front lot along Church Street. Two buildings are separated by approximately 10' and if the survey shows less than that between buildings, a variance will need to be applied to make the two lots. Durfey provided a map of the buildings and what she anticipates to do with both lots. Fatland stated that one of the issues is that the current water and sewer services go through the lot facing Church Street and a condition of the partition is for Durfey to install new services from Lincoln Street. Fatland recommends approval based on the condition of getting new services to the habitable house.

Durfey stated that the request is to get insurance on the home which she currently lives on. She is unable to get insurance at this time due to it being on the same lot as an uninhabitable house. She added that with the weather getting colder, the source of heat is wood and she wants to get insurance to protect her investment.



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4.4. Other Members of the Audience that Wish to Speak on the Application (Includes Written Testimony) and Public Agency Reports

Dr. Cathleen Greiner, attending on Zoom, stated that her question was answered with the survey information.

No other written or oral testimony was given.

4.5. Applicants Rebuttal & Questions

Commissioner Bettencourt asked for clarification of the new survey line that would run between the two buildings.

Commissioner Potter asked about the cost of new connections from Lincoln Street. CA Greiner stated that connection to the city system would cost approximately \$2,000 and to get to the dwelling will be the landowner's responsibility. She said that Pioneer CDC has a project that grants landowners up to \$10,000 for utility upgrades and urged Durfey to have a conversation to help with the cost.

4.6. Close Hearing

Chair Grey closed the hearing at 5:15 p.m.

4.7. Planning Commission Questions, Discussions & Decision

A motion was made by Commissioner Bettencourt to approve the tentative partition plat application with the condition that new utilities would be run from Lincoln Street and a survey would be completed. The motion was seconded by Commissioner Potter and approved unanimously.

5. Review & Approve the Final Baseball Field Plat Map - Subdivision Ordinance

5.1. Re-Plat Plan & Information

A motion was made by Commissioner Potter to approve the final plat map of the Baseball Field project. The motion was seconded by Councilor Bettencourt and approved unanimously.

CA Greiner noted that the final maps for signature will be completed in next two weeks for signature after the final approval is given at the December 1, city council meeting.

6. Discuss Zoning Ordinance Changes - Commercial & ADU

Discussed duplex, tri-plex and four-plex information that was given that day to the Commissioners by Fatland. It was decided that the Commissioners will look at the information by the December meeting. CA Greiner asked if Fatland can put together all the changes that the planning commission had made to the zoning code to review in December with him stating that he will work on gathering that information.

7. Other

None

8. Adjourn

Chair Grey adjourned the meeting at 5:30 p.m.

Vernon Grey, Chair

Attest: Kathryn Greiner, City Administrator



TENNESON

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December 15, 2021

City of Condon
City Council
128 South Main Street
Condon, OR 97823

Regarding: Zoning Ordinance Review

Dear Commissioners,

Attached to this letter is a draft of the Residential Zone that includes all proposed amendments identified by the Planning Commission. This draft is a culmination of excellent discussion, creative thought, and productive meetings beginning in April of this year. All amended language is shown with strikethroughs or bold text. I've highlighted areas within the R-1 section to clarify the proposed changes. I am looking forward to moving closer towards a final draft of this ordinance at the December Planning Commission meeting. Please reach out in the meantime if you have any questions.

Sincerely,

Kirk T. Fatland

Kirk Fatland
<WO #15786>

CHAPTER 152: ZONING REGULATIONS

' 152.103 DEFINITIONS.

For purposes of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning. As used in this chapter, the singular includes the plural and the masculine includes the feminine and neuter; the word may is discretionary, the word shall is mandatory.

ACCESSORY DWELLING – An interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling.

~~***APARTMENT.*** A building (or portion thereof) consisting of separate living units designed for occupancy by three or more families living independently of each other.~~

APARTMENT. A building containing five or more dwelling units.

~~***DUPLEX.*** A building containing two dwelling units, each dwelling unit is designed for occupancy by a single family.~~

DUPLEX – Two dwelling units on a lot or parcel in any configuration (detached or attached). In instances where a development can meet the definition of a duplex and also meets the definition of a primary dwelling unit with an accessory dwelling unit (ADU), the applicant shall specify at the time of application review whether the development is considered a duplex or a primary dwelling unit with an ADU.

DWELLING UNIT - A single independent unit providing complete living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. For the purposes of this definition, "independent" means the dwelling unit:

- (a) Is detached from any other dwelling unit or is separated from any other dwelling unit by an approved fire separation as required under the Building Code;
- (b) Includes a kitchen area with a sink and an approved electrical service connection for a stove or range; and
- (c) Does not have a direct interior connection to any other dwelling unit, but may have fire-separated access to a common facility shared with any other dwelling unit

FOURPLEX - Means four dwelling units on a lot or parcel in any configuration.

SHORT-TERM RENTAL – Dwelling units rented for a period of less than 30 days, subject to the City of Condon Transient Lodging Tax.

TOWNHOME - A dwelling unit located on its own lot that shares one or more common or abutting walls with one or more dwelling units on adjacent lot(s).

TRIPLEX - Means three dwelling units on a lot or parcel in any configuration.

LAND USE ZONES

' 152.301 RESIDENTIAL ZONE - R-1.

USES . Buildings or structures hereafter erected, structurally altered, enlarged, or moved and land hereafter used in the R-1 Residential Zone shall comply with the following regulations. One single-family dwelling per lot, or parcel, is the maximum allowed density unless otherwise specified by this chapter.

(1) *PERMITTED USES.*

(A) Single-family dwellings, including manufactured homes meeting the requirements of ' 152.406.

(B) Duplexes, triplexes, and fourplexes meeting the requirement of ' 152.415.

(C) Accessory Dwelling Units meeting the requirements of ' 152.416.

(D) Townhomes meeting the requirements of ' 152.417.

(E) Short term rentals as defined.

(F) Public parks, public recreation areas and publicly owned community or neighborhood centers.

(G) Accessory uses or structures conforming with the requirements of ' 152.301(8) customarily incidental to the above uses. Detached accessory buildings shall not be located within the required setback areas of less than 10 feet from the main building. Accessory uses are those which are clearly incidental and subordinate to the primary use of the main building.

(H) Name plates and signs. One non-illuminated name plate, not to exceed four square feet in area, placed flat against the building, for each dwelling containing a home occupation. One temporary non-illuminated sign not to exceed eight square feet in area appertaining to the lease, rental, or sale of a building or premises upon which it is located. One bulletin board, not to exceed 24 square feet in area for each church, public library, neighborhood or community center. See ' 152.410.

(I) Residential homes.

(J) Home occupation Type I.

(2) *CONDITIONAL USES.* Permitted with approval of the Planning Commission in accordance with ' 152.501.

(A) Churches.

(B) Public buildings, schools and libraries.

(C) Lodge for civic or fraternal organization carrying on no commercial activity.

(D) Home occupation Type II.

~~(E) Duplexes, two unit dwellings, triplexes, and fourplexes.~~

(F) Necessary public utilities and public services with safeguards against non-compatibility to adjacent or abutting residential property as required by the Planning Commission.

(G) Mobile home parks.

(H) Bed and Breakfast facilities meeting the provisions of ' 152.407.

(I) Boarding house.

(J) Residential facilities.

(K) Child care center.

(L) Temporary use for construction with a one-year time limit, or once an occupancy permit is granted for the constructed structure.

(M) Apartments.

(3) *HEIGHT.* Buildings, structures, or portions thereof shall not be erected to exceed a height of 22 stories or 35 feet. Accessory buildings shall not exceed 14 feet in height.

(4) *SETBACK AND AREA REQUIREMENTS.*

(A) Setbacks. The following setbacks apply to both primary and accessory structures.

1. Front Yard, Setback. There shall be a front yard of not less than 15 feet in depth. **Unenclosed structures such as stairs, decks, or porches may encroach up to five feet into the required setback.**
2. Side Yard, Setback. There shall be a side yard on each side of the main building and each side yard shall have a width of not less than five feet. A corner lot shall have **10 15** feet of side yard setback.
3. Rear Yard, Setback. There shall be a rear yard of not less than five feet in depth.

(B) Area Requirements.

1. Lot Area. Every lot shall have a minimum average width of not less than 50 feet and an area of not less than 5,000 square feet.

Duplexes	7,500 square feet
Triplexes	8,500 square feet
Fourplexes	9,500 square feet

(5) *PARKING REGULATIONS.* **One parking space shall be provided for each dwelling unit. If provided off-street, a driveway apron, as defined shall be provided.**

~~(A) Dwellings. Two parking spaces shall be provided on the lot for each dwelling unit. A driveway apron, as defined shall be provided.~~

(A) On Street Credit. On street parking spaces meeting the following criteria shall be counted toward the minimum parking requirement above.

1. The space must be a minimum of 22 feet long,
2. The space must be abutting the subject site; and
3. The space must not obstruct a required sight distance area.

4. Garage Door Orientation. Dwellings must have garage doors that are subordinate to the dwelling's street facing façade to minimize visual impact and encourage pedestrian orientations. Select at least one of the following options:

a) Front-facing garage door with limited width. Front-facing garage door(s) extending a maximum of fifty percent of the street facing façade width or 12 feet, whichever is greater.

b) Garage door set back from primary façade. Front-facing garage door(s) set back at least four feet from the street facing façade.

c) Side or rear facing garage door. Garage door(s) oriented to a side street or alley.

(B) Uses other than Dwellings. See Supplemental Provisions ' 152.411.

(6) *SANITATION REGULATIONS.* Before any dwelling is occupied, it must be connected to the city sewer system.

~~(7) *DESIGN FEATURES.* One or two family dwellings and manufactured homes shall be provided with at least two of the following design features.~~

(A) Entry Orientation. The main entrance for each dwelling unit must:

1. Be within eight (8) feet of the street-facing façade and
2. Either:
 - i. Face the street; or
 - ii. Open onto a porch with at least one entrance facing the street.

(B) A minimum of 15 percent of the area of each street-facing façade must be windows or a main entrance door. Windows in garage doors do not count toward meeting this standard.

~~(A) Dormers.~~

~~(B) Recessed entries.~~

~~(C) Cupolas.~~

~~(D) Bay or bow windows.~~

- ~~(E) Attached garage.~~
- ~~(F) Window shutters.~~
- ~~(G) A roof with a pitch greater than nominal 3/12.~~
- ~~(H) Offsets on building face or roof (minimum 12").~~
- ~~(I) Gables.~~
- ~~(J) Covered porch entry.~~
- ~~(K) Pillars or posts.~~
- ~~(L) Eaves (minimum 6").~~
- ~~(M) Tile or shake roof.~~
- ~~(N) Horizontal lap siding.~~

(8) *ACCESSORY STRUCTURES OR USES.*.. Accessory uses or structures larger than ~~120~~ **200** square feet must meet all of the following requirements:

(A) Setbacks.

- 1. Detached accessory buildings shall not be located within the required setbacks.**
- 2. Must be located a minimum of five feet behind the primary street-facing façade of the dwelling.**

(B) Size and Design.

- 1. Have a maximum height of 80 percent of the height of the primary dwelling or 16 feet, whichever is greater.**
- 2. Have a maximum width of 20 feet.**
- 3. Have a peaked roof.**

(C) Accessory Dwelling Units. See Section ' 152.416

~~(A) Have a peaked roof.~~

(B) If manufactured off site:

1. The manufacture date shall not be more than three years prior to date of placement, and
2. If purchased used, the seller must certify the unit has not been previously used for the manufacture, storage or transportation of hazardous wastes.
(Ord. 01-05, passed 6-6-01; Am. Ord. 2012-01, passed 12-7-11)

SUPPLEMENTARY PROVISIONS

' 152.415 DUPLEXES, TRIPLEXES, AND FOURPLEXES. Duplexes, triplexes, and fourplexes are permitted outright on lots or parcels zoned for residential use that allow for the development of detached single-family dwellings. Duplexes are subject to the same approval process as that for detached single family dwellings in the same zone and are subject to the following standards.

(1) Design Standards.

(A) New duplexes, triplexes, and fourplexes shall meet all required design standards (e.g., window coverage, etc.) that apply to detached single family dwellings in the same zone, unless those standards conflict with this code.

(B) Entry Orientation. The main entrance for each dwelling unit must:

- i. Face the street; or
- ii. Open onto a porch with at least one entrance facing the street; or
- iii. For detached units: if separated from the street by another dwelling, the main entrance may face a common space adjacent to the street.

(C) Development Standards. Duplexes shall meet all other development standards (e.g., height, setbacks, parking, etc.) for single-family dwellings in R-1 Zone, additionally;

- i. Conversion of an existing, conforming or legal non-conforming single-family dwelling to a duplex is allowed, provided that the conversion does not increase the non-conformity.

' 152.416 ACCESSORY DWELLING UNITS. Accessory dwellings, where allowed, are subject to review and approval through an administrative review and shall conform to all of the following standards:

One Unit. A maximum of one Accessory Dwelling is allowed per legal single-family dwelling.

The unit may be a detached building, in a portion of a detached accessory building (e.g., above a garage or workshop), or a unit attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).

(1) Floor area.

(A) A Detached Accessory Dwelling shall not exceed 900 square feet of floor area or 75 percent of the primary dwelling's total floor area, whichever is larger. When the accessory structure has another use (e.g., garage), this criterion only applies the floor area of the structure used as a dwelling.

(B) An Attached Accessory Dwelling shall not exceed 900 square feet of floor area, or 75 percent of the primary dwelling's floor area, whichever is greater. However, Accessory Dwellings that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the Accessory Dwelling would be more than 900 square feet.

(2) Other Development Standards. Accessory dwellings shall meet all other development standards (e.g., height, setbacks, lot coverage, etc.) for buildings in the zoning district, except that:

- i. Conversion of an existing legal non-conforming structure to an Accessory Dwelling is allowed, provided that the conversion does not increase the non-conformity;
- ii. No off-street parking is required for an accessory dwelling unit .

' 152.417 TOWNHOMES. Townhomes are permitted outright on lots or parcels zoned for residential use that allow for the development of detached single-family dwellings. Townhomes are subject to the same approval process as those for detached single family dwellings in the same zone and are subject to the following standards.

(1) Design Standards.

(A) New townhomes shall meet all required design standards (e.g., window coverage, etc.) that apply to detached single family dwellings in the same zone, unless those standards conflict with this code.

(2) Development Standards. Townhomes shall meet all other development standards (e.g., height, setbacks, parking, etc.) for single-family dwellings in the zone in which it is placed, additionally;

(A) Conversion of an existing, conforming or legal non-conforming single-family dwelling to a townhome is allowed, provided that the conversion does not increase the non-conformity.

(B) Side yard setback requirements are not required where the development abuts an adjacent townhome unit.