

**CITY OF CASCADE LOCKS
PLANNING COMMISSION
AGENDA**

Thursday, February 8, 2018 at 7:00 PM
City Hall

1. Call Meeting to Order.
2. Approval of December 14, 2017, Minutes.
3. New Business:
 - a. Review Community Development Code Amendments Draft #2
 - b. Review Proposed Short Term Rental Ordinance and Make Recommendation to City Council for Adoption.
4. Public Comment.
5. Adjournment.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for person with disabilities, should be made at least 48 hours in advance of the meeting by contacting the City of Cascade Locks office at 541-374-8484.

1. Call Meeting to Order. Chair Cramblett called the meeting to order at 7:02 PM. Planning Commission Members present were Gyda Haight, Virginia Fitzpatrick, Gary Munkhoff, and Larry Cramblett. Also present were City Administrator Gordon Zimmerman, Planning Consultant Stan Foster, City Recorder Kathy Woosley, Carl Coffman, Tiffany Pruitt, Sandra Kelley, Cindy Mitchell, James Sype, Brenda Cramblett, Karen Sype, Phil Schey, Dave Lipps, Caroline Park, Nick Klapprich, Karen Klapprich, Lauren Terry, Vito Cerelli, Jeff Erwin, and Ron Phillips.
2. Approval of November 9, 2017, Minutes. PCM Fitzpatrick moved, seconded by PCM Munkhoff, to approve the minutes. The motion passed unanimously.
3. New Business:
 - A. Public Hearings: 7:00 PM
 1. LU 17-015 Norway Construction - Conditional Use/Unlisted Use. Chair Cramblett opened the Public Hearing at 7:03 PM and PC Foster explained the Public Hearing Procedures. Sandra Kelley objected to the application and hearing notice stating that the address was wrong and questioned not getting a notice mailed to her. Cindy Mitchell said she wasn't notified either. She said the people across the street and on the other side of her were notified. CA Zimmerman clarified that the City is required to notify residents within 250' from the property line of the land in this land use case. He said Sandra's property is 267' and Cindy's is 266' from property line to property line. PC Foster said Sandy and Cindy were present with the same rights as anyone else. He said there was no intent to keep anyone from not being involved in this public hearing. Sandra said the addresses should be correct.

PC Foster asked the Planning Commission if there was any ex parte contact or conflicts of interest. There were none stated. PC Foster gave the staff report and stated that he took a broad interpretation of the Code. He said this is opportunity to stack units, utilize space, and be a more attractive development. He said this type of housing is unique to Cascade Locks and the units meet the Uniform Building Code. He said this is eligible housing and can't be discriminated against and is not subject matter to discuss as part of this hearing.

Applicant: Carl Coffman asked how people buy houses these days. He said this is affordable housing and is more durable and affordable than a home built out of lumber. He said housing prices continue to rise and this is a way to approach affordability. He explained that there are a lot of people looking for a one bedroom, one bath, home. Carl said he sent notice to the residents within 250' and held a neighborhood meeting at the Cascade Ale House. He said four people attended and all had positive feedback.

PCM Haight said safety is an issue and there will be an issue with the parking. She asked about the exterior of the units. Carl said they will be painted. He said they are insulated 70% better than homes made out of lumber and they are trouble free units due to how they are constructed. PC Munkhoff asked if the units would be rented or sold. Carl said they would be sold. He said the price range would be \$175,000 to \$180,000. Carl said he is presently working with the City of St. Helens to construct units on city owned property.

Proponent: Lauren Terry said she grew up in Roseburg, Oregon that also had a lot of small town strength. She said small towns can be shy regarding change but development continues to happen. She said change can revitalize or choke a community. She said this development can be good for the community and these prices are in the realm of possibility for people that can realize and experience ownership. Lauren said she is in favor of the project and it is an exciting opportunity.

Opponent: Tiffany Pruitt said the Regulator Street area is choked already during the summer and hard to navigate. She said the site plan shows two parking spaces off of Regulator Street with no setback. She

said the fire truck will not be able to get through on Regulator Street. She said there is potential for two cars per unit that would be needed.

Jim Sype said his driveway is off of Regulator and he has trouble getting his recreational vehicle through Regulator Street right now. He said he wasn't sure that he liked the look of the units. He agreed that the units would be economical and affordable but doesn't know if it's a good idea for that area.

Sandra Kelley said PC Foster failed to list the criteria in the staff report for the broad interpretation to allow these units. She said the Community Development Code (CDC) requires 4,000 square feet per unit. She agreed that a fourplex would be an outright use if there were enough property. She said the criteria to allow this is her main concern. She asked if this type of construction met with the Goal listed to preserve the quality and image of the community. Sandra said she disagreed that \$175,000- \$180,000 is affordable housing. She said the staff report made it sound that this housing would be affordable for the service industry workforce in the downtown area and positioned so that employees could walk to work. She said the service industry employees could not afford those prices and that the hope of a unit at \$150,000 for a one bedroom, one bath home is not affordable. She said there are other houses for sale for less than that and still available so questioned a housing crisis. Sandra said she is in favor of responsible development but did not agree with this type of development preserving the quality and image of our community. She requested a second hearing. PC Foster said that would be a Planning Commission decision.

Nick Klapprich said this is another Mimi project coming in. He said these units can be stacked and asked how high. PC Foster said there is a height limit of 35'. Nick asked about the parking. PC Foster explained that the parking requirements have been met. Nick said he thinks the project is a good idea but just not in the right location. He said the parking in that neighborhood is already a problem.

Cindy Mitchell questioned the broad interpretation of the CDC also. PC Foster explained that when looking through the CDC he looked for a pathway to allow the project with recommendation to the Planning Commission. He said the Planning Commission will accept or reject his recommendation. Cindy said these one bedroom units could have two cars per unit. She said there is no setback for the parking off of Regulator and why would an additional 16 cars be added to what is already a problem. Cindy said she had her house built a little higher so that she could have a view. She said if more trees are going to be planted that will obstruct the view even more. She said she isn't against container cars and has seen some nice ones but they have an industrial look and that doesn't fit that area. She asked if rhododendrons or something similar could be planted to soften the look of the units.

Brenda Cramblett said she liked the concept. She asked if there was a stream running through the property. She said the trees are her concern and especially the trees on the corner. She said parking is a definite issue. PC Foster said the parking requirement is met and the CDC requires a tree to be planted for every tree that is removed.

Carl said he has developed and restored many properties and has won awards for his developments. He agreed that eight units might be too many. He said he appreciated staff's efforts to work and guide him through the CDC. Carl said parking is an issue everywhere and he was not creating a parking issue. He said he can legally build 35' and the view will not be damaged by the 16' height as proposed for the units. He said he had no objection to modifying the tree placement. He explained that the landscape architect drew what is on the site plan.

Chair Cramblett closed the hearing at 8:01 PM.

PCM Munkhoff said there is no other way to interpret the CDC. He said Planning Consultant Foster's broad interpretation of the CDC would not be defensible at LUBA. He said it is an admirable project

with good goals but fails with the square footage of lot for eight units and eight units is considered a multifamily structure and a multifamily structure is not allowed in the Medium Density Residential Zone. He said one triplex would be allowed according to the CDC with the size of that lot.

PCM Munkhoff moved, seconded by PCM Fitzpatrick, the Planning Commission not approve the application for Conditional Use/Unlisted Use LU 17-015. The motion passed unanimously.

2. LU 17-016 Thunder Island Brewing, Co. - Site Plan Review. Chair Cramblett opened the Public Hearing at 8:10 PM and PC Foster explained the Public Hearing Procedures. PC Foster asked the Planning Commission if there was any ex parte contact or conflicts of interest. There were none stated. PC Foster summarized the staff report.

Applicants: Vito Cerelli and Jeff Erwin described the layout of the building and that architecturally the building meets the standards of the Downtown Zone. Vito said one thing discussed at Architectural Review, but not formalized, is the potential plan for a rooftop deck with the elevator shaft possibly extending past the 35' height limit of the building. PC Foster asked if it would be visible from WaNaPa Street. Jeff said it would sit so far back on the building that it would barely be visible. PC Munkhoff said the average height would remain at 35'. CA Zimmerman explained that there can't be a height average considered for a flat roof. He said there is a possibility that it would be right at 35'.

PCM Munkhoff questioned the shared parking and the cost to those developments. Dave Lipps said there is an agreement in place for the shared parking and the costs. PCM Munkhoff asked about ODOT permission for access. CR Woosley gave a copy of the letter from ODOT to Vito and Jeff. Caroline said as soon as they received approval from the Planning Commission they would have a greater sense of the timeline.

Proponent: Phil Schey said things are changing in the automotive industry and the types of cars are changing. He said parking may not always be an issue. He said this is a fantastic building.

PCM Cramblett closed the hearing at 8:30 PM.

PC Foster recommended approval of the Site Plan Review LU 17-016 and read through the conditions of approval. PC Foster amended Condition 4 to read, "The applicant shall construct all roof facades in a manner which shields all service equipment placed on the roof and creates a public visual view which is in conformance with the intent of the Code." PC Foster suggested the Planning Commission incorporate ODOT's Conditions of Approval.

PCM Munkhoff moved, seconded by PCM Haight, to approve with the conditions as stated. The motion passed unanimously.

4. Adjournment. Chair Cramblett adjourned the meeting. The meeting was adjourned at 8:45 PM.

Prepared by
Kathy Woosley, City Recorder

APPROVED:

Larry Cramblett, Chair

**CITY OF CASCADE LOCKS DEVELOPMENT CODE UPDATE
DRAFT #2**

PLANNING COMMISSION WORK SESSION #2

FEBRUARY 8, 2018

CITY OF CASCADE LOCKS DEVELOPMENT CODE UPDATE - BACKGROUND

During 2015, the City of Cascade Locks received a grant through the State Transportation and Growth Management (TGM) Program to evaluate the Development Code. The Planning Commission and City Council worked on the study with consultant Siegel Planning Services, who conducted outreach to the community culminating in a Code Update Action Plan. The Action Plan outlined future steps the City could take to improve its code. That Action Plan, a report prepared by others that specifically addressed downtown parking, and a subsequent evaluation prepared by Siegel Planning Services in November 2017, are available at City Hall and posted on the City's website.

This document contains the first draft of a proposed set of code amendments intended to implement the Action Plan. Specifically, the amendments are intended to help guide development and achieve:

- Appropriate densities with a mix of complementary land uses
- Complete neighborhoods with a variety of housing
- Quality development design
- Efficient use of land, while maintaining a high quality of life
- Enhanced walkability and bikeability
- Improved transportation connections and recreational opportunities
- Downtown development that improves the walkability of the area along WaNaPa Street (U.S. Hwy 30) while accommodating tourist automobile traffic and maintaining the historic character of the highway

Siegel Planning reviewed Cascade Locks' Comprehensive Plan and Development Code and met with members of the Planning Commission and small groups of individuals representing the Port of Cascade Locks, downtown merchants, and local industry. In addition to holding its own work sessions on the code, the Planning Commission met jointly with the Cascade Locks City Council to discuss the recommendations. In 2017, the City received a second grant from the TGM Program to complete the code updates, and the Commission met in the fall of 2017 to review the work plan and objectives.

This packet contains the second draft of the code amendments requested by the Planning Commission's and city staff. This is a preliminary draft. The consultant will revise the draft after receiving input from the Planning Commission and City staff, for a public hearing, tentatively scheduled for April 12, 2018.

CITY OF CASCADE LOCKS DEVELOPMENT CODE UPDATE (DRAFT #1)

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Note to Reviewers:

The following code amendments are shown as ~~strikeout~~ text (for deletions) and **underlined (bold)** text for additions. (For readability, where an entire chapter is new, the underlined text is not boldface.) *Italicized* text indicates a choice between alternatives; see explanatory text in boxes below the alternative.

For brevity, large portions of the existing code that are not proposed to change are not shown. Where the draft skips over those portions, the “//” symbol is used. In some instances, for context, the draft includes sections of existing code that are not proposed to change; the consultant has not edited existing code sections where no substantive amendment is required.

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Chapter 8-6.56 LOW DENSITY RESIDENTIAL ZONE (LDR)

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8-6.56.020 Permitted Uses

A permitted use is a use which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 8-6.48, Unlisted Use. Permitted uses in the LDR district are:

- A. Dwelling, single-family detached;
- B. Dwelling, duplex on corner lot;**
- C. Accessory residential unit, meeting standards of Section 8-6.YYY.**
- DB.** Manufactured home on an individual lot;
- EC.** Residential home;
- FD.** Family day care (Family Care);
- GE.** Accessory buildings; and
- HF.** Home occupations.

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8-6.56.040 Dimensional Requirements

Unless modified as provided in Chapter 8-6.140, Planned Development Overlay Zone or Chapter 8-6.160, Variance, the dimensional requirements in the LDR district are:

- A. All uses except Zero Side Yard Dwellings **and Duplexes:**
 - 1. A minimum lot area 6,500 for individual lots and an average minimum lot size of 7,500 square feet when two or more lots are created; and
 - 2. A minimum average lot width of 50 feet.
 - 3. A minimum average lot depth of 80 feet.
 - 4. A minimum lot width at the street of 40 feet and 20 feet on a cul-de-sac or for a flag lot.
- B. Zero Side Yard Dwellings **and Duplexes**
 - 1. A minimum **development area** lot size for the entire zero side yard dwelling development of 12,000 square feet, ~~and an~~
 - 2. A minimum** average lot size of 3,500 square feet **per dwelling unit (7,000 square feet for a duplex)** for individual lots created ~~within the development of 3,500 square feet.~~ See Sections **8-6.101 and 8-6.102.**
 - 3. A minimum lot width of 20 feet for zero side yard dwellings and 50 feet for duplexes.**

- C. Minimum building setback requirements of:
 - 1. Front yard of 15 feet for the building and garage;
 - 2. Side yard of 5 feet;
 - 3. Side yard (street) of 10 feet;
 - 4. Rear yard of 15 feet, except 5 feet for accessory structures of less than 300 square feet and not exceeding 16 feet in height [to peak of roof]; and
 - 5. Garage vehicle entrance setback of 20 feet.
- D. No building shall exceed 35 feet in height.
- E. The maximum height and size and minimum setbacks for accessory structures shall comply with the provisions of Chapter 8-6.164, Accessory Structures.
- F. The maximum coverage of buildings and impervious surfaces shall not exceed 75 percent of the total lot area.
- G. Duplexes shall meet the following standards:**
 - 1. Duplexes are permitted only on corner lots where both abutting streets are paved in conformance with minimum City standards.
 - 2. Garages for each duplex unit shall receive access from a separate street, except where the City Engineer determines that traffic safety or operations requires access from the same street, in which case the total width of the street opening (curb cut) for both units shall not exceed 20 feet.
 - 3. Duplexes shall conform to the building design standards for single family and duplex dwellings in Chapter 8-6.101.

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8-6.101 Building Design Standards for Single Family and Duplex Dwellings

8-6.101.010 Purpose

The following standards will be applied to all single family dwellings **and duplexes**, whether modular or manufactured homes, or site-built homes, to be constructed or located in any zone in order to provide visual relief along the front of the home:

8-6.101.020 Single Family and Duplex Design Standards

All single family homes **and duplexes**, whether modular or manufactured homes, or site-built homes, shall provide a garage or carport of not less than 200 square feet, and utilize at least two of the following design features on the front side of the home:

- A. Dormers;

- B. Gables;
- C. Recessed entries;
- D. Covered porch entries;
- E. Cupolas;
- F. Pillars or posts;
- G. Bay or bow windows;
- H. Eaves (minimum 6" projection);
- I. Off-sets on building face or roof (minimum 16")

Planning Commission Action Items:

Accessory Structures: The proposal provides setbacks for accessory structures of 120-400 square feet. The intent is to provide flexibility for sheds, workshops and other (non-dwelling) accessory structures subject to a height limitation.

Garages and Carports: The alternative requiring a garage or carport based on the objective standard of 200 square feet is for consistency with state law. Cascade Locks code currently requires a garage or carport for manufactured dwellings houses in the "review area" have a garage or carport: "If the dwellings within the review area have garages or carports, then the manufactured home shall have a garage or carport, and such garage or carport shall be constructed of like materials commonly used on residential dwellings within the community." [Section 8-6.100.040.11] Under state law, standards applied to manufactured dwellings must be comparable to those required for stick-built homes. Standards for needed housing (single family housing is needed housing) must also be clear and objective.

Alternatively, the City could amend its code to remove the garage/carport requirement from Section 8-6.100.040.11, so that the change to Section 8-6.101.020 is not necessary. The advantage to removing the requirement is that it would reduce construction costs and increase affordability for homebuyers who prefer not to have a garage. The reason for requiring a garage or carport is mainly for aesthetics and security, as fewer automobiles may be parked outside and the need for accessory storage structures may be reduced with a garage. If no garage is required, a shed may be a more economical option for storage, especially for items such as garden equipment that do not require a conditioned space.

Duplex on Corner Lot. The amendment allowing duplexes on corner lots in the LDR zone subject to transportation and building design standards addresses Cascade Locks' very limited land supply due to topography and the physical barriers of the river, railroad, and interstate. It also establishes design standards for duplexes similar to single family dwellings for other zones (MDR and HDR) where they are permitted. The city has an interest in making the most efficient use of land that it can while providing housing choices and preserving community identity and quality of life. (The proposed amendment also clarifies the setback standard for garage entrances, which is 20 feet.)

Chapter 8-6.60 MEDIUM DENSITY RESIDENTIAL ZONE (MDR)

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8-6.60.020 Permitted Uses

A permitted use is a use which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 8-6.48, Unlisted Use. Permitted uses in the MDR district are:

- A. Dwelling, single family detached;
- B. Manufactured home on an individual lot;
- C. Dwelling, zero side yard, meeting standards of Section 8-6.102;
- D. Dwelling, duplex, triplex and fourplex;
- E. Dwelling, cottage development, meeting standards of Section 8-6.YYY;**
- ~~FE.~~ Residential home;
- ~~GF.~~ Family day care (Family Care);
- ~~HG.~~ Accessory buildings; and
- ~~IH.~~ Home occupations.

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8-6.60.040 Dimensional Requirements

Unless modified as provided in Chapter 8-6.140, Planned Development Overlay Zone, **Section 8-6.YYY, Cottage Development**, or Chapter 8-6.160, Variance, the dimensional requirements in the MDR district are:

- A. Lot area:
 - 1. Detached single family dwellings. A minimum lot size of 4,500 square feet and an average minimum lot size of 5,000 square feet when two or more lots are created.
 - 2. Zero side yard dwellings. A minimum lot size for the entire development of 8,000 square feet and a minimum lot size for individual lots created within the development of 2,000 square feet. See Section 8-6.102.
 - 3. Duplex, triplex, and fourplex dwellings. A minimum of 4,000 square feet per unit.
- B. A minimum average lot width of 40 feet for detached single family units, and 25 feet per unit for duplex, triplex, and fourplex units. See 8-6.102 for zero side yard dwelling units.

- C. A minimum average lot depth of 80 feet.
- D. A minimum lot width at the street of 30 feet and 20 feet on a cul-de-sac or for a flag lot.
- E. Minimum building setback requirements of:
 - 1. Front yard of 15 feet ~~for the building and garage~~;
 - 2. Side yard of 5 feet or 0 feet for attached single family dwellings or detached single family dwellings where the setback between structures on the abutting property is approved by the Building Official and is permanently assured;
 - 3. Side yard (street) of 10 feet;
 - 4. Rear yard of 15 feet; and
 - 5. Garage vehicle entrance setback of 20 feet.
- F. No building shall exceed 35 feet in height.
- G. The maximum height and size and minimum setbacks for accessory structures shall comply with the provisions of Chapter 8-6.164, Accessory Structures.
- H. The maximum coverage of buildings and impervious surfaces shall not exceed 75 percent of the total lot area.

Planning Commission Action Item: Allow cottage developments based on successful models from small towns nearby, to provide a more economical housing option. Cottage developments would be allowed in the MDR zone subject to specific standards. (The above amendment also clarifies the setback garage entrances in the RM zone, which is 20 feet.)

Background on Cottage Developments: Cottage developments have multiple small detached dwellings (cottages) oriented to a common open space referred to as a 'green.' Parking is usually grouped in bays, which may include covered parking, garages and/or storage, but it may also be on a street as is typical of historic cottage clusters. Some cottage developments have a small community building or other shared facilities such as recreation facilities or storage lockers. The draft code below is adapted from White Salmon, Washington, which allows cottage developments in its R-2 and R-3 zones subject to overlay zone standards. The draft code for Cascade Locks would allow them as a permitted use in the MDR zone. See proposed standards for Cottage Development later in this draft.

Chapter 8-6.64 HIGH DENSITY RESIDENTIAL (HDR)

Sections

8-6.64.010	Purpose
8-6.64.020	Permitted Uses
8-6.64.030	Conditional Uses
8-6.64.040	Dimensional Requirements

8-6.64.010 Purpose

The purpose of the HDR zone is to provide land for housing opportunities for individual households. The zone implements the Comprehensive Plan policies and regulations that are intended to create, maintain, and promote high density residential neighborhoods.

8-6.64.020 Permitted Uses

A permitted use is a use which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 8-6.48, Unlisted Use. Permitted uses in the HDR zone are:

- A. Dwelling, single-family detached;
- B. Dwelling, zero side yard, meeting standards of Section 8-6.102;
- C. Dwelling, duplex, triplex and fourplex;
- D. Dwelling, multi-family;
- E. Manufactured home on an individual lot;
- F. Residential home;
- I. Residential facility;**
- G. Accessory buildings;
- H. Family day care (Family Care);
- I. Bed and breakfast facilities; and
- J. Home occupations.

8-6.64.030 Conditional Uses

A conditional use is a use which is subject to a discretionary decision by the Planning Commission. The approval criteria are set forth in Chapter 8-6.152. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 8-6.48, Unlisted Use. Conditional uses in the HDR district are:

- A. Schools;
- B. Utilities;
- C. Community services;

- D. Parks and open space;
- E. Religious assembly;
- F. Public facilities;
- G. Day care, group home (Family Care);
- H. Adult day care (Family Care); and
- I. Residential facility.

Background: State law requires that “residential homes” (up to 5 individuals) and “residential facilities” (15 or more individuals) be permitted in any zone that allows a single-family dwelling or multifamily dwelling, respectively. See ORS 197.665-197.667. Cities and counties cannot prohibit a residential home or residential facility to be sited in a zone that state law allows; and must amend their zoning ordinances to be consistent, if not already consistent, with these provisions. See ORS 197.670.

ORS 443.400

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(3) "Resident" means any individual residing in a facility who receives residential care, treatment or training. For purposes of ORS **443.400 (Definitions for ORS 443.400 to 443.455)** to **443.455 (Civil penalties)**, an individual is not considered to be a resident if the individual is related by blood or marriage within the fourth degree as determined by civil law to the person licensed to operate or maintain the facility.

(4) "Residential care" means services such as supervision; protection; assistance while bathing, dressing, grooming or eating; management of money; transportation; recreation; and the providing of room and board.

(5) "Residential care facility" means a facility that provides, for six or more socially dependent individuals or individuals with physical disabilities, residential care in one or more buildings on contiguous properties.

(6) "Residential facility" means a residential care facility, residential training facility, residential treatment facility, residential training home or residential treatment home.

Chapter 8-6.XXX ACCESSORY RESIDENTIAL UNITS [NEW CHAPTER]

Sections:

8-6.XXX.010 Purpose.

8-6.XXX.020 Standards.

Code Evaluation Action Item: Allow Accessory Residential Units in the LDR zone. Accessory dwellings are an economical way to provide additional housing choices, particularly in communities with high land prices or a lack of investment in affordable housing. Accessory dwelling regulations can be difficult to enforce, particularly where local codes specify who can own or occupy the homes. Requirements that accessory dwellings have separate utility connections to and pay system development charges for water and sewer services can pose barriers to development. Other potential concerns include ARUs being used as short-term rentals (depleting needed housing), adequate parking, and other factors should also be considered.

8-6.XXX.010 Purpose.

This chapter is intended to control the land use impacts of accessory residential units, to provide for compatibility with adjacent single family uses.

8-6.XXX.020 Standards.

Accessory residential units (ARUs) are reviewed through a ministerial (building permit) process and shall conform to all of the following standards:

A. One Unit. A maximum of one ARU is allowed per legal lot; an ARU may be a detached cottage, a unit attached to a dwelling, or separate unit in a portion of an existing dwelling.

B. Owner Occupancy. *The property owner shall register the ARU with the City and maintain his or her primary residence on the subject property, as long as the ARU is occupied. ARUs shall not be used for transient lodging.*

Note: Discuss above option for regulating owner occupancy, consider this proposal with the City's Short-Term Rental Ordinance.

B. Floor Area. An ARU shall not exceed 800 square feet of floor area, or 40 percent of the primary dwelling unit's floor area, whichever is smaller. The floor area of any garage or carport associated with the primary dwelling is not included in the calculation of an ARU's floor area.

C. Lot Size. The lot on which the ARU is located shall meet the minimum lot size of the zone.

D. Building Design. The ARU shall be constructed of materials that are the same or similar to the materials used on the primary dwelling and shall comply with applicable Oregon Structural Specialty Code requirements.

E. Building Height. The height of ARU shall not exceed the height of the primary dwelling on the lot. Second story building addition for purposes of creating an ARU is allowed provided it does not exceed the height limit of the zone.

F. Parking. A minimum of two off-street parking spaces are required total for the primary dwelling unit and the ARU.

G. Screening and Buffering. A sight-obscuring landscape hedge (reaching six feet at maturity) or a six-foot sight-obscuring fence shall be installed on the property line between a detached ARU and abutting lot containing a single-family dwelling, where the ARU is placed within 10 feet of the common property line.

Chapter 8-6.YYY COTTAGE DEVELOPMENTS **[NEW CHAPTER]**

Sections:

- 8-6.YYY.010 – Purpose and intent.
- 8-6.YYY.020 - Density and lot area.
- 8-6.YYY.030 - Unit size.
- 8-6.YYY.040 - Lot coverage.
- 8-6.YYY.050 - Open space.
- 8-6.YYY.060 - Building separation.
- 8-6.YYY.070 - Setbacks.
- 8-6.YYY.080 - Building height.
- 8-6.YYY.090 - Parking and storage.
- 8-6.YYY.100 - Design standards.
- 8-6.YYY.110 - Alternative cottage housing development designs.
- 8-6.YYY.120 – Homeowners association.

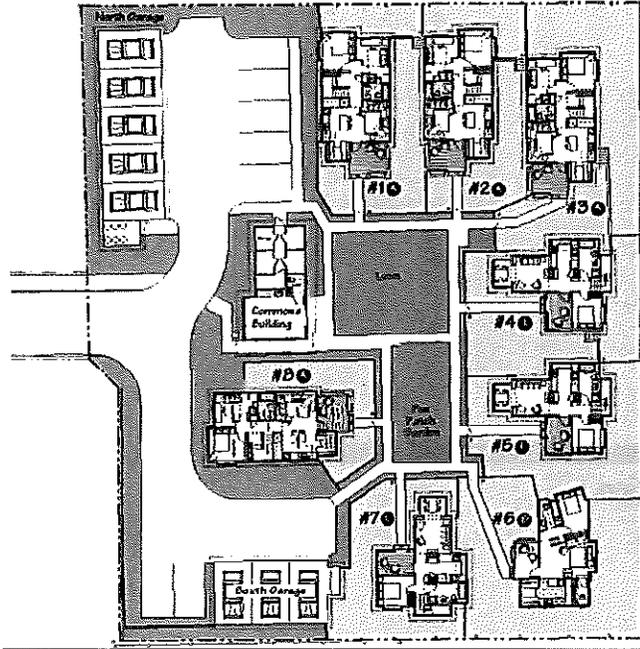
8-6.YYY.010 – Purpose and intent.

The purpose and intent of the cottage housing development design standards are to:

- A. Facilitate development of an alternative type of detached housing comprised of small residences oriented around open space and suited to accommodate a typical household of one or two individuals. Cottage housing is provided as part of the city's overall housing strategy to promote a variety of housing choices to meet the needs of a population diverse in age, income, household composition and individual needs.
- B. Address the impacts of development containing multiple detached dwellings, including height, massing, separation between structures, open space, landscaping, parking, and demands on public facilities and services.
- C. Minimize the visibility of off-street parking, storage, and other accessory uses.
- D. Ensure an interconnected network of walkways and other pedestrian amenities are provided and are compatible with the existing natural features of the site, including topography and vegetation.
- E. Cottage housing is allowed at increased density (as compared to single-family or duplex dwellings on their own lots) through the use of smaller than average home sizes, clustered parking, and the application of standards applied through site plan review and approval.

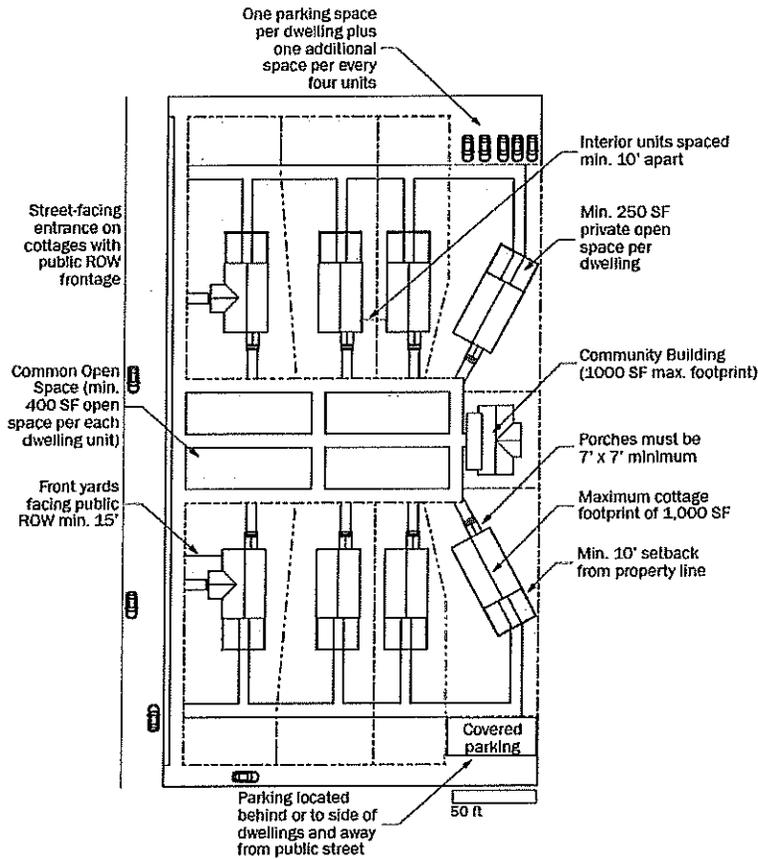
F. All cottage housing developments are subject to applicable City standards for public facilities and stormwater management.

[Examples not for adoption with final code]



Source: Greenwood Ave Cottages, Shoreline, WA; The Cottage Company





[Dimensions in graphic to be updated with public hearing draft of code.]

8-6.YYY.020 - Density and lot area.

Zoning District	MDR
Maximum Cottage Density	1 cottage dwelling unit per 3,000 s.f.
Minimum number of cottages per development	4
Maximum number of cottages per development	12
Minimum size cottage development area	12,000 s.f. (approx 1/3 acre)

Note: Density is based on net development area after deducting any required right-of-way dedications. Every unit must comply with the minimum floor area standards.

8-6.YYY.030 - Unit size.

A. Floor Area. To ensure that the overall size, including bulk and mass, of cottage structures and cottage housing developments is small and in scaled with adjacent development, and creates less visual and physical impact than standard sized single-family dwellings that are required to be located on larger lots, the following floor area limitations apply to cottage housing. Two types of cottages are provided for to allow for a mixture of building sizes and footprints, while anticipating and addressing the varied impacts from each housing type.

	<u>Maximum Floor Area (square feet)</u>	<u>Ground Floor Area (square feet)</u>	<u>Maximum Upper Floor Area (square feet)</u>	<u>Garage Floor Area</u>
<u>Small</u>	<u><900</u>	<u>400—900</u>	<u>60% of ground floor</u>	<u>Included in ground floor if attached</u>
<u>Large</u>	<u>=/>900 <1,400</u>	<u>600—900</u>	<u>60% of ground floor</u>	<u>Included in ground floor if attached</u>

Floor area is measured to the outside wall on the ground floor including the stairs (building footprint). Floor area includes all upper floor area with a ceiling height of six feet or more not including the stairs which are counted as part of the ground floor.

B. A notice to the title of each unit shall prohibit any increase in the total floor area of any cottage or addition of accessory structures within the development unless the development site plan is amended. Such notice shall be recorded with the Hood River County Assessor's Office.

8-6.YYY.040 - Lot coverage.

Lot coverage is limited to no more than 50 percent impervious surface area. Impervious surfaces include driveways, building footprints, sidewalks, paved parking, compact gravel, and other surfaces that do not allow rain to percolate into the soil. NOTE: un-compacted gravel surfaces or pervious pavers may be demonstrated to be partially pervious using a professionally accepted methodology. If this calculation is prepared by the applicant's engineer and approved by the city public works director, the graveled or permeable paved surface shall be counted in the lot coverage figure in accordance with its relative permeability (e.g., if a graveled path is demonstrated to be fifteen percent permeable then eighty-five percent of the graveled path area would be counted in the impervious surface calculation). The purpose of this requirement is to help insure that surface and storm water are contained on site.

Stormwater low impact development techniques that encourage the natural treatment and infiltration of stormwater to mimic pre-development site conditions shall also be employed. Examples of low impact development techniques include directing stormwater to landscape areas with amended soils or into improved drainage areas under porches or eaves, green or living roofs, the use of pervious pavers, and retention of existing mature trees. Aggressive employment of stormwater low impact development techniques may allow for additional lot coverage if an applicant develops a project design that demonstrates the ability to handle surface and storm water in common areas without limiting the community or public benefits of the established common areas. Private areas may also be relied on for stormwater infiltration if determined to be adequately protected by easement to ensure the continued availability of these areas as infiltration areas.

An on-site stormwater analysis shall be performed by a qualified, Oregon licensed professional engineer, considering at a minimum a twenty-five year storm event of fifteen minutes duration. The stormwater control plan shall be approved by the director of public works and shall provide for the onsite collection, containment and release of stormwater such that it will not have a deleterious impact to other properties, public or private. The public works director prior to completion shall inspect all improvements. The applicant's licensed engineer shall provide a minimum of two sets of infrastructure 'as built' drawings and confirm that all stormwater infrastructure was constructed according to the approved design.

8-6.YYY.050 - Open space.

- A. Common open space. Common open space is intended to provide a centrally located area that can be developed and maintained so it is usable for active and passive recreation. Unless the shape or topography of the site precludes the ability to locate units adjacent to common open space, the following requirements shall be met:
1. There shall be a minimum of four hundred square feet of common open space provided for each unit.
 2. Common open space shall abut at least 50 percent of the cottages in a cottage housing development.
 3. Common open space shall have cottages abutting on at least two sides, and be easily accessible to all dwellings within the development.
 4. Common open space shall not include portions of private yards, and shall be jointly owned by all residents.
 5. The common open space shall be outside of wetlands, streams and sensitive area buffers, and shall be on slopes of twelve percent or less.
 6. Grading and removal of mature trees shall be limited to meeting the City's development standards and to providing natural light for home sites.
 7. Landscaping in common areas shall be designed to allow for easy access and use of the space by residents, and to facilitate maintenance needs.

B. Private open space. There shall be a minimum of three hundred square feet of contiguous, usable private open space provided adjacent to each unit for the exclusive use of the cottage resident. Private open space is intended to provide private areas such as patios, decks and gardens, around the individual cottages and to enable diversity in landscape design.

8-6.YYY.060 - Building separation.

Cottage units shall be separated from one another by not less than 10 feet, including eaves and architectural projections. Accessory structures shall maintain not less than 5 feet of separation from all other structures.

8-6.YYY.070 - Setbacks.

The emphasis of cottage development is to provide for development that focuses on and benefits from useful common areas. For this reason, with the exception of the outside perimeter of the development, side and rear yards are regulated only insofar as structures must maintain minimum separation (Section 8-6.YYY.060) and comply with applicable building and fire code standards. With respect to the outside perimeter, cottage dwellings and their accessory structures must meet setbacks or yard requirements for single family detached development in the zone in which they are located.

8-6.YYY.080 - Building height.

Maximum height is 20 feet, except 28 feet for cottage dwellings with two floors of living space, having a minimum roof pitch of 6:12, and setback not less than 10 feet from the closest dwelling and property line.

8-6.YYY.090 - Parking and storage.

- A. One off-street parking space is required for each cottage dwelling.
- B. Off-street parking and accessory storage shall be
 - 1. Fully contained on the cottage development site; any storage must be enclosed in a structure or cabinet designed for outdoor use.
 - 2. Screened from view from abutting residences. This may be accomplished with landscaping or structural screens.
 - 3. Grouped to correspond with cottage clusters and avoid single large parking areas that are difficult to screen from view.
 - 4. Where practical, clustered to limit grading, curb cuts and impervious surfaces.
- C. Detached garage and carport structures:

1. Where provided, shared carports or garages shall be limited to a maximum of four vehicles per structure and shall be detached from the dwelling units.
 2. The design of carports and garages must have roof lines and use materials similar to that of the dwelling units within the development.
 3. Parking of vehicles and storage shall be limited to those owned by the residents of the development.
- D. On-street parking shall be provided on streets abutting the cottage development; the applicant may be required to dedicate right-of-way for required street improvements, which shall include on-street parking. Where a development lacks sufficient street frontage, it shall provide on-site visitor parking in addition to the parking required for each dwelling at a ratio of one visitor space for every three dwelling units.

8-6.YYY.100 - Design standards.

A. Site Design.

1. The common open space shall be centrally located within a cottage housing development.
2. Where feasible, each dwelling unit that abuts a common open space shall have a primary entry and/or covered porch oriented toward common open space.
3. Pedestrian connections shall link all buildings to the public right-of-ways, common open space and parking areas.
4. Exterior lighting shall be shielded or hooded and directed downward so as to light only the intended area without shining into a neighboring house or business. All lighting shall be included on the site plan required with to complete a submittal.
5. Exterior mechanical equipment including heating or cooling facilities shall be designed and sited to minimize the noise and visual impacts they can have on a site.
6. If streets are determined to be low volume local roads and emergency vehicle access and safety and traffic flow issues are addressed, then alternate street standards may be deemed acceptable if approved by the public works director. The possibility of flexibility in internal street design standards shall be considered initially in a pre-application conference prior to completing an application. Notwithstanding, cottage development access driveways shall have a paved width of not less than 12 feet, with 2-foot shoulders, and shall maintain clearances for emergency vehicles.

B. Building Design.

1. Roofs of cottages shall be pitched and eave depths shall be a minimum of 18 inches.

2. Covered porches measuring at least 60 square feet shall be incorporated into building design of the cottages.
3. Window and door trim with a minimum of three and one-half inches shall be provided on all cottage units.



Source: Wyer's End Cottages, White Salmon, WA; Ross Chapin Architects

C. Community Buildings.

1. Community buildings must be located on the same site as the cottage housing development, and be commonly owned by the residents.
2. Community buildings and structures shall not exceed floor area or height of the largest and tallest cottage dwellings in the development.

8-6.YYY.110 - Alternative cottage housing development designs.

An applicant may request adjustment to the standards contained in this chapter during development review. A specific request for adjustment within a cottage development is not subject to variance criteria. An adjustment may be approved only by the Planning Commission, upon finding that the specific adjustment requested provides for an equal or better way to meet the purpose and intent in Chapter 8-6.YYY.010.

8-6.YYY.120 – Homeowners association.

Prior to issuance of any development permit (grading, public improvements, building, etc.) the applicant shall submit draft Bylaws and Covenants, Restrictions and Conditions (CC&Rs) for the development’s Homeowners Association for review and approval by the City. The Bylaws and CC&Rs, recorded at Hood River County, shall require joint ownership and maintenance of all common areas by all owners of the cottage dwellings.

Chapter 8-6.140 PLANNED DEVELOPMENTS

8-6.140.050 General Requirements

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C. Open Space

1. Common private or public open space shall be provided as follows:
 - a. Residential zones (RR, LDR, MDR, MHR, and HDR) - a minimum of ~~20%~~ **10%** of the gross land area; and
- //
2. Land within individual building lots shall not be included as common or public open space. Land within public right-of-way shall not be included as common or public space.

<p>Planning Commission Action Item: Reduce the minimum open space area required for PDs from 20% to 10%, to account for the abundance of public open space and trails surrounding Cascade Locks, and maintain all other PD standards.</p>
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Chapter 8-6.70 DOWNTOWN ZONE (D)

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8.6.070.110 Off-Street Parking and Loading

- A. The minimum off-street parking requirement for all uses in the Downtown zone is one space per 500 square feet of floor area. Required parking may be provided on-site, in on-street parking spaces abutting the subject use, and/or on another site within the Downtown zone where the City approves a shared parking agreement. All required parking uses shall conform to all the parking dimensional standards of Chapter 8-6.108.
- ~~B. In lieu of providing some or all of the required parking spaces for a building, the developer or owner of that building may pay to the City a fee for each forgone parking space. The City shall, by resolution, set that fee based on the projected cost of creating a parking space within a municipally owned parking lot within the Downtown area. In addition, an annual fee may be charged for the operation and maintenance of the applicable municipal parking lot.~~
- BC. No off-street parking and loading shall be required for residential units located in mixed-use buildings.

Planning Commission Action Items: The above amendments add flexibility to the Downtown parking standard as recommended by the Downtown Parking Report and staff direction, and eliminate the in-lieu fee option, as the City does not have a capital improvement plan for public parking but instead prioritizes management of existing on-street parking.

8-6.070.120 Downtown Zone Design Standards

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- D. The Planning Commission, as part of the site design review process, may allow modification to the site design requirements in the Downtown Zone when one of both of the following criteria are satisfied:
1. The modification is necessary to provide design flexibility where:
 - a. Conditions unique to the site require such modification; or,
 - b. Parcel shape or configuration precludes compliance with provisions;
~~or;~~
 - c. A modification is necessary to preserve trees, other natural features or visual amenities determined by the Planning Commission to be significant to the aesthetic character of the area; or

d. The modification varies from but complements one or more of the prescribed Downtown architectural styles (Classic Revival, Craftsman, Cascadian, and Arts and Crafts), as evidenced by massing, roof form, materials, or detailing. Where Classic Revival is used, the design should complement one of the other three prescribed styles.

2. Modification of the standards in this Section shall only be approved if the Planning Commission finds that the specific design proposed is substantially in compliance with the intent and purpose of the Downtown Zone design provisions.

E. The following standards shall be used for reviewing proposed site and building designs:

~~1. Buildings, landscaping, and site design, shall be consistent with the goals and objectives of the Cascade Locks Downtown Development Plan and Strategy.~~

12. All buildings shall be of an architectural style consistent with the historical character of the Community. Acceptable styles include Classic Revival, Craftsman, Cascadian, and Arts and Crafts. Unacceptable architectural styles include any modern style that was not commonly used in the 1920's and 1930's. See Figures 8-6.070.120 for examples of elements common to these styles.

23. To maintain and enhance the pedestrian scale, buildings shall be oriented to the street. By orientation, this includes ~~the~~ building entrance, window treatment, sign orientation and other architectural improvements **shall face the street, such that they create an a visual and physical connection** entrance onto the street.

3. New commercial and mixed use buildings shall have:

a. Storefronts comparable in size and proportions to nearby traditional storefront buildings. Where these new buildings are larger than existing buildings, facades shall be broken down into units that resemble the size and proportions of existing storefronts, such that the overall form of new construction complements the general shape of existing, nearby storefront buildings and their component parts.

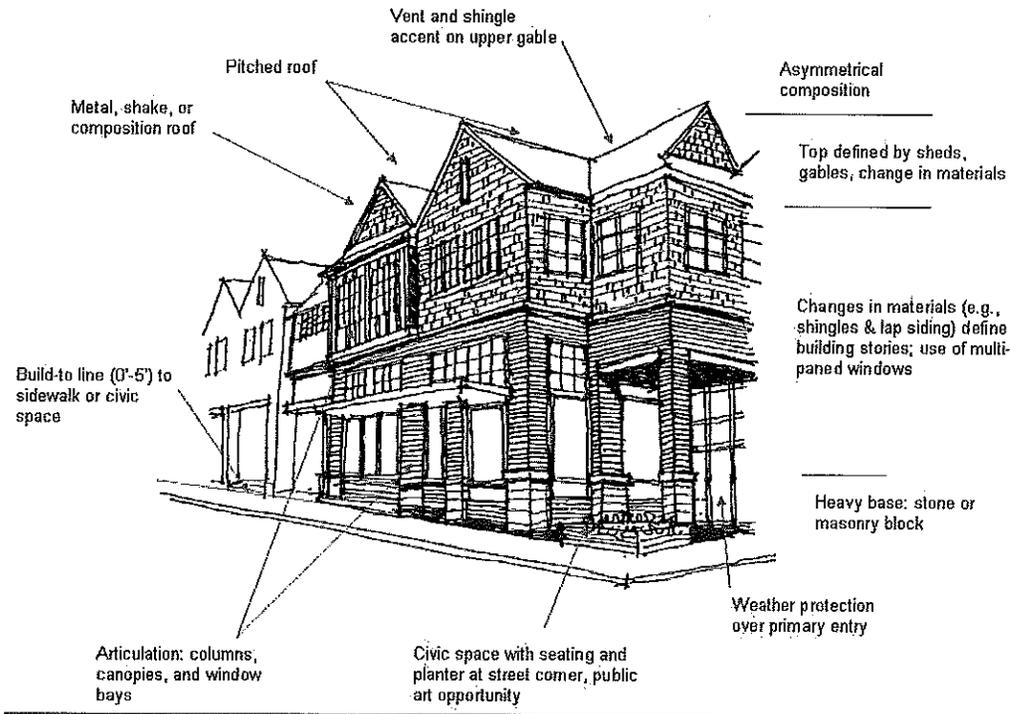
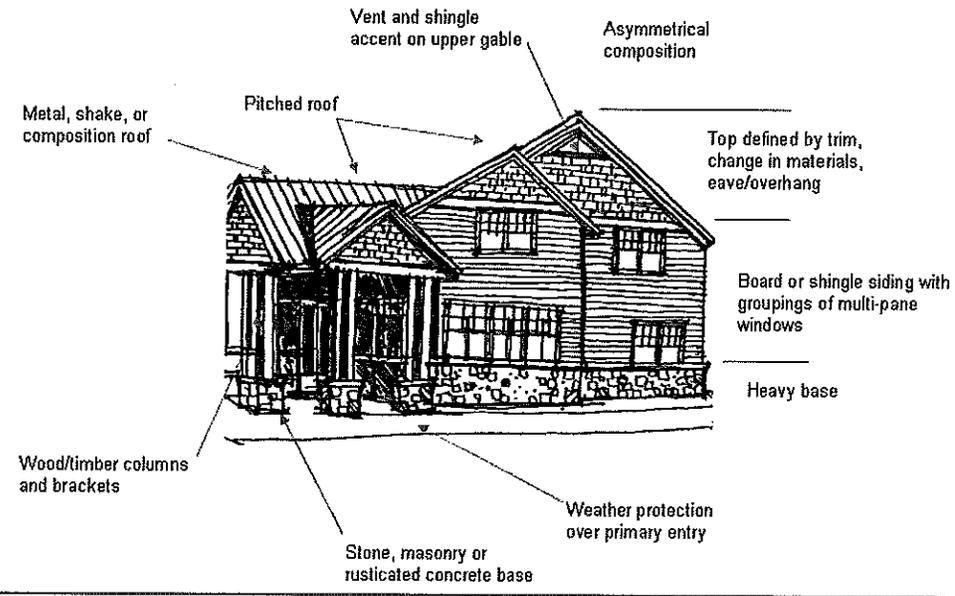
b. Facades that are varied and articulated to provide visual interest to pedestrians. Within multi-story buildings, variations in facades, floor levels, architectural features, and exterior finishes shall create the appearance of several small buildings.

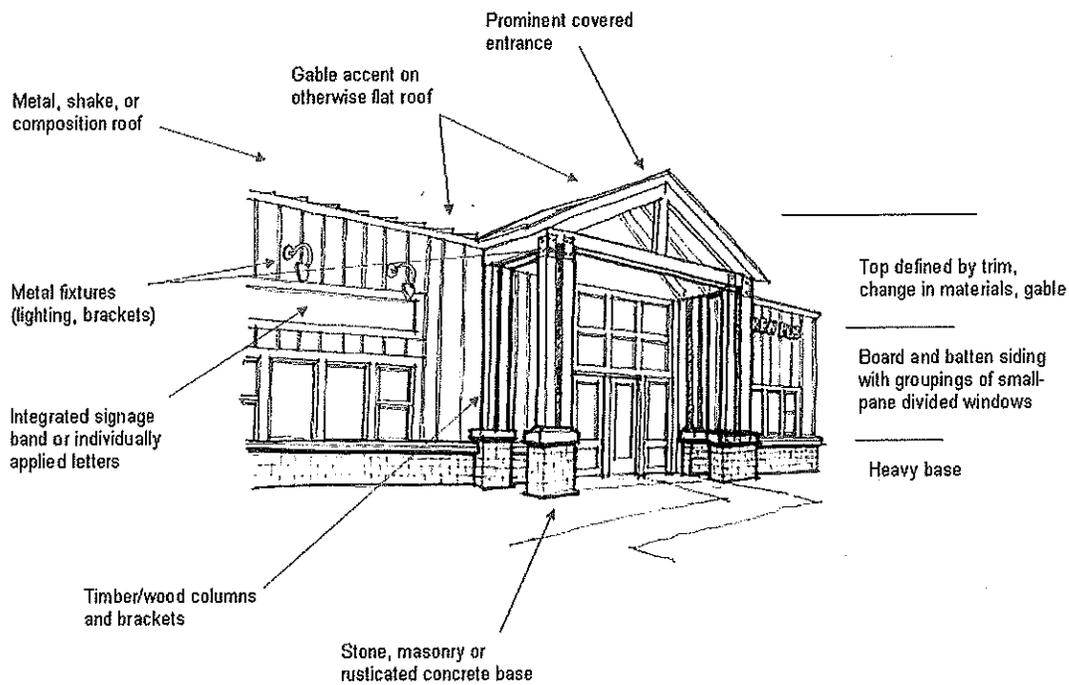
4. Any wall facing WaNaPa must contain at least 50% of the ground floor wall area in display areas, windows, or doorways. Blank walls are prohibited.

54. Building entries must comply with the accessibility requirements of the Oregon State Structural Specialty Code.
65. Buildings located at the intersection of two streets shall ~~consider the use of~~ **have a corner entrance to the building, or otherwise have detailing such as a canopy, porch, expressed column, sign, art, or other building feature that expresses the corner location.**
76. Pedestrian environment may be enhanced by **plazas,** street furniture, landscaping, awnings, and movable planters of seasonal flowers. **Where such features are provided they shall conform to the Downtown Plan and Street Furniture Standards and maintain a clear pedestrian travel way of not less than five feet in width shall be maintained.**
- 8. Exterior lighting in developments need not replicate but shall complement the ornamental street lighting and be consistent with the prescribed architectural styles in the Downtown.**
- ~~7. New buildings shall be within 25% of the average height of existing buildings located on the same street side within the zone.~~

Planning Commission Action Items: The above amendments clarify the code, provide flexibility (alternative, discretionary track for design) within the prescribed architectural styles, and remove the conflict with the 35-foot height standard in 8-6.070.070. The existing 35-foot height limit is maintained. The amendments also ensure consistency with the Downtown Plan by adding regulatory policies/standards that the code previously omitted. These amendments allow for a more streamlined review process because all of the building and site design standards for Downtown are now in the code.

Figures 8-6.070.120 - Elements of Craftsman, Arts and Crafts, and Cascadian Styles generalized for use in Cascade Locks





F. Building Materials and Colors

1. Facades shall be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in facades, floor levels, architectural features, and exterior finishes shall create the appearance of several smaller buildings.
2. Where masonry is used for exterior finish, decorative patterns must be incorporated. Examples of these decorative patterns include multicolored masonry units such as brick, stone, or cast stone, in layered or geometric patterns, or split-faced concrete block to simulate a rusticated stone-type construction.
3. Wood siding must be bevel, shingle siding, or channel siding and must not be applied in a diagonal or herringbone pattern. T1-11 style siding is not permitted.
4. Preferred Colors for exterior building finishes ~~shall be~~ are earth tones, creams, and pastels of earth tones. High-intensity primary colors, metallic colors, and black may be utilized as trim and detail colors but shall not be used as primary wall colors.

G. Roof Materials, Parapets, and Roof Pitch

1. Pitched roof structures shall have a minimum roof pitch of 6:12.
2. Roof Designs – Rooflines shall establish a distinctive “top” to a building. Except where impractical due solely to the size of the building, all roofs

shall be of a peak roof style. **Except as provided below,** No flat, mansard, or shed roof styles are **not** allowed. On larger buildings where peak roofs cannot be used **or would conflict with a unique building function or necessary mechanical equipment,** architectural features shall be used that exhibit a peak roof style with facades, partial roofs, and other techniques that meet the intent of these provisions. In building areas without a peak roof, a flat or shed roof shall be used. When flat roof areas are proposed, a cornice or frieze molding a minimum 12 inches high projecting a minimum 6 inches from the wall at the top of the wall or parapet shall be provided.

3. Parapet corners must be stepped or the parapet must be designed to emphasize the center or primary entrance(s), unless the primary entrance is at the corner of the building.
4. Visible sloped roofs must be dark gray, black, or dark brown.

Planning Commission Action Items: The above amendments respond to the Planning Commission direction to clarify the code.

5. Visible roof materials must be wood or architectural grade composition shingle or sheet metal with standing or batten seam.
6. All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, must be screened from public view by parapets, walls, or by other approved means.

H. **Exception to the** Building Orientation and Entrance Standards **in E.3**

1. **Where topography, existing development, or other physical constraints make it impractical to orient a building's** All buildings shall have their primary entrance(s) facing to the street. ~~Alternatively, a~~ **the** building may have its entrance facing a side yard when a direct pedestrian walkway not exceeding 20 feet in length is provided between the building entrance and the street right-of-way.
2. ~~Building entrances must be visible from the street. This may be accomplished through architectural design, color schemes or similar design elements.~~
23. Due to the elevation difference between WaNaPa, and the rear portion of the properties on the north side of the street, daylight basement type of construction is preferred. This method of construction has the benefit of causing all materials stored below WaNaPa to be screened and secured behind sight-obscuring walls, adding to the attractiveness of the downtown area.

4. Buildings are required to be located at the corner of corner lots. No parking is allowed in these areas, **except where existing non-conforming parking is allowed to continue.**

Planning Commission Action Items: The above amendments respond to the Planning Commission direction to clarify the code. Subsection '2' is deleted because it is redundant with E.2, above.

The following existing Downtown standards are provided for background. No change is proposed.

I. Parking Lots

1. For new development, the parking lots shall be located at the rear of all lots. For corner lots, this shall be identified as being opposite, and furthest from, the primary building access.
2. If it is determined that parking is to front on WaNaPa in a particular situation, it shall be limited to a maximum of one drive aisle with parallel parking spaces on one side.
3. If it is determined that a parking lot is to be appropriately located fronting on WaNaPa, it does not mean that the lot is to have access to the street. All access standards still apply.

J. Building Facades

1. Ornamental devices, such as molding, entablature, and friezes, are required at the roofline. Where such ornamentation is present in the form of a linear molding or board, the band must be at least eight inches wide.
2. Alcoves, Porches, Arcades, etc. Buildings must incorporate features such as arcades, roofs, porches, alcoves, porticoes, and awnings to protect pedestrians from the rain, wind, and sun. Awnings and entrances may be designed to be shared between two structures. If the building abuts the WaNaPa right-of-way, then the weather protection feature must be extended at least five feet over the sidewalk with appropriate easements or agreements with the City to allow placement within the right-of-way. If the building does not front on the right-of-way, the weather protection feature must be extended at least five feet along any pedestrian area between the building and street. The weather protection device shall be designed, through the use of gutters, downspouts, catchments, channelizations, or other means, to prevent the dripping or running of water onto the public sidewalk, including water falling as rain, or water resulting from melting snow or ice.

3. Traditional Storefront Elements. For buildings designed to house retail, service, or office businesses, traditional storefront elements are required. These elements include:
 - a. Front and side building walls placed within 10 feet of abutting street right-of-way boundaries.
 - b. Clearly delineated upper and lower facades.
 - c. A lower facade dominated by large display windows and a recessed entry or entries.
 - d. Smaller, regularly spaced windows in the upper floor.
 - e. Decorative trims, such as window hoods, surrounding upper floor windows.
 - f. A decorative cornice near the top of the facade.
 - g. Change in Relief of Building. Buildings must include changes in relief on 10 percent of their WaNaPa facades. Relief changes include cornices, bases, fenestration, fluted masonry, or other treatments for pedestrian interest and scale.

The following Downtown standards are provided for background. No change is proposed.

K. Windows

1. Windows which allow views to the interior activity or display areas are required. Windows shall include sills at the bottom and pediments at the top. Glass curtain walls, reflective glass, and painted or darkly tinted glass shall not be used.
2. Ground Floor Windows. All new buildings must provide ground floor windows along WaNaPa.
3. Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows.
4. Required windows must have a sill no more than four feet above grade. Where interior floor levels prohibit such placement, the sill must be raised to allow it to be no more than two feet above the finished floor level, up to a maximum sill height of six feet above grade.
5. Glass curtain windows are not permitted fronting WaNaPa.
6. Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows along street facades.
7. Any wall that faces WaNaPa must contain at least 50% of the total square footage of the ground floor wall area in display areas, windows, or doorways. Blank walls are prohibited.
8. Ground floor windows are also required on facades facing any public parking lot. The minimum requirement is 16 square feet per story, or, six percent of the total square footage of the facade, whichever is greater.

L. Upper Floor Window Standards

1. Glass area dimensions shall not exceed 5'x7'. (The longest dimension may be taken either horizontally or vertically.)
2. Windows must have trim or molding at least two inches wide around their perimeters.
3. At least half of all the window area in upper floors must be made up of glass panes with dimensions no greater than 2'x3'. Windows that have 1'x1' grid inside double-pane glass are appropriate and are encouraged.

The following Downtown standards are provided for background. No change is proposed.

M. Streetscape/Street Furniture

1. All street furniture on either private property or within the right-of-way, including tables, chairs, walls, benches, kiosks, trash receptacles, garbage enclosures, signs, and other permanent or temporary fixtures not part of a building, shall conform with the Street Furniture design standards identified in the “Cascade Locks Downtown Plan and Strategy” adopted in 2004.
2. Benches and other streetscape items may be placed within the public right-of-way, but must not block free movement of pedestrians. A minimum pedestrian walkway width of five feet must be maintained at all times.

N. Lighting

1. All building entrances and exits must be well lighted.
2. Exterior lighting must be an integral part of the architectural design, and in keeping with the architectural standards contained in Section E.2.
3. The minimum lighting level for building entries is four-foot candles and the source light must be shielded to reduce glare.
4. All lighting shall be directed downwards and shall not shine into the sky.

O. Trash and Recycling Storage

1. Each structure shall provide for collection of its trash and recyclable materials within the boundaries of each parcel
2. All trash collection areas must be located within the structure, or behind the building in an enclosure.

P. Signage

1. All standards of Chapter 8-6.144 of this Code shall apply in the D zone except for the following standards:
 - a. Freestanding pole signs are prohibited.
 - b. Internally illuminated signs are prohibited.
 - c. Pedestrian-oriented sign bonus. The City Administrator shall have authority to grant additional pedestrian oriented signs up to a total of 12 square feet for all such signs. The maximum size for any one pedestrian sign shall be 6 square feet. Pedestrian oriented signs include: window signs, small wall mounted or projecting signs located not more than 10 feet above grade, signs placed on awning valances, and signs suspended under canopies and awnings. Signs that are suspended above pedestrian walkways shall provide a minimum of 7.5 feet of vertical clearance.

Chapter 8-6.2 COMMERCIAL ZONE (C)

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8-6.72.050 Design Standards

For all property within the C zone in the area between the City Limits on the west and the intersection of Edgewood Street and WaNaPa on the east, the following design standards shall apply:

- A. All development and use of land shall be subject to the provisions of the Site Plan and Design Review Chapter (8-6.148).
- B. Once a site plan or building design has been approved and developed in accordance with Section 8-6.148, no revisions to the site or building shall take place unless approved as an amendment to the original approval.
- C. No existing building within the zone shall be altered by construction, painting, remodeling, or other means in a manner inconsistent with these design standards.
- D. The following standards shall be used for reviewing proposed site and building designs:
 - ~~1. Buildings, landscaping, and site design, shall be consistent with the goals and objectives of the Cascade Locks Downtown Development Plan and Strategy.~~
 12. All buildings shall be of an architectural style consistent with the historical character of the Community. Acceptable styles include Classic Revival, Craftsman, Cascadian, and Arts and Crafts. Unacceptable architectural styles include any modern style that was not commonly used in the 1920's and 1930's.
 23. To maintain and enhance the pedestrian scale, buildings shall be oriented to the street. ~~By orientation, this includes~~ ~~the~~ building entrance, window treatment, sign orientation and other architectural improvements **shall face the street, such that they create an a visual and physical connection entrance onto to the street.**
 34. Building entries must comply with the accessibility requirements of the Oregon State Structural Specialty Code.
 45. Buildings located at the intersection of two streets shall ~~consider the use of~~ **have a corner entrance to the building, or otherwise have detailing such as a canopy, porch, expressed column, sign, art, or other building feature that expresses the corner location.**
 56. Pedestrian environment may be enhanced by street furniture, landscaping, awnings, and movable planters of seasonal flowers. **Where such features**

are provided a clear pedestrian travel way of not less than five feet in width shall be maintained.

7. ~~New buildings shall be within 25% of the average height of existing buildings located on the same street side within the zone.~~

Planning Commission Action Items: The above amendments respond to the Planning Commission direction to clarify the code, provide flexibility for adjustments (alternative, discretionary track for design) within the prescribed architectural styles, and remove the requirement that limits height to an average of adjacent buildings, as it conflicts with the 35-foot standard. The existing 35-foot height limit is maintained.

E. Building Materials and Colors

1. Facades shall be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in facades, floor levels, architectural features, and exterior finishes shall create the appearance of several smaller buildings.
2. Where masonry is used for exterior finish, decorative patterns must be incorporated. Examples of these decorative patterns include multicolored masonry units such as brick, stone, or cast stone, in layered or geometric patterns, or split-faced concrete block to simulate a rusticated stone-type construction.
3. Wood siding must be bevel, shingle siding, or channel siding and must not be applied in a diagonal or herringbone pattern. T1-11 style siding is not permitted.
4. Preferred colors for exterior building finishes ~~shall be~~ are earth tones, creams, and pastels of earth tones. High-intensity primary colors, metallic colors, and black may be utilized as trim and detail colors but shall not be used as primary wall colors.

F. Roof Materials, Parapets, and Roof Pitch

1. Pitched roof structures shall have a minimum roof pitch of 6:12.
2. Roof Designs – Rooflines shall establish a distinctive “top” to a building. Except where impractical due solely to the size of the building, all roofs shall be of a peak roof style. **Except as provided below,** ~~No~~ flat, mansard, or shed roof styles are **not** allowed. On larger buildings where peak roofs cannot be used **or would conflict with a unique building function or necessary mechanical equipment,** architectural features ~~shall be used that exhibit a peak roof style with facades, partial roofs, and other techniques that meet the intent of these provisions.~~ In building areas without a peak roof, a flat or shed roof shall be used. When flat roof areas are proposed, a cornice or frieze molding a minimum 12 inches high

projecting a minimum 6 inches from the wall at the top of the wall or parapet shall be provided.

3. Parapet corners must be stepped or the parapet must be designed to emphasize the center or primary entrance(s), unless the primary entrance is at the corner of the building.
4. Visible sloped roofs must be dark gray, black, or dark brown.
5. Visible roof materials must be wood or architectural grade composition shingle or sheet metal with standing or batten seam.
6. All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, must be screened from public view by parapets, walls, or by other approved means.

Planning Commission Action Items: The above amendments respond to the Planning Commission direction to clarify the code.

The following Commercial zone standards are provided for background. No change is proposed.

G. Building Facades

1. Ornamental devices, such as molding, entablature, and friezes, are required at the roofline. Where such ornamentation is present in the form of a linear molding or board, the band must be at least eight inches wide.
2. Alcoves, Porches, Arcades, etc. Buildings must incorporate features such as arcades, roofs, porches, alcoves, porticoes, and awnings to protect pedestrians from the rain, wind, and sun. Awnings and entrances may be designed to be shared between two structures. If the building abuts the WaNaPa right-of-way, then the weather protection feature must be extended at least five feet over the sidewalk with appropriate easements or agreements with the City to allow placement within the right-of-way. If the building does not front on the right-of-way, the weather protection feature must be extended at least five feet along any pedestrian area between the building and street. The weather protection device shall be designed, through the use of gutters, downspouts, catchments, channelizations, or other means, to prevent the dripping or running of water onto the public sidewalk, including water falling as rain, or water resulting from melting snow or ice.
3. Traditional Storefront Elements. For buildings designed to house retail, service, or office businesses, traditional storefront elements are required. These elements include:
 - a. Front and side building walls placed within ten feet of abutting street right-of-way boundaries.
 - b. Clearly delineated upper and lower facades.

- c. A lower facade dominated by large display windows and a recessed entry or entries.
- d. Smaller, regularly spaced windows in the upper floor.
- e. Decorative trims, such as window hoods, surrounding upper floor windows.
- f. A decorative cornice near the top of the facade.
- g. Change in Relief of Building. Buildings must include changes in relief on ten percent of their WaNaPa facades. Relief changes include cornices, bases, fenestration, fluted masonry, or other treatments for pedestrian interest and scale.

H. Windows

1. Windows which allow views to the interior activity or display areas are required. Windows shall include sills at the bottom and pediments at the top. Glass curtain walls, reflective glass, and painted or darkly tinted glass shall not be used.
2. Ground Floor Windows. All new buildings must provide ground floor windows along WaNaPa.
3. Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows.
4. Required windows must have a sill no more than four feet above grade. Where interior floor levels prohibit such placement, the sill must be raised to allow it to be no more than two feet above the finished floor level, up to a maximum sill height of six feet above grade.
5. Glass curtain windows are not permitted fronting WaNaPa.
6. Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows along street facades.
7. Any wall that faces WaNaPa must contain at least 50% of the total square footage of the ground floor wall area in display areas, windows, or doorways. Blank walls are prohibited.
8. Ground floor windows are also required on facades facing any public parking lot. The minimum requirement is 16 square feet per story, or, six percent of the total square footage of the facade, whichever is greater.

I. Upper Floor Window Standards

1. Glass area dimensions shall not exceed 5'x7'. (The longest dimension may be taken either horizontally or vertically.)
2. Windows must have trim or molding at least two inches wide around their perimeters.

3. At least half of all the window area in upper floors must be made up of glass panes with dimensions no greater than 2'x3'. Windows that have 1'x1' grid inside double-pane glass are appropriate and are encouraged.

J. Streetscape/Street Furniture

1. All street furniture on either private property or within the right-of-way, including tables, chairs, walls, benches, kiosks, trash receptacles, garbage enclosures, signs, and other permanent or temporary fixtures not part of a building, shall conform with the Street Furniture design standards identified in the “Cascade Locks Downtown Plan and Strategy” adopted in 2003.
2. Benches and other streetscape items may be placed within the public right-of-way, but must not block free movement of pedestrians. A minimum pedestrian walkway width of five feet must be maintained at all times.

K. Lighting

1. All building entrances and exits must be well lighted.
2. Exterior lighting must be an integral part of the architectural design, and in keeping with the architectural standards contained in Section E.2.
3. The minimum lighting level for building entries is four foot-candles and the source light must be shielded to reduce glare.
4. All lighting shall be directed downwards and shall not shine into the sky.

L. Trash and Recycling Storage

1. Each structure shall provide for collection of its trash and recyclable materials within the boundaries of each parcel
2. All trash collection areas must be located within the structure, or behind the building in an enclosure.

Chapter 8-6.80 RESORT COMMERCIAL ZONE (RC)

Planning Commission Action Item: The following amendments, originally proposed by Port of Cascade Locks staff, are intended to allow a mix of complementary uses on the Port property and streamline the permit process by reclassifying some uses from Conditional Use to Permitted. This version reflects the direction of the Development Code Action Plan, as reviewed by city staff and discussed with the Planning Commission on November 17, 2017.

Sections

8-6.80.010	Purpose
8-6.80.020	Permitted Uses
8-6.80.030	Conditional Uses
8-6.80.040	Dimensional Requirements
8-6.80.060	Additional Requirements
8-6.80.070	Extended Business Hours

8-6.80.010 Purpose

The purpose of the RC zone is to provide a mix of retail, service, business, recreation, and residential needs for the community.

8-6.80.020 Permitted Uses

A permitted use is a use which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 8-6.48, Unlisted Use. Permitted uses in the RC district are as follows:

- A. Dwelling, single family attached, or detached;
- B. Duplex, triplex, and fourplex;
- C. Dwelling, multi-family, apartments, lofts, and similar dwelling units, including units located above ground floor commercial, offices, and allowed industrial uses;
- D. Residential home;
- E. Family day care (Family Care);
- F. Day care group home (Family Care);
- G. Adult day care (Family Care);
- H. Commercial ~~R~~etail sales and service (conducted ~~totally~~ indoors or outdoors);
 1. Sales-oriented;
 2. Personal service-oriented;
 3. Entertainment-oriented;
 4. Repair-oriented;
- I. Motel, hotel, or similar lodging facilities;

- J. Marina, boat launches, boathouses, water accesses, and water related commercial uses;
- K. Boat and Hhouseboat moorage;
- L. Accessory buildings to any allowed use; and
- M. Indoor or outdoor commercial recreation facilities, including athletic clubs and recreational gear rental;
- N. Museums, theaters, galleries, and studios for art, dance, or photography;
- O. Conference center and meeting facilities;
- P. Offices;
- Q. Restaurants, delicatessens, cafes, bakeries, and similar food establishments;
- R. Public facilities including park, library, fire station, amphitheater;
- S. Light manufacturing, assembly, and packaging of products from previously prepared materials;
- T. Light manufacturing, assembly, and processing of food and beverage
- U. Light manufacturing, assembly, and testing of technology equipment, instruments, and related equipment;
- V. Research, engineering, and development facilities or laboratories;
- W. Resorts, including resort residential units owned in full or in fractional or shared interest;
- X. Resort related commercial and recreational activities including clubhouse;
- Y. Wineries, breweries, and cideries, including tasting rooms;
- Z. Parks and open space, pedestrian and recreation amenities including seating areas, viewing areas;
- AA. Parking garages or parking lots accessory to a permitted or conditionally permitted use; and
- ABM. Community services.

8-6.80.030 Conditional Uses

A conditional use is a use which is subject to a discretionary decision by the Planning Commission. The approval criteria are set forth in Chapter 8-6.152. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 8-6.48, Unlisted Use. Conditional uses in the RC district are as follows:

- A. ~~Retail sales and service (conducted outdoors);~~
 - 1. ~~Sales-oriented;~~
 - 2. ~~Personal service-oriented;~~

- 3. ——— Entertainment-oriented; and
- 4. ——— Drive-through facilities.
- AB.** Quick vehicle servicing;
- BC.** Recreational vehicle campgrounds;
- CD.** Utilities;
- DE.** Public facilities;
- EF.** **Parks and open space; and**
- FG.** **Surface mining (Government Rock peninsula only).**

8-6.80.040 Dimensional Requirements.

Unless modified as provided in Chapter 8-6.140, Planned Development Overlay Zone or Chapter 8-6.160, Variance, the dimensional requirements in the RC district area as follows:

- A. Lot area for residential uses:
 - 1. Attached single family dwellings. A minimum lot size of 3,500 square feet and an average minimum lot size of 4,000 square feet when two or more lots are created.
 - 2. Duplex, triplex, and fourplex dwellings. A minimum of 3,000 square feet per unit.
 - 3. Multi-family dwellings. A minimum of 1,000 square feet per unit.
- B. There is no minimum lot size for nonresidential uses.
- C. There is no minimum lot width or lot depth requirement.
- D. The minimum setback requirements shall be as follows:
 - 1. No required front yard setback;
 - 2. No required side yard setback, except when abutting a residential zone, a side yard of 10 feet shall be required; and
 - 3. No required rear yard setback, except when abutting a residential zone, a rear yard setback of 20 feet shall be required.
- E. No building shall exceed a height of 45 feet.
- F. The maximum height and size and minimum setbacks for accessory structures shall comply with the provisions of Chapter 8-6.164, Accessory Structure.
- G. The maximum coverage of buildings and impervious surfaces shall not exceed 85 percent of the total lot area.

Chapter 8-6.180 SUBDIVISION

Planning Commission Action Item: The following amendment responds to the Planning Commission's request for a simple and straightforward review process for the division of non-residential lands.

Sections

8-6.180.010	Purpose
8-6.180.015	Applicability
8-6.180.020	Administration
8-6.180.030	Submittal Requirements: Preliminary Plat
8-6.180.040	Approval Standards: Preliminary Plat
8-6.180.050	Phased Development
8-6.180.060	Submittal Requirements: Final Plat
8-6.180.070	City Review of Final Plat: Approval Criteria
8-6.180.080	Centerline Monumentation: Monument Box Requirements
8-6.180.090	Improvement Agreement
8-6.180.100	Bond: Cash Deposit
8-6.180.110	Filing and Recording
8-6.180.120	Prerequisites to Recording the Plat
8-6.180.130	Vacation of Plats
8-6.180.140	Vacation of Streets

8-6.180.010 Purpose

The purpose of this chapter is to:

- A. Implement the comprehensive plan.
- B. Provide rules, regulations, and standards governing the approval of plats of subdivisions.
- C. Carry out the development pattern and plan of the city.
- D. Promote the public health, safety, and general welfare.
- E. Lessen congestion in the streets and secure safety from fire, flood, pollution, and other dangers.
- F. Provide adequate light and air, prevent overcrowding of land, and facilitate adequate provision for transportation, water supply, sewage, and drainage.
- G. Encourage the conservation of energy resources.

8-6.180.015 Applicability

Chapter 8-6.180 applies to land divisions of four or more lots (subdivisions) in residential zones. An application for subdivision in a non-residential zone shall be processed as a limited land use decision (ORS 197.195) and meet the dimensional standards of the zone and the requirements of ORS 92.

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Chapter 8-6.184 MAJOR AND MINOR LAND PARTITIONS AND LOT LINE ADJUSTMENTS

Planning Commission Action Item: The following amendment responds to the Planning Commission's request for a simple and straightforward review process for the division of non-residential lands.

Sections

- 8-6.184.010 Purpose
- 8-6.184.020 Applicability of Provisions
- 8-6.184.030 Administration
- 8-6.184.040 Preliminary Application Submission Requirements
- 8-6.184.050 Partition Approval Criteria
- 8-6.184.060 Lot Line Adjustment Approval Criteria
- 8-6.184.070 Final Partition Plat Submittal Requirements
- 8-6.184.080 Final Lot Line Adjustment Submittal Requirements
- 8-6.184.090 City Council Acceptance of Dedicated Land
- 8-6.184.100 Centerline Monumentation: Monument Box Requirements
- 8-6.184.110 Recording of Partitions and Lot Line Adjustments

8-6.184.010 Purpose

The purpose of this chapter is to provide rules, regulations, and standards governing approval of major and minor land partitions and lot line adjustments.

8-6.184.020 Applicability of Provisions

Chapter 8-6.184 applies to partitions in residential zones. An application for partition in a non-residential zone shall be processed as a limited land use decision (ORS 197.195) and meet the dimensional standards of the zone and the requirements of ORS 92.

- A. A major land partition approval is required when a division of land creates 3 lots or less within one calendar year, including a public street or road.
- B. A minor land partition approval is required when three lots or less are created without creating of a public street or road within one calendar year.
- C. A lot line adjustment approval is required for any adjustment to a property line which does not create an additional lot of record nor make the existing lots in violation of the base zone minimum lot requirements.

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Chapter 8-6.16 DEVELOPMENT PERMIT

Sections

8-6.16.010	Permit Required
8-6.16.015	Development Standards
8-6.16.020	Exclusions from Permit Requirement
8-6.16.030	Hazard Areas
8-6.16.040	Issuance and Effective Date
8-6.16.050	Expiration
8-6.16.060	Extension and Modification
8-6.16.070	When a Development Has Commenced
8-6.16.080	Revocation of Development Permit
8-6.16.090	Transferability of Development Permit

8-6.16.010 Permit Required

Except as excluded in Section 8-6.16.020, no person shall engage in or cause a development to occur, as defined in Chapter 8-6.08, without first obtaining a development permit through the procedures set forth in this title. The Administrator shall not issue any permit for the construction, reconstruction, or alteration of a structure or a part thereof without first verifying that a valid development permit has been issued. Development authorized by a development permit shall occur only as approved by the City.

8-6.16.015 Development Standards

Planning Commission Action Item: The following amendment implements the Transportation System Plan and clarifies where sidewalk improvements are required when the only action is approval of a building permits.

A development must meet the following standards for approval:

- A. Standards of the zone in which the development is located and other applicable Community Development Standards.**
- B. Public improvement standards, pursuant to the City's adopted public facility plans. All commercial developments and developments abutting arterial streets, whether land use approval is required or not, shall provide sidewalks in conformance with the Transportation System Plan.**

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Planning Commission Action Item: The following amendment provides criteria for and streamlines the process for changes of use, such that a land use application is not required for minor changes, e.g., does not add traffic, parking, or drainage.

8-6.16.020 Exclusions from Permit Requirement

Except as provided in Section 8-6.16.030, the following activities are permitted in each district but are excluded from the requirement of obtaining a development permit. Exclusion from the permit requirement does not exempt the activity from otherwise complying with all applicable standards, conditions, and other provisions of this title.

- A. Landscaping or other treatment or use of the land surface outside the flood plain and not involving a structure or paved parking lot.
- B. Any change or repair to a building or other structure that does not alter or expand the use thereof or require a building permit.
- C. **Any change of use in an existing development that does not add floor area, require additional parking, alter street access, reduce open space or landscape area, or result in additional storm drainage or traffic.**
- ~~D.C.~~ An emergency measure necessary for immediate safety of persons or protection of property, provided however, that an application for a development permit shall be promptly filed if the measure otherwise would require such a permit.
- ~~E.D.~~ The establishment, construction, maintenance, preservation, or termination of public roads, transportation facilities, and other public facilities including sewer and water lines, storm drainage facilities, electrical and gas distribution lines, and telephone and television transmission lines that are substantially in the public right-of-way directly serving development. These exclusions do not apply to development permits that are required by the provisions in Chapters 8-6.120, 8-6.124, 8-6.128, or 8-6.132 or work in the I-84 or U. S. 30 right-of-way, for which an Oregon Department of Transportation permit is required.

Above ground electrical transmission, distribution, communication and signal lines on a single pole system where a single pole system is defined as above ground electrical lines and their supporting concrete, wood or metal poles, but does not include self-supporting steel lattice-type structures.
- ~~F.E.~~ Construction, maintenance, or demolition of an accessory structure not requiring a building permit.
- ~~G.F.~~ The following excavations or fills, unless a development permit is required by the provisions in Chapters 8-6.120, 8-6.124, 8-6.128, or 8-6.132:
 - 1. Excavations below finish grade for basements and footings of a building, retaining wall, or other structure authorized by a valid development permit;
 - 2. Excavations or fills for public and private roads, wells, tunnels, or utilities;
 - 3. Excavations or fills for public projects, conducted by or under contract of the City;

4. Exploratory excavations affecting or disturbing areas of less than 6,000 square feet, under the direction of soil engineers or engineering geologists;
5. A fill less than 1 foot in depth and placed on natural terrain with a slope flatter than 5 horizontal to 1 vertical, or, a fill less than 3 feet in depth, not intended to support structures, which does not exceed 150 cubic yards on any one lot and does not obstruct a drainage course; and

H.G. Continued use of a valid nonconforming use or exercise of a vested right, except that any change, alteration, restoration, or replacement of a nonconforming use shall require a development permit as provided in Chapter 8-6. 156.

I.H. Family day care provider as defined in Chapter 8-6.08 and as allowed in the zoning districts in Article III.

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Planning Commission Action Item: The following amendment provides criteria for and streamlines the process for granting approval of minor modifications to approved development permits.

8-6.16.060 Extension and Modification

A. If an extension is desired, the holder of the development permit must file an application for an extension. Extension requests shall be processed as a administrative action. Only one extension may be granted for a maximum of 1 year.

B. The City Administrator shall, upon written request by the applicant, grant an extension of the approval period not to exceed 1 year, provided that:

1. No changes are made on the original plan as approved by the approval authority;
2. The applicant can show intent of initiating construction on the site within the 1 year extension period; and
3. There have been no changes to the applicable Comprehensive Plan policies and ordinance provisions on which the approval was based.

C. **Modifications to development permits may be approved through the City Administrator review procedure, subject to compliance with all of the following approval criteria. Modifications not meeting the criteria shall require a new development permit application:**

1. **Does not increase floor area, parking, paved area, or residential density; does not alter vehicle access; and does not reduce landscape area, open space, or parking. Transfers of density between phases of a residential development may be approved provided the overall density of the development does not increase and the density of any one phase does not increase by more than 10 percent.**
2. **Maintains substantial compliance with all applicable provisions of this Code and conditions of approval for the development.**

D.C. Notice of the decision shall be provided to the applicant. The City Administrator's decision may be appealed by the applicant as provided by Chapter 8-6.36.

Chapter 8-6.48 CODE INTERPRETATIONS

UNLISTED USE: AUTHORIZATION OF SIMILAR USE

Planning Commission Action Item: Add a procedure for responding to requests for written code interpretations. Cities should keep written records of the code interpretations they make. Even informal interpretations made by staff in the course of answering questions from builders or business owners, should be noted, so that the city, through periodic code maintenance updates can continually improve the code. Some cities do this annually, while others wait until they have accumulated a number of needed changes. The development code should be reviewed regularly and updated as conditions change and as the code is tested in ways that could not have been anticipated when first drafted.

Sections

- 8-6.48.010 Purpose
- 8-6.48.020 Administration
- 8-6.48.030 Approval standards

8-6.48.010 Purpose

- A. It is not possible to contemplate all of the various uses which will be compatible within a zoning district, **or all of the applications in which the terms of this code may be applied.** Therefore, unintentional omissions occur.
- B. The purpose of this chapter is to establish a procedure for **interpreting the code, including determinations of** determining whether certain specific uses would have been permitted in a zoning district had they been contemplated and whether such unlisted uses are compatible with the listed uses.

8-6.48.020 Administration

- A. The City Administrator shall maintain **a log of code interpretations, which shall include** a list by zoning district of approved unlisted uses, **and this log** the list shall have the same effect as an amendment to the use provisions of the applicable zone.
- B. Requests to approve **applications for code interpretation, including approvals of** unlisted uses, shall be administered as a Planning Commission review in accordance with Article II, Procedures, of this title.

8-6.48.030 Approval Standards – Similar Use

The Planning Commission shall approve an unlisted use application, based on findings that all of the following criteria are satisfied:

- A. The use is not specifically listed in another zone as either a permitted use or a conditional use;
- B. The use is consistent with the Comprehensive Plan;

- C. The use is consistent with the intent and purpose of the applicable zoning district;
- D. The use is similar to and of the same general type as the uses listed in the zoning district;
- E. The use has similar intensity, density, and off-site impacts as the uses listed in the zoning district; and
- F. The use has similar impacts on the community facilities as the listed uses.

8-6.48.040 Approval Standards – Code Interpretation

Code interpretations shall be made considering:

- A. The code text. Interpretations shall not be contrary to the code text, or read requirements or exceptions into the code that are not in the text. Where a term is not defined, the ordinary meaning of that term shall be used.**
- B. The context in which terms are used. The Planning Commission may take note how the same or similar terms are used in other sections of the same code.**
- C. Legislative history. If after considering the text and context of the code, the provision remains unclear, the Planning Commission shall refer to the legislative history of the code to discern its purpose and intent.**
- D. Code interpretations shall not conflict with the Comprehensive Plan.**

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF CASCADE LOCKS ADOPTING SHORT TERM RENTAL REGULATIONS WITHIN THE CITY OF CASCADE LOCKS

WHEREAS, the City Council of the City of Cascade Locks recognizes the nature of the community can be affected by unregulated short term rentals;

WHEREAS, short term rentals can enhance a vibrant tourism industry; and

WHEREAS, short term rentals can create significant transient room tax revenue;

THE CITY OF CASCADE LOCKS, HOOD RIVER COUNTY, OREGON, ORDAINS AS FOLLOWS:

SECTION 1. Definitions for understanding Short Term Rentals:

As used in this title, the singular includes the plural and the masculine includes the feminine and neuter. The word "may" is discretionary, but the word "shall" is mandatory. The following words and phrases shall have the meanings given them in this section.

BED AND BREAKFAST FACILITY means a single-family dwelling which conducts transient rental of rooms with or without a morning meal.

GROUP RESIDENTIAL means residential occupancy of dwelling units by groups of more than five (5) persons who are not related by blood, marriage, legal adoption or legal guardianship, and where communal kitchen and dining facilities are provided. Typical uses include the occupancy of houses, cooperatives, halfway houses, and intermediate care facilities. (See ORS 90.113.)

HOSTED HOMESHARE means the transient rental of a portion of a dwelling while the homeowner is present.

HOSTEL means any establishment having beds rented or kept for rent on a daily basis to travelers for a charge or fee paid or to be paid for rental or use of facilities and which are operated, managed, or maintained under the sponsorship of a non-profit organization that holds a valid exemption from federal income taxes under the federal law. (See ORS 446.310.)

NON-TRANSIENT RENTAL means to rent a dwelling unit or room(s) for compensation on a month-to-month basis, or for a longer period.

RESIDENTIAL OR RESIDENTIAL USE means the occupancy of a dwelling unit on a non-transient basis. Uses where tenancy is arranged on a transient basis are not considered residential.

RESIDENTIAL DEVELOPMENT means single-family dwellings, manufactured home, duplexes, triplexes, townhouses, residential condominiums, multi-family dwellings, accessory dwelling

units, group residential facilities, and similar structures. In some circumstances the use of residential development for non-residential uses may be approved.

(RESIDENTIAL) DWELLING UNIT means a single unit providing complete, independent living facilities for one (1) or more person, including permanent provisions for living, sleeping, eating, cooking, and sanitation. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units unless the additional cooking facilities are clearly accessory, such as an outdoor grill.

ROOMING HOUSE means a building where the non-transient rental of lodging, without meals, is provided to five (5) or more people.

SINGLE-FAMILY DWELLING, DETACHED (Detached Single Family Dwelling). A detached single-family dwelling unit located on its own lot.

TRANSIENT RENTAL means to rent a dwelling unit or room(s) for compensation on less than a month-to-month basis.

VACATION HOME RENTAL means the transient rental of an entire dwelling unit.

SECTION 2. Regulations:

Hosted Homeshares, **Transient Rentals**, and Vacation Home Rentals are permitted as a conditional use in the following City of Cascade Locks residential zones:

Rural Residential (RR)
Low Density Residential (LDR)
Medium Density Residential (MDR)
High Density Residential (HDR)
Any Planned Unit Development (PUD)

Hosted Homeshares and Vacation Home Rentals are not permitted in the following City of Cascade Locks zones:

Commercial (C)
Commercial/Residential (CR)
Manufactured/Mobile Home Park Residential (MHR)
Downtown Zone (D)
Resort Commercial (RC)
Any Planned Unit Development (PUD)

A. ~~Conditional Use Permit and~~ **A** TRT License issued under the City Code of Cascade Locks, Chapter 112, ~~are~~ **is** required.

1. Persons operating a hosted homeshare or vacation home rental shall obtain a ~~Conditional Use Permit.~~ **Transient Room Tax License.**
2. **The payment of transient room taxes to both the State and the City are the responsibility of the property owner. Payments are due on the 15th of the month following the previous quarter, April 15, July 15, October 15 and January 15.**
3. ~~The Conditional Use Permit will be good for two (2) years from the date of issuance.~~
4. ~~An application for a short term rental unit shall be processed as a~~ **City Administrator review ministerial decision.**
5. ~~A Conditional Use Permit will not be granted if not accompanied by a Transient Room Tax registration.~~
6. **Proof of residential home-owner insurance that specifically includes short term rental coverage for the subject property is required.**

B. Use Restrictions – All Zones.

1. The room(s) for transient rental shall not include rooms within a recreational vehicle, travel trailer, or tent or other temporary shelter.
2. **Renters are not permitted to operate short-term rentals.**
3. **Management companies, LLCs, and other business real estate interests/entities are not permitted to operate short-term rentals in residential zones.**
4. The maximum occupancy for the dwelling shall be two persons per bedroom plus two additional persons. For example, a two-bedroom dwelling would have a maximum occupancy of six persons.
5. One (1) hard surfaced off-street parking space shall be provided for every two bedrooms. In calculating the number of spaces required, the total shall be rounded up. Parking areas shall not be located in the front yard. If the garage is to be utilized to meet the parking requirement, a photo of the interior of the garage shall be submitted to show the garage is available for parking. Required parking may be permitted on another lot within 250 feet of the subject property with a shared parking agreement and proof of legal parking access.
6. ~~The maximum number of days per year for which a hosted homeshare or vacation rental home may be rented is ninety (90) days per calendar year. The~~

number of days the unit is rented per quarter shall be reported on the TRT quarterly report.

7. **An emergency contact number shall be provided to the vacation rental occupier, to each of the surrounding property owners/residents and to the City. The emergency contact shall respond to the vacation rental property within 30 minutes to address any emergency or complaint issue.**
8. **Only 10% of the total residential units in the City may be permitted as transient rentals at any one time. The number of residential water accounts will provide the base for the calculation. For example, if the City has 500 residential water accounts, only 50 (10% of 500) transient room tax licenses will be issued for residential transient rental uses.**
9. **Listing an unpermitted unit online is a violation of this ordinance.**
10. **Each rental unit property must have a valid street address.**
11. **An accessory dwelling unit (ADU) may not be used as a short term rental, hosted homeshare, transient rental, or vacation home rental. Unless the ADU is owner occupied, the owner shall provide proof that the ADU is rented on a minimum 12-month lease or occupied by a hold-over tenant following completion of a 12-month lease. A 12-month lease is not required if the owner rents the ADU to an immediate relative.**
12. **Smoke detectors, carbon monoxide detectors, and fire extinguishers in the rental space are strongly encouraged.**
13. **No short term rental may engage in commercial-style food preparation or operation.**

Failure to comply is subject to normal city code violation fine of up to \$500 per day for each day the violation exists. Any homeshare, **transient rental**, or vacation rental including those advertised through internet rental accounts or services are subject to this ordinance. Internet rental accounts or services include, but are not limited to, providers such as "AirBnB," "Vacasa," and "Craigslist." Copies of online advertisements for properties located inside the City limits of Cascade Locks are evidence of intent to providepresumed to constitute the operation of a homeshare, **transient rental**, or vacation rental propertyies.

SECTION 3. Effective Date. This Ordinance will take effect 30 days after approval by the Mayor.

FIRST READING by the City Council 26th day of February, 2018.

ADOPTED by the City Council this 12th day of March, 2018.

APPROVED by the Mayor this 12th day of March, 2018.

ATTEST:

Kathy Woosley, City Recorder

Tom Cramblett, Mayor

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CASCADE LOCKS ADOPTING SHORT TERM RENTAL REGULATIONS WITHIN THE CITY OF CASCADE LOCKS

WHEREAS, the City Council of the City of Cascade Locks recognizes the nature of the community can be affected by unregulated short term rentals;

WHEREAS, short term rentals can enhance a vibrant tourism industry; and

WHEREAS, short term rentals can create significant transient room tax revenue;

THE CITY OF CASCADE LOCKS, HOOD RIVER COUNTY, OREGON, ORDAINS AS FOLLOWS:

SECTION 1. Definitions for understanding Short Term Rentals:

As used in this title, the singular includes the plural and the masculine includes the feminine and neuter. The word "may" is discretionary, but the word "shall" is mandatory. The following words and phrases shall have the meanings given them in this section.

BED AND BREAKFAST FACILITY means a single-family dwelling which conducts transient rental of rooms with or without a morning meal.

GROUP RESIDENTIAL means residential occupancy of dwelling units by groups of more than five (5) persons who are not related by blood, marriage, legal adoption or legal guardianship, and where communal kitchen and dining facilities are provided. Typical uses include the occupancy of houses, cooperatives, halfway houses, and intermediate care facilities. (See ORS 90.113.)

HOSTED HOMESHARE means the transient rental of a portion of a dwelling while the homeowner is present.

HOSTEL means any establishment having beds rented or kept for rent on a daily basis to travelers for a charge or fee paid or to be paid for rental or use of facilities and which are operated, managed, or maintained under the sponsorship of a non-profit organization that holds a valid exemption from federal income taxes under the federal law. (See ORS 446.310.)

NON-TRANSIENT RENTAL means to rent a dwelling unit or room(s) for compensation on a month-to-month basis, or for a longer period.

RESIDENTIAL OR RESIDENTIAL USE means the occupancy of a dwelling unit on a non-transient basis. Uses where tenancy is arranged on a transient basis are not considered residential.

RESIDENTIAL DEVELOPMENT means single-family dwellings, manufactured home, duplexes, triplexes, townhouses, residential condominiums, multi-family dwellings, accessory dwelling

units, group residential facilities, and similar structures. In some circumstances the use of residential development for non-residential uses may be approved.

(RESIDENTIAL) DWELLING UNIT means a single unit providing complete, independent living facilities for one (1) or more person, including permanent provisions for living, sleeping, eating, cooking, and sanitation. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units unless the additional cooking facilities are clearly accessory, such as an outdoor grill.

ROOMING HOUSE means a building where the non-transient rental of lodging, without meals, is provided to five (5) or more people.

SINGLE-FAMILY DWELLING, DETACHED (Detached Single Family Dwelling). A detached single-family dwelling unit located on its own lot.

TRANSIENT RENTAL means to rent a dwelling unit or room(s) for compensation on less than a month-to-month basis.

VACATION HOME RENTAL means the transient rental of an entire dwelling unit.

SECTION 2. Regulations:

Hosted Homeshares, **Transient Rentals**, and Vacation Home Rentals are permitted as a conditional use in the following City of Cascade Locks residential zones:

Rural Residential (RR)
Low Density Residential (LDR)
Medium Density Residential (MDR)
High Density Residential (HDR)
Any Planned Unit Development (PUD)

Hosted Homeshares and Vacation Home Rentals are not permitted in the following City of Cascade Locks zones:

Commercial (C)
Commercial/Residential (CR)
Manufactured/Mobile Home Park Residential (MHR)
Downtown Zone (D)
Resort Commercial (RC)
~~Any Planned Unit Development (PUD)~~

A. ~~Conditional Use Permit and~~ A TRT License issued under the City Code of Cascade Locks, Chapter 112, ~~are~~ **is** required.

1. ~~Persons operating a hosted homeshare or vacation home rental shall obtain a Conditional Use Permit.~~ **Transient Room Tax License.**
2. **The payment of transient room taxes to both the State and the City are the responsibility of the property owner. Payments are due on the 15th of the month following the previous quarter, April 15, July 15, October 15 and January 15.**
3. ~~The Conditional Use Permit will be good for two (2) years from the date of issuance.~~
4. ~~An application for a short term rental unit shall be processed as a~~ **City Administrator review ministerial decision.**
5. ~~A Conditional Use Permit will not be granted if not accompanied by a Transient Room Tax registration.~~
6. **Proof of residential home-owner insurance that specifically includes short term rental coverage for the subject property is required.**

B. Use Restrictions – All Zones.

1. The room(s) for transient rental shall not include rooms within a recreational vehicle, travel trailer, or tent or other temporary shelter.
2. **Renters are not permitted to operate short-term rentals.**
3. **Management companies, LLCs, and other business real estate interests/entities are not permitted to operate short-term rentals in residential zones.**
4. The maximum occupancy for the dwelling shall be two persons per bedroom plus two additional persons. For example, a two-bedroom dwelling would have a maximum occupancy of six persons.
5. One (1) hard surfaced off-street parking space shall be provided for every two bedrooms. In calculating the number of spaces required, the total shall be rounded up. Parking areas shall not be located in the front yard. If the garage is to be utilized to meet the parking requirement, a photo of the interior of the garage shall be submitted to show the garage is available for parking. Required parking may be permitted on another lot within 250 feet of the subject property with a shared parking agreement and proof of legal parking access.
6. ~~The maximum number of days per year for which a hosted homeshare or vacation rental home may be rented is ninety (90) days per calendar year. The~~

number of days the unit is rented per quarter shall be reported on the TRT quarterly report.

7. **An emergency contact number shall be provided to the vacation rental occupier, to each of the surrounding property owners/residents and to the City. The emergency contact shall respond to the vacation rental property within 30 minutes to address any emergency or complaint issue.**
8. **Only 10% of the total residential units in the City may be permitted as transient rentals at any one time. The number of residential water accounts will provide the base for the calculation. For example, if the City has 500 residential water accounts, only 50 (10% of 500) transient room tax licenses will be issued for residential transient rental uses.**
9. **Listing an unpermitted unit online is a violation of this ordinance.**
10. **Each rental unit property must have a valid street address.**
11. **An accessory dwelling unit (ADU) may not be used as a short term rental, hosted homeshare, transient rental, or vacation home rental. Unless the ADU is owner occupied, the owner shall provide proof that the ADU is rented on a minimum 12-month lease or occupied by a hold-over tenant following completion of a 12-month lease. A 12-month lease is not required if the owner rents the ADU to an immediate relative.**
12. **Smoke detectors, carbon monoxide detectors, and fire extinguishers in the rental space are strongly encouraged.**
13. **No short term rental may engage in commercial-style food preparation or operation.**

Failure to comply is subject to normal city code violation fine of up to \$500 per day for each day the violation exists. Any homeshare, **transient rental**, or vacation rental including those advertised through internet rental accounts or services are subject to this ordinance. Internet rental accounts or services include, but are not limited to, providers such as "AirBnB," "Vacasa," and "Craigslist." Copies of online advertisements for properties located inside the City limits of Cascade Locks are ~~evidence of intent to provide~~ presumed to constitute the operation of a homeshare, **transient rental**, or vacation rental property.

SECTION 3. Effective Date. This Ordinance will take effect 30 days after approval by the Mayor.

FIRST READING by the City Council 26th day of February, 2018.

ADOPTED by the City Council this 12th day of March, 2018.

APPROVED by the Mayor this 12th day of March, 2018.

ATTEST:

Kathy Woosley, City Recorder

Tom Cramblett, Mayor

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- Downtown Zone (D)
- Resort Commercial (RC)

A. A TRT License issued under the City Code of Cascade Locks, Chapter 112, is required.

1. Persons operating a hosted homeshare or vacation home rental shall obtain a Transient Room Tax License.

2. The payment of transient room taxes to both the State and the City are the responsibility of the property owner. Payments are due on the 15th of the month following the previous quarter, April 15, July 15, October 15 and January 15.
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6. The number of days the unit is rented per quarter shall be reported on the TRT quarterly report.
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ATTEST:

Kathy Woosley, City Recorder

Tom Cramblett, Mayor

City of Cascade Locks
MEMORANDUM

February 1, 2018

TO: Planning Commissioners
FROM: Kathy Woosley, City Recorder *KW*
SUBJECT: Statement of Economic Interest (SEI)

This is your reminder to check your email from Oregon Government Ethics Commission (OGEC) to file your SEI. You should receive your email between February 15th and March 15th and you must file by April 15th.

Please go to www.oregon.gov/ogec for information and training videos.

