

AGENDA**REGULAR CITY COUNCIL MEETING****December 11, 2023****5:30 p.m.****CITY HALL COUNCIL CHAMBER****313 COURT STREET****And****VIA ZOOM****<https://us06web.zoom.us/j/88147760127?pwd=4nwaogvndxTleStL0OU01gRHm9Bu7O.1>****Meeting ID: 881 4776 0127****Passcode: 008651**

1. CALL TO ORDER
2. ROLL CALL OF COUNCIL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. AUDIENCE PARTICIPATION

During this portion of the meeting, anyone may speak on any subject which does not later appear on the agenda. Up to five minutes per person will be allowed. Citizens are encouraged to ask questions with the understanding that the City can either answer the question tonight or refer that question to the appropriate staff member who will get back to you within a reasonable amount of time. If a response by the City is requested, the speaker will be referred to the City Manager for further action. The issue may appear on a future meeting agenda for City Council consideration.

6. CITY MANAGER REPORT
7. CITY COUNCIL REPORTS
8. CONSENT AGENDA

Items of a routine and non-controversial nature are placed on the Consent Agenda to allow the City Council to spend its time and energy on the important items and issues. Any Councilor may request an item be "pulled" from the Consent Agenda and be considered separately. Items pulled from the Consent Agenda will be placed on the Agenda at the end of the "Action Items" section.

- A. Approval of the November 27, 2023 Regular City Council Meeting Minutes
- B. Resolution No. 23-040 A Resolution Concurring with the Mayor's Appointment to the Beautification and Tree Committee, Mello

CITY OF THE DALLES**"By working together, we will provide services that enhance the vitality of The Dalles."**

9. PUBLIC HEARINGS

- A. Legislative Public Hearing – Consideration of General Ordinance No. 23-1404, an ordinance amending The Dalles Comprehensive Plan Goal 10 (Housing) and adopting the Housing and Residential Land Needs Assessment and the Buildable Lands Inventory Update.

10. ACTION ITEMS

- A. Adopting General Ordinance No. 23-1403 An ordinance amending The Dalles Municipal Code Title 3 (Utilities) by creating Chapter 3.30 (Small Wireless Facilities)
- B. IGA between the City of The Dalles, Wasco County, and Wasco County District Attorney's Office

11. ADJOURNMENT

This meeting conducted VIA Zoom

Prepared by/
Amie Ell
City Clerk



AGENDA STAFF REPORT

AGENDA LOCATION: Item #9A

MEETING DATE: December 11, 2023

TO: Honorable Mayor and City Council

FROM: Amie Ell, City Clerk

ISSUE: Approving items on the Consent Agenda and authorizing City staff to sign contract documents.

- A. **ITEM:** Approval of the November 27, 2023 Regular City Council meeting minutes.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The minutes of the November 27, 2023 Regular City Council meeting have been prepared and are submitted for review and approval.

RECOMMENDATION: That City Council review and approve the minutes of the November 27, 2023 Regular City Council meeting minutes.

- B. **ITEM:** Approval of Resolution No. 23-040 Concurring with the Mayor's Appointment to the Beautification Committee, Mello.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The Mayor has met with the applicant and recommends appointment.

RECOMMENDATION: City Council concurs with the Mayor's appointment to the Beautification Committee, Mello; and approves Resolution No. 23-040.

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CITY COUNCIL MEETING
COUNCIL CHAMBER, CITY HALL
NOVEMBER 27, 2023
5:30 p.m.

VIA ZOOM/ IN PERSON

PRESIDING: Mayor Richard Mays

COUNCIL PRESENT: Darcy Long, Tim McGlothlin, Rod Runyon, Scott Randall, Dan Richardson

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Matthew Klebes, City Attorney Jonathan Kara, City Clerk Amie Ell, Police Chief Tom Worthy, Finance Director Angie Wilson, Community Development Director Joshua Chandler, IT Director David Collins

OTHER CITY REPRESENTATIVES: Special Counsel Chris Crean

CALL TO ORDER

The meeting was called to order by Mayor Mays at 5:30 p.m.

ROLL CALL OF COUNCIL

Roll Call was conducted by City Clerk Ell. Long, McGlothlin, Runyon, Randall, Richardson present

PLEDGE OF ALLEGIANCE

Mayor Mays lead the Pledge of Allegiance.

APPROVAL OF AGENDA

It was moved by Randall and seconded by Long to approve the agenda as submitted. The motion

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carried 5 to 0, Randall, Long, Richardson, Runyon, McGlothlin voting in favor; none opposed; none absent.

PRESENTATIONS PROCLAMATIONS

David & Kirsten Benko presented on the National Neon Sign Museum and the Jantzen Beach Carousel. See attached presentation slides.

AUDIENCE PARTICIPATION

There was no audience participation

CITY MANAGER REPORT

City Manager Klebes reported;

- Attended Mid-Columbia Housing Stabilization summit
- City Council goal setting session
- Meeting with The Dalles Main Street
- Meeting with The Dalles Art Center
- Attended Public Works muster meetings
- Ride-Along with code enforcement officer

CITY COUNCIL REPORTS

Councilor Runyon reported;

- Wasco County Pioneer Association meeting to plan May event
- City Council goal setting session
- Welcomed State Attorney General Candidate to The Dalles

Councilor Richardson reported;

- City Council goal setting session
- Traffic safety commission meeting

Councilor Randall reported;

- City Council goal setting session
- Starlight parade

Councilor Long reported;

- City Council goal setting session

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McGlothlin reported;

- City Council goal setting session
- Airport Board meeting

Mayor Mays said he would save his report for the next meeting.

CONSENT AGENDA

It was moved by Long and seconded by McGlothlin to approve the Consent Agenda as presented. The motion carried 5 to 0, Long, McGlothlin, Randall, Runyon, Richardson voting in favor; none opposed; none absent.

Items approved on the consent agenda were: 1) The minutes of the November 13, 2023 Regular City Council Meeting.

PUBLIC HEARING

Appeal of Planning Commission Resolution No. P.C. 618A-23, denying Appeal #033-23 of the Community Development Director's decision dated February 27, 2023, denying Sign Permit No. 2589-23, J.R. Zukin Corp. d/b/a Meadow Outdoor Advertising requesting to replace an existing off-premises advertising sign (i.e., a billboard) located adjacent to a city street with a larger billboard.

Mayor Mays announced the purpose of the public hearing was to consider the matter of Appeal Application No. 35-23, an appeal of Planning Commission Resolution No. PC 618A-23 (a resolution denying Appeal Application No. 33-23) which appealed the Community Development Director's February 27, 2023, denial of Sign Permit No. 2589-23, submitted by J.R. Zukin Corp. d/b/a Meadow Outdoor Advertising and requesting to replace an existing off-premises advertising sign (i.e., a billboard) located adjacent to a city street with a larger billboard.

Mayor Mays announced the substantive criteria upon which the City Council would base its decision in this matter could be found in The Dalles Municipal Code – Title 10 (Land Use and Development) Section 10.3.020.070 (Public Hearings), Section 10.3.020.080 (Appeal Procedures), Chapter 10.6 (General Regulations) Article 6.070 (Measurements), Chapter 10.13 (Sign Regulations) Article 13.020 (General Provisions and Procedures), and Article 13.050.150 (Off-Premises Advertising Signs).

Mayor Mays explained the rules of the public hearing process. He asked if there were any questions. There were none.

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Mayor Mays asked council if any members of the Commission had any ex parte contacts, conflicts of interest, or bias, which would prevent them from rendering an impartial decision on the matter.

Runyon said he had not discussed the topic with anyone in the community.

Richardson said no.

Randall said no. He reported overhearing brief conversations about the topic but nothing that would impact his objectivity.

Long said no.

McGlothlin said he had been contacted by community members and had a long-standing relationship with the owner of Meadow Outdoor Advertising. He said he had been in contact with the Oregon Board of Ethics and the City Legal Department to determine if a conflict of interest existed. Both confirmed no, he did not have a conflict of interest. He said when approached by members of the community to discuss the topic his response was he was not at liberty to discuss the topic.

Mayor Mays asked if anyone in the audience wished to challenge the qualifications of any members of the Commission.

None did.

Mayor Mays said he wanted to begin by clarifying the definition of linear mile and a road mile. He said the staff's position was that a linear mile was 8 billboards within a circle that has a 1-mile radius from the subject. He said a road mile is 8 billboards within a 1-mile section of roadway.

Mayor Mays opened the public hearing at 6:02 p.m. and asked for the staff report.

Community Development Director Joshua Chandler presented the Staff Report. See attached slides.

Mayor Mays asked to clarify items from the appellant's four reasons why council should support the appeal request. He asked for clarification of if staff believed item number 1 to be true.

Chandler said, no staff did not believe the criterion was met.

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Mayor Mays said the appellant meant road mile and not lineal mile where it was written in item number 2. He asked if there was evidence of any of the use of road mile since 1974 and if any mentioned radial or linear miles.

Chandler said 3 of the 42 locations had permits mentioning the road mile. None of the others mentioned radial or linear miles.

Mayor Mays asked for confirmation that the sign being considered could not be considered nonconforming under The Dalles Municipal Code (TDMC).

Chandler said the sign could not be considered nonconforming and to determine the status of other signs he would need to know the year they were permitted.

Special Counsel Chris Crean said the sign could not be considered nonconforming because it was in an allowed zone.

Mayor Mays asked Chandler to clarify if road mile had been used by staff in the past 30 years.

Chandler said he had no record to show that road mile had been used except for 3 of 42 locations.

Mayor Mays asked if the other 39 had mention of radial or linear mile.

Chandler said they did not.

Mayor Mays asked for clarification for portions of the Historical Permit Review section of the agenda staff report on pages 11 and 12 of the agenda packet.

City Attorney Jonathan Kara clarified and gave additional information on this section.

Special Counsel Crean said the city does not have to continue issuing permits if it is determined by council the interpretation of the code was incorrect in the past.

Mayor Mays asked if the appellant's written argument that the road mile has been used from 1992 to present day should have been since 1974.

Kara said that 7% of applications since 1974 had mention of road mile.

Mayor Mays asked if the other 93% mentioned the linear mile.

Chandler said no and clarified these numbers were in reference to billboard locations.

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Mayor Mays asked for confirmation the appellant did not respond to the correspondence that included an offer of a collaborative alternative with community input as described on page 15 of the agenda packet.

Chandler said there was no response from the appellant.

Long asked if staff had reviewed past permits to determine how many other billboard locations would only have been permitted with the use of road mile instead of linear or radial mile.

Chandler said no staff had not done this.

Special Counsel Crean said there was not consistent adherence to the approval criteria over the years as seen by the number of billboards approved in places where they were not allowed by zoning, number of signs per mile, and how they interpreted the mile.

Long said as a councilor her concern was policy and what is best for the city not parsing things out legally.

Kara said during a quasi-judicial public hearing the council is not acting as legislators as would be typical, instead they were acting as judges.

Long asked if during the hearing they could not take into consideration the policy they would want.

Kara said the decision in front of the council was the approval or denial of the presented appeal application, not the policy implications of the decision. He said at a council meeting in the future a discussion could occur on the policy and it would be appropriate for the Mayor to talk with the City Manager to instruct staff to bring recommendations to the sign code to council to avoid complications in the future.

Special Counsel Crean said the court would defer to a local government's interpretation of its own existing code. He said councilors should make their decision on this issue based on the code as currently written. If they believe there should be a change to policy, direction should be given to staff to make recommendations for code amendments at a future date.

McGlothlin asked if staff had found any historical data addressing why a request to add road mile to the language was ignored in 1992.

Chandler said he could not speak to why it was ignored.

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Randall asked if the sign in question was nonconforming as is, how could it become nonconforming if enlarged.

Chandler said it would not become nonconforming. Kara added it would not meet the code standards because of its existence in a location that does not meet the 8 per mile criteria.

Randall asked how parallel streets were evaluated in the process. He asked if it was possible to have 16 signs on parallel streets if using the interpretation of road mile.

Chandler said yes.

Randall asked if the spacing and measurement standards addressing topography and horizontal measurements were in existence when the 1992 ordinance was passed.

Chandler said the code was created in 1998, but he would need to research to determine this for certain.

Richardson asked if staff have looked at council meeting minutes from 1992 to find notes on discussions of adding the road mile language.

Chandler said the research had been done but the minutes did not include detailed notes about the discussion.

Richardson asked if staff had seen a map referenced on page 513 of the agenda packet that was created by Meadows staff and Planning staff that laid out a common understanding of where signs would be allowed.

Chandler said yes, it was included in the agenda packet.

Richardson said this was evidence there was an effort to gain a common understanding at that time.

Richardson asked for clarification if the decision being made that night would determine the fate of one billboard or many.

Chandler said if the appeal is denied the sign stays where it is at and no other signs would be impacted from the decision.

Richardson asked for a time frame for when staff would bring recommendations for revisions or clarifications to sign codes to council.

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Chandler said he had hoped to do the work this fall, but the appeal had absorbed a lot of staff time.

Richardson asked if this decision would determine how staff would interpret applications until code revisions were made.

Chandler said yes.

Runyon asked if it was correct that the application had initially been approved.

Chandler said yes, a short time staffer no longer working in the department had incorrectly approved it thinking that it was for routine maintenance. Chandler said he had explained to the appellant what had happened.

Runyon asked if modifications to a sign to improve safety and maintenance would be subject to the same decision.

Chandler said yes, if there were structural changes being made.

Runyon said the use of the term radial was used in the staff report, but the decisions from the past 30 years were using distance measurements to the street. He had fairness issues as it had been done the same way for 30 years.

Chandler says the appellant tried to clarify this by having the Planning Commission add the road mile in 1992 and they had said no.

Long said they did not say no and they did not say yes.

Runyon said he found on 7 different pages notation about distance to the center line in the staff report and in his opinion this is not referencing a radial mile. He asked Chandler if he was saying this was not a policy change, but that it was the policy all along and this was the correct interpretation.

Chandler said correct.

Long said that if council was to determine what the interpretation should be based on what was intended by past council, they did not have the items in the agenda packet to do this. They would need minutes from meetings where this was discussed.

Special Counsel Crean said council should use past legislative history, the language of the code

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provision, and context to make their interpretation. He said the minutes are vague and not helpful. He said legislative history is also not helpful so the council should use the language and context to make their decision.

Mayor Mays said testimony letters had been received from both the Planning Commission Chair of 1992 and the Planning Director of 1992 testifying to the road mile criteria. He asked who would be better qualified than those two to determine the intent at that time.

Special Counsel Crean said it did not matter what the staff thinks the interpretation is. It can be considered evidence but is not legally relevant.

Mayor Mays asked if the Appellant wished to present information about its appeal.

Name: Chris Zukin Address: 5525 Cherry Heights Rd, The Dalles, Oregon

Zukin said he is the General Manager of Meadow Outdoor Advertising.

Zukin said the issue boiled down to one line in the sign code from 1974. He read from the code "The maximum number of advertising signs shall exceed 8 per mile with no more than 5 on the same side of the street." He said the intent of that city council was to control the number of billboards one would see as they drove down the road, there would be no more than 8 billboards per linear mile, and when he said linear he meant road mile. The current planning department was interpreting linear mile to mean radial. The code was reviewed in 1981, 1992, 2002, and 2007 and the wording was not changed. He said he had looked at the minutes in 1992 and the minutes were very good up until the sign code discussion. He said the letter from Mr. Foster to Planning Commissioners clarified that the discussion was about not changing phrasing from per mile to per square mile. He said square mile is very similar to radial mile and this was clear evidence of the intent of the commission in 1992 to not change to square mile, which is similar to radial mile. He said that for over 50 years and 7 city planners the interpretation had been 8 billboards per road mile. The radial mile interpretation would make all billboards in town nonconforming, no new billboards could not be built, replaced, or rebuilt. This would be an economic loss. He asked council to interpret and instruct the planning department to interpret this line of the code as road mile.

Richardson asked Mr. Zukin why he did not put efforts into helping staff clarify and revise sign code.

Zukin said the order of changing the sign code internally first and then doing a sign code review was not appropriate. He said he thought staff also had an agenda regrading billboards that was not favorable.

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Richardson said staff do not make policy changes, they bring suggestions to council who makes those decisions. He said this was not a good way to do policy.

Zukin said the reason they were there was because they thought staff was making policy decision internally before the sign code review and it was not correct.

Mayor Mays asked why there was no response from the appellant to the June 22nd letter from the Planning Department.

Zukin said he could not recall why there was no response.

Mayor Mays asked for testimony from any proponents.

Name: Rob Van Cleeve Address: 1325 Sterling Drive, The Dalles, Oregon

Van Cleeve testified in support of Meadow Outdoor Advertising. He said during his 14 years as councilor and mayor the standard Zukin described was the standard used. He introduced Dan Durow past Community Development Director for The City of The Dalles

Name: Dan Durow Address: 1628 West 13th St, The Dalles, Oregon

Durow presented information and comment on his review of the agenda staff report. See attached.

Richardson said given the provided map with potential sign placements using the road mile the number of billboards could be about 170. He asked if this sounded right.

Durow said the number did not sound right to him. He had not analyzed that map. He said the intent of the sign code was to strike a balance between the needs of the traveling public to get information and the aesthetics of the city.

Randall asked for clarification on the meaning of lineal being a straight line in one direction and not an area.

Chandler confirmed that was correct.

Kara began to ask Durow clarifying questions about reconciling his interpretations of Section 10.6.070.030(A)(1) & (2) of TDMC regarding measuring distances in straight lines and measuring the shortest distance. Kara began to discuss the singular or plural use of the word street(s), how this is applied in the code and its impact on interpretation.

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At this point Long asked the Mayor to speak. She said she felt the city attorney was cross-examining a witness and this portion of the public hearing was supposed to be testimony in favor of the appellant.

Mayor Mays asked if in the 22 years Durow was the planning department director from 1990 to 2012 any member of city council, the planning commission, a competitor of Meadow Outdoor, or a citizen had told him he incorrectly interpreted this code.

Durow said he could not recall that happening.

Name: John Lehman Address: 92464 Biggs-Rufus Highway, Rufus, Oregon

Lehman said he had worked with Meadow Outdoor Advertising for 32 years as a regional lease manager and as operations manager. His duties were finding, permitting, retaining, and rebuilding new and existing billboard locations. He worked with city staff through the permitting process and how a line map was created and used. He explained the process and said in the 32 years of his experience, linear road mile was always used in determining there were not more than 8 billboards in a section of a proposed new sign location.

McGlothlin asked Lehman if there was a state standard for determining distance.

Lehman said the state used road mile markers.

Name: Stephen Lawrence Address: 2017 View Court, The Dalles, Oregon

Lawrence read his statement to council. See attached

Name: Scott Hege Address: 6580 Martin Rd, The Dalles, Oregon

Hege spoke in support of the appellant. See attached.

Name: Jim Wilcox Address: 416 West 7th St, The Dalles, Oregon

Wilcox said he had served 6 years on council, 2 and a half as mayor. He said a staff report with that many pages made him wonder what they were hiding. He said the more words you get the more you can't read. He said that the measurement had nothing to do with radiuses it is a line following the street. He said GPS can be wrong, 49 years with at least 5 planning directors had interpreted the code the same way before the newest director, policy change must go through council and they need to keep this control. He asked council to consider why so much staff time and paper was spent on putting together something that was about one sentence.

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Mayor Mays said he vehemently took exception to the implication that staff stacked a 600-page packet to hide evidence and mislead council. He said in his experience being a city manager for 28 years, cities were much more likely to be in trouble when not enough information was presented. He said the information was necessary in the case it went to court.

Name: Charlie Foote Address: 919 E 18th Street, The Dalles, Oregon

Foote testified in favor of the appellant describing how the billboard company has benefitted his and other businesses in the community.

Runyon asked if this was a direct response to the comment from the community development director that there was not economic impact.

Foote said that he was speaking from personal experience of how billboards had impacted his business economically.

Chandler said the department does not use economic impact when reviewing sign permits.

Mayor Mays asked Ty Wyman to answer legal questions regarding a memorandum he submitted to The Dalles Planning Commission on September 5, 2023 labeled as exhibit 10 in the agenda packet. He asked if his position was that past practice over 30 or 50 years is appropriate criteria.

Wyman said yes and testimony from 2 people who had been applying the code language for 30 years was evidence of this.

Mayor Mays asked to hear if Wyman thought economic impact was an appropriate criterion for making this decision.

Wyman said drew relevance to the economics of billboards from state law which requires council read each provision of land use code in the context of its comprehensive plan, some of which address the economy of the city. He said there was no need to go past the sentence that had been read multiple times during the hearing. He said this sentence had been read by a professional linguist who said it referred to a linear mile.

Special Counsel Crean said broad aspirational statements about supporting economic development do not provide specific context for any particular code provision.

Mayor Mays read from the memorandum on page 96 of the agenda packet “ A third contextual clue to the intended meaning of a land use regulation is the manner in which the City has previously applied it. Here, I understand that there is no disagreement that the City has for

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decades applied TDMC 10.13.050.150(C)(2) to limit billboards to 8 per lineal mile; staff simply considers that interpretation to have been wrong.” He asked Chandler if that summarized his position.

Chandler said no, they were not claiming previous staff interpretation had been wrong, but that there wasn’t enough evidence to prove that is how it had been interpreted in the past.

Mayor Mays asked if Wyman was stating that fairness should be a criterion of this land use decision.

Wyman said this statement was in reference to case law that limits collateral attack on a previous decision.

Special Counsel Crean said staff was not attacking or recanting an existing sign permit this was a denial for an application for a new sign.

Mayor Mays asked for clarification on whether or not council could use fairness as a criterion for making this determination.

Special Counsel Crean said the decision should be based on determining the correct interpretation of code provision. With either decision the council should provide direction to engage the community in revision of the sign code.

It was moved by Runyon and seconded by Randall to extend the time limit for the council meeting. The motion passed 5 to 0; Runyon, Randall, Long, McGlothlin, Richardson in favor; none opposed; none absent.

Mayor Mays asked for testimony from anyone else who wished to speak or ask questions.

Name:	Carolyn Wood	Address:	1709 Liberty Way, The Dalles, Oregon
	Dan Meader		911 East 7 th St, The Dalles, Oregon
	Helen Elsmore		110 East 9 th St, The Dalles, Oregon
	Ethan Ray		1804 Cherry Heights, The Dalles, Oregon
	Patti Blagg		814 East 10 th St, The Dalles, Oregon

All spoke in support of the appellant Meadow Outdoor Advertising.

Mayor Mays asked for testimony from any opponents. None spoke.

Mayor Mays asked if anyone would like to speak who was neither a proponent or opponent.

None spoke.

Mayor Mays asked council if they had enough information to decide.

Council confirmed they had enough information.

Mayor Mays closed the public hearing at 8:29 p.m.

Council proceeded with deliberations.

Runyon said there can be issues with using GPS for radial measurements, policy change needs to be separate on another day, the planning commission vote was 4 in favor 2 opposed and he was in support of the appeal.

McGlothlin said a letter from an absent commission member John Grant stated the vote would have been 4 in favor 3 opposed if he had been in attendance. McGlothlin said the choice to use road mile as a criterion for marijuana retailers set a precedence.

Long said it appeared interpretation had been correct in the past and she supported the appeal.

Richardson said there were dozens of letters submitted and it should be made clear the decision being made was not determining the fate of all billboards. He said staff had been very professional and part of their job is to bring fresh perspective and look carefully at procedures and ordinance. He said there had been a consistent process of interpreting the code, but policy needs clarification. He would like to give staff direction to bring back sign code revision suggestions within a 6-month period.

Randall said he highly valued accuracy and precision and supports the appeal.

Klebes said when code is ambiguous or there are grey areas it is the responsibility of staff to interpret. He said revising code to bring greater clarity and efficiency would be prudent. He said a sign code review process could occur if that is determined as a priority from council.

Mayor Mays looked forward to collaboration in the future to revise the sign code.

It was moved by Long and seconded by Runyon to adopt Resolution No. PC 618B-23, a resolution granting APL 35-23, reversing the Planning Commission's denial of APL 33-23, and reversing the Community Development Director's denial of Sign Permit No. 2589-23 based upon all evidence submitted and entered into the hearing record.

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Council identified the specific criteria supporting its decision reversing the Planning Commission's denial being that the appellant meets the density, distance, and area requirements.

Mayor Mays called for a roll call vote.

City Clerk, Amie Ell conducted the roll call vote.

The motion carried 5 to 0, Long, Runyon, Randall, Richardson, McGlothlin voting in favor; none opposed; none absent.

ACTION ITEMS

Special Ordinance 23-599 A Special Ordinance Accepting Real Property on East 3rd Street for Public Parking

City Manager, Matthew Klebes reviewed the staff report.

Runyon said the land this parking lot will sit on could be used or sold in the future for another use and did not want structures built on the property.

Klebes said the city might consider requiring overnight parking permits in this lot. These permits would be free for residents of the downtown area and during the day no permit would be required.

McGlothlin said it was important the historic sign on the property be preserved.

Mayor Mays asked if any council member wanted the Ordinance read in full. None did. He asked the City Clerk to read the Ordinance title.

Ell read the Ordinance title.

It was moved by McGlothlin and seconded by Richardson to adopt Special Ordinance No. 23-599, a Special Ordinance accepting the dedication of real property on East 3rd Street between Jefferson and Madison Street, by title only, and authorize the City Manager to execute the Development Agreement with the Columbia Gateway Urban Renewal Agency contingent upon Agency Board approval. The motion carried 5 to 0, McGlothlin, Richardson, Runyon, Randall, Long voting in favor; none opposed; none absent.

Resolution No. 23-039 Suspending the Processing and Issuance of Short-Term Rental Licenses Under The Dalles Municipal Code Chapter 8.02

Joshua Chandler reviewed the staff report.

Runyon asked if anyone in the community affected by this resolution had been involved in its creation.

Chandler said no as it would be hard to determine who might be applying for a short-term rental license in the future.

McGlothlin said to make sure there is input from both side of the argument and emphasized transparency.

Richardson thanked staff for acting on council direction to create this moratorium.

It was moved by Richardson and seconded by Randall to adopt Resolution No. 23-039 Suspending the Processing and Issuance of Short-Term Rental Licenses Under The Dalles Municipal Code Chapter 8.02. The motion carried 5 to 0, Richardson, Randall, Runyon, McGlothlin, Long voting in favor; none opposed; none absent.

ADJOURNMENT

Being no further business, the meeting adjourned at 9:24 p.m.

Submitted by/
Amie Ell, City Clerk

SIGNED: _____
Richard A. Mays, Mayor

ATTEST: _____
Amie Ell, City Clerk



City of The Dalles City Council

MONDAY, NOVEMBER 27 , 2023 | 5:30 PM

Appeal No. 035-23

Appellant: J. R. Zukin Corp. d/b/a Meadow Outdoor Advertising

Address: 747 W. 2nd Street

Assessor's Map and Tax Lot: 1N 13E 4 AA 200

Zoning District: General Commercial "CG"

Issue:

Appeal of Planning Commission Resolution No. P.C. 618A-23, denying Appeal #033-23 of the Community Development Director's denial of Sign Permit No. 2589-23, to replace an existing off-premises advertising sign (i.e., a billboard) located adjacent to a city street with a larger billboard.

Comments Received

As of today, 36 comments received in support of the appeal request

Project Timeline

Sign Permit No. 2589-23:

- Denied: February 27, 2023

Appeal No. 033-23

- Planning Commission: September 7 & October 19, 2023
- Appeal Denied: October 19, 2023

Appeal No. 035-23

- *City Council:* November 27, 2023

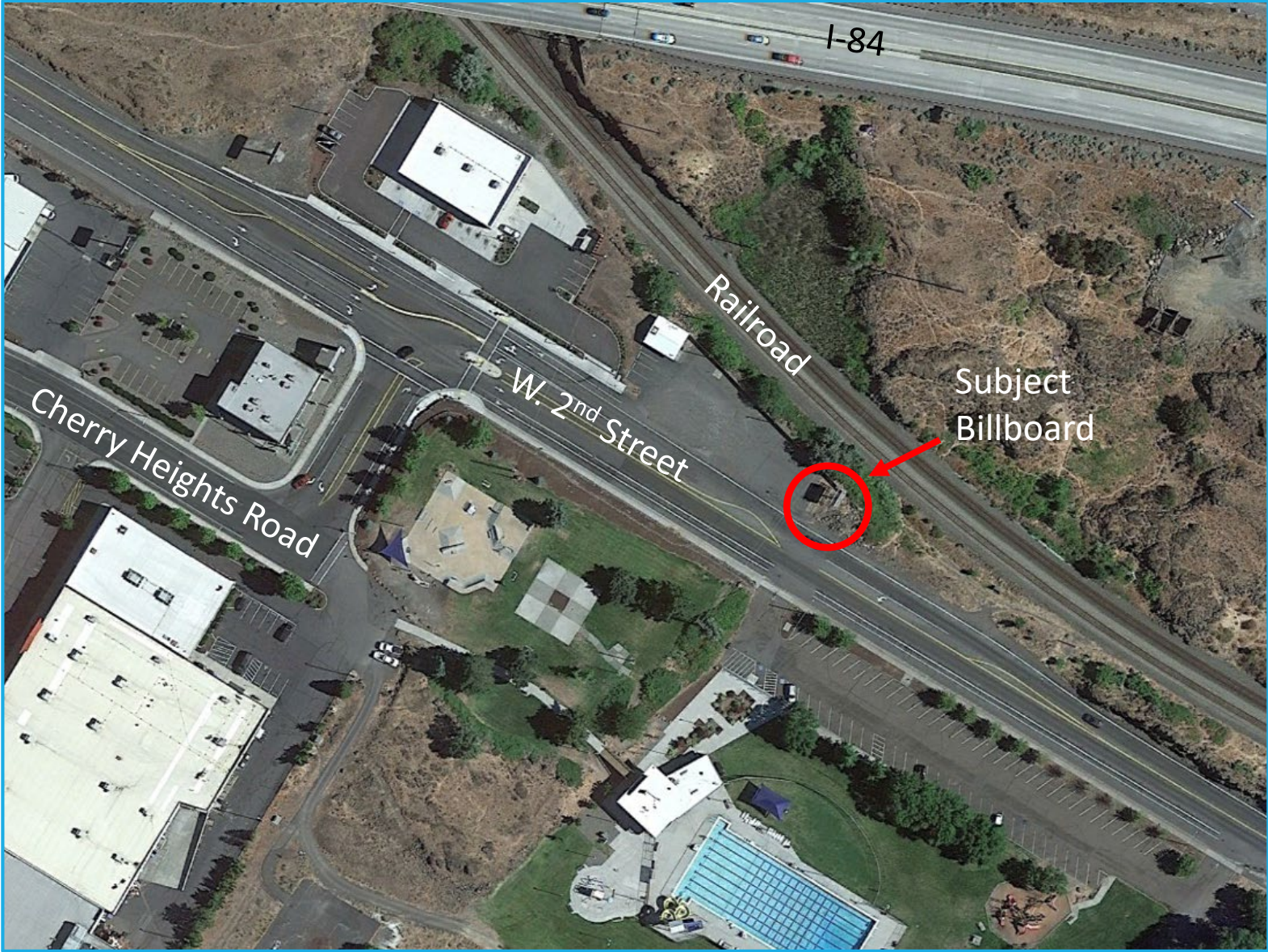
120-Day Timeline:

December 2, 2023

Subject Property

747 W. 2nd Street

1N 13E 4 AA 200



Existing Billboard

Face = 8' x 16'

Height = 24'

Proposed Billboard

Face = 8' x 24'

Height = 24'



Permit Requirement

10.13.020.030

A sign permit shall not be required for routine maintenance, such as repainting and repair of existing signs. Exceptions are also made for exempt signs listed in Section 10.13.030.010. However, a permit is required for a change of business name or any structural alteration to an existing sign.

Request: *Enlarge an existing sign*

- **New sign permit is required**

Interpretation at Issue

TDMC 10.13.050.150 (C)(2)

City Streets. The maximum number of advertising signs shall not exceed 8 per mile with no more than 5 on one side of the street and no closer than 300 feet apart when measured at right angles to the street centerline to which the sign is oriented.

Interpretation at Issue

TDMC 10.13.050.150 (C)(2)

City Streets. The maximum number of advertising signs shall not exceed 8 per mile with no more than 5 on one side of the street and no closer than 300 feet apart when measured at right angles to the street centerline to which the sign is oriented.

- **Staff's interpretation:** Linear/Radial Mile
- **Appellant's interpretation:** Road/Street Mile

Terminology

- Staff and Appellant maintain consistent positions on interpretation
- However, inconsistent terminology has been used throughout the review process
- **Staff's interpretation:** Linear/Radial Mile
 - “as the crow flies”
 - a linear mile measurement in all directions from the center of a circle = ***radial mile***.
- **Appellant's interpretation:** Road/Street Mile
 - “as the road curves”

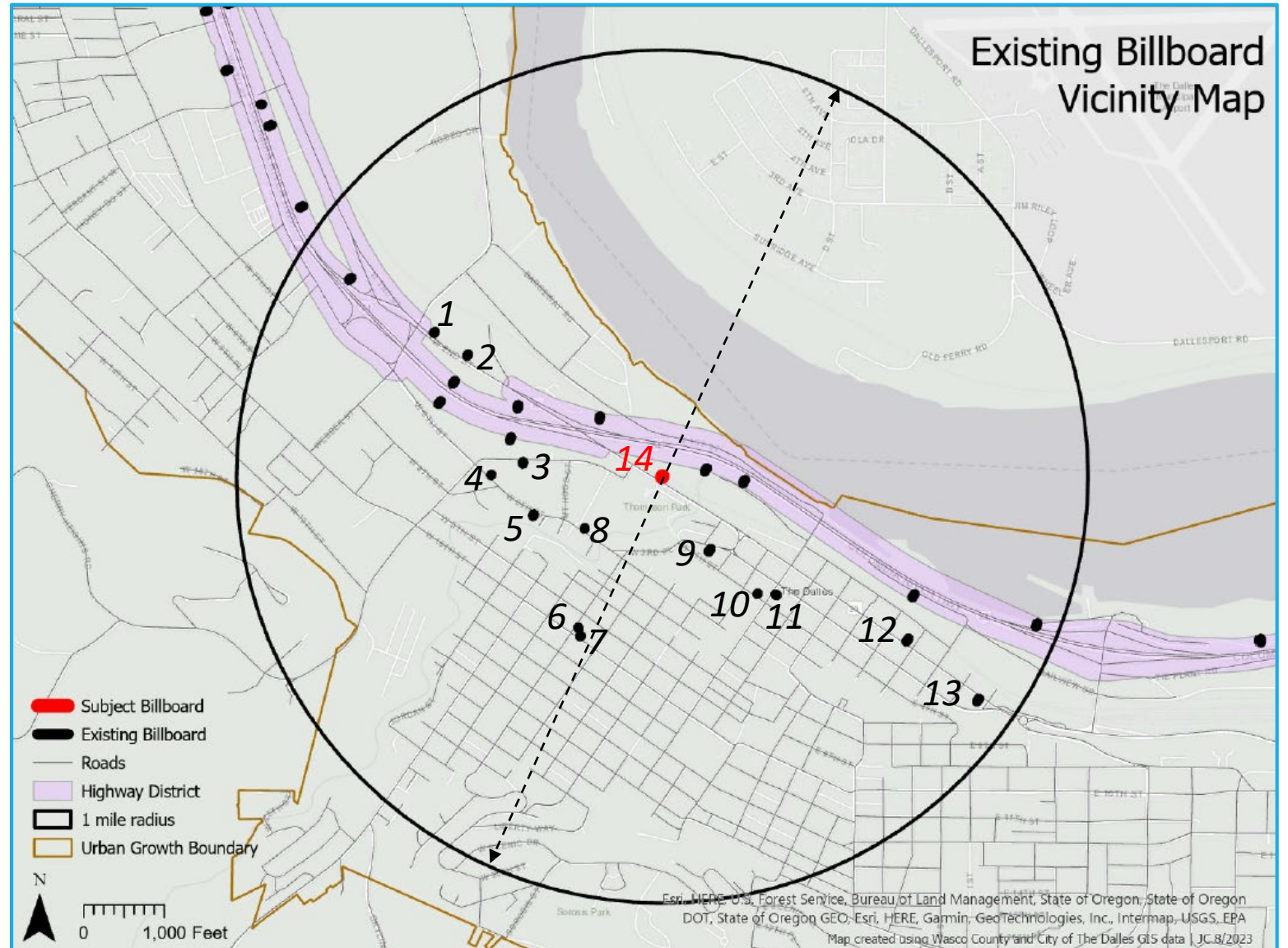
Linear mile ≠ Road mile

Basis for Denial

“Linear/Radial Mile”
Interpretation

of billboards within one-mile of subject billboard:

- 24 billboards (total)
- 14 *non-Highway* billboards



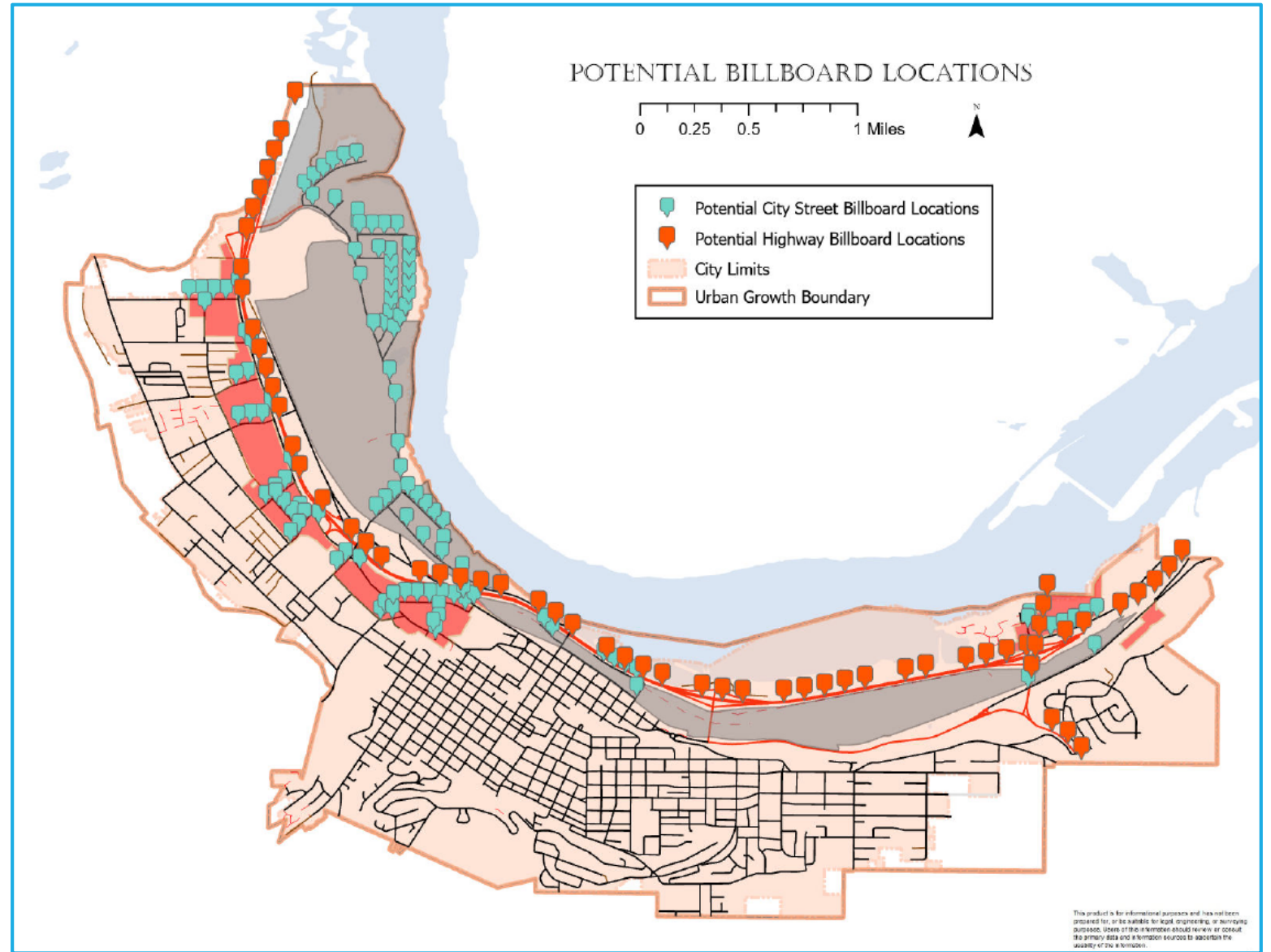
Attachment 5, pages 66/597

“Road Mile” Interpretation

Staff generated map to demonstrate:

No more than 8 signs per “road mile” on all roadways in UGB

Only signs in CG and I zones permitted; billboards are not permitted in all other zones



Filing Appeal

- Staff corresponded with Appellant multiple times (10/22 – 6/23) regarding interpretation
- Appellant notified staff of intent to appeal – June 2023
- Staff determined multiple procedural inconsistencies within TDMC 10.13 and 10.3
- Staff decided to err on side most beneficial to Appellant; allow Appeal to move forward

Appeal *Alternative*

- Rather than appeal, Staff offered Appellant a collaborative alternative (Attachment 9, page 72-73 of CC packet)
 1. Move forward with Appeal
 2. Collaborate with Staff on amending inconsistencies with Chapter 10.13
- Appellant provided no response; submitted Notice of Appeal
- Notice of Appeal submitted 18+ weeks after SP 2589-23 denial

Appeal No. 035-23

Appellant's four reasons the City Council should grant the appeal request:

3. *The lineal mile measurement benefits the City's economy, thus fulfilling policies set forth in the comprehensive plan*
2. *Since 1974, the City has, as a matter of course, approved placement of billboards based on a lineal mile measurement*
1. *Nothing in the text of TDMC 10.13.050.150(C)(2) limits the number of billboards to 8 per radial mile*
4. *Changing the interpretation of TDMC 10.13.050.150(C)(2) to a radial mile measurement will render existing billboards nonconforming, thus consigning them to eventual demolition*

Appeal No. 035-23

Appellant's four reasons the City Council should grant the appeal request:

- 3. The lineal mile measurement benefits the City's economy, thus fulfilling policies set forth in the comprehensive plan*
- 2. Since 1974, the City has, as a matter of course, approved placement of billboards based on a lineal mile measurement*
- 1. Nothing in the text of TDMC 10.13.050.150(C)(2) limits the number of billboards to 8 per radial mile*
- 4. Changing the interpretation of TDMC 10.13.050.150(C)(2) to a radial mile measurement will render existing billboards nonconforming, thus consigning them to eventual demolition*

Appeal No. 035-23

Appellant's four reasons the City Council should grant the appeal request:

- 3. The lineal mile measurement benefits the City's economy, thus fulfilling policies set forth in the comprehensive plan*
- 2. Since 1974, the City has, as a matter of course, approved placement of billboards based on a lineal mile measurement*
- 1. Nothing in the text of TDMC 10.13.050.150(C)(2) limits the number of billboards to 8 per radial mile*
- 4. Changing the interpretation of TDMC 10.13.050.150(C)(2) to a radial mile measurement will render existing billboards nonconforming, thus consigning them to eventual demolition*

Sign Ordinance History

January 1974 – September 1992

- *The maximum number of advertising signs shall not exceed 8 per mile with no more than five on one side of the street and no closer than 500 feet apart when measured along the street centerline and measured at right angles thereto.*

September 1992 – Present

- A. *The maximum number of advertising signs shall not exceed 8 per mile with no more than 5 on one side of the street and no closer than 500 feet apart when measured **at right angles to the street or highway centerline to which the sign is oriented.***
- B. *“City Streets”.... (“300 feet apart”)*

Sign Ordinance History

- Appellant was a vocal contributor during multiple sign code work sessions in 1991 and 1992
- In 1992, Appellant requested the addition of “road mile” into Sign Ordinance (Attachment 2, page 45-46 of CC packet)
- Upon adoption, “road mile” was **NOT** added into Sign Ordinance
- Existing language has remained unchanged since 1992

Historical Permit Review

- Appellant argues:

“Since 1974, the City has, as a matter of course, approved placement of billboards based on a lineal mile measurement”

- Staff confirmed:

Only 3 of 42 billboard locations city-wide mention “8 per mile”
(includes all billboard permit records available)

Sign Ordinance History

Zoning

January 1974 – May 1984

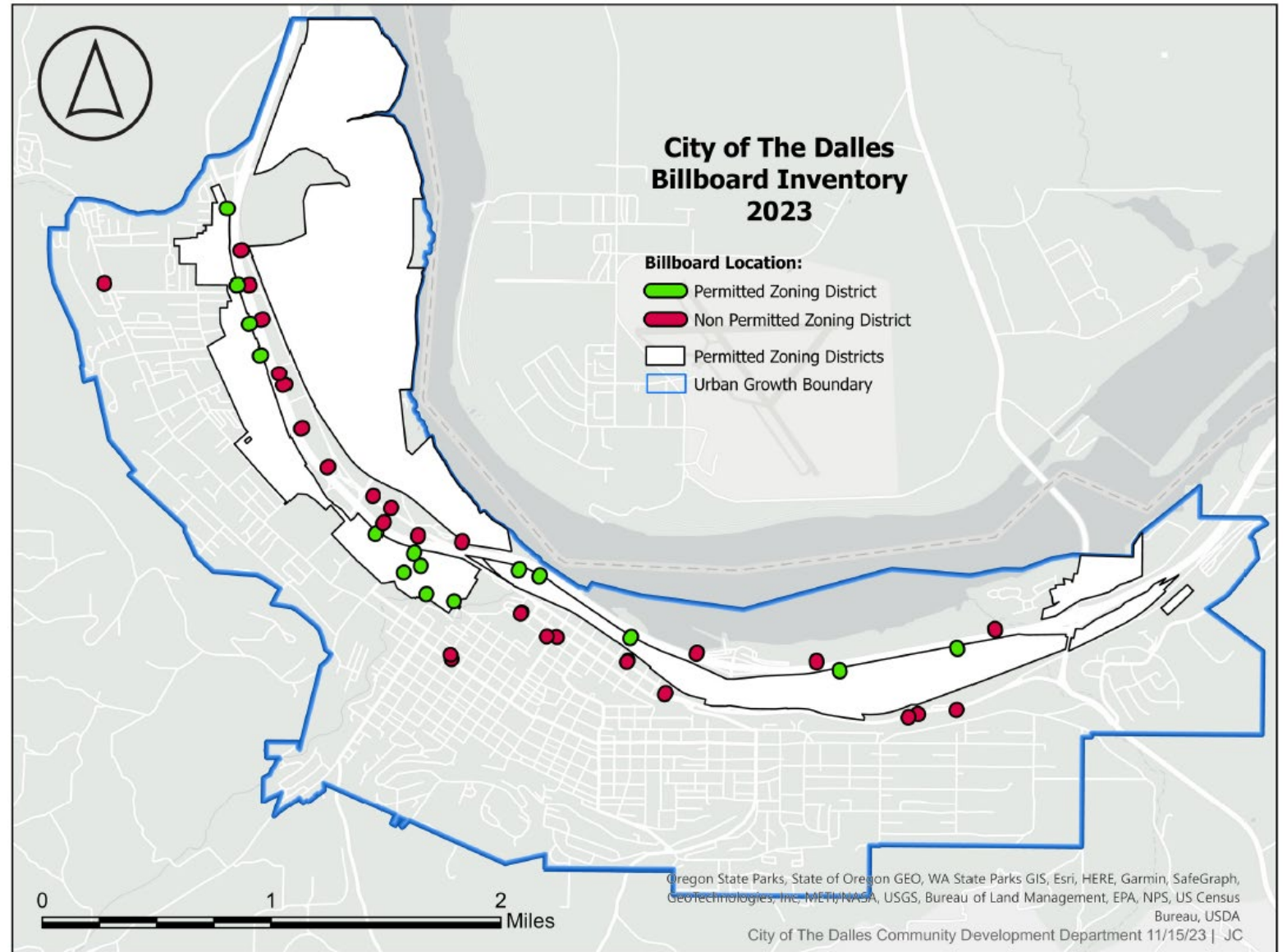
- *Advertising signs shall be located in commercial or industrial zones, as designed by the City Zoning Ordinance.*

May 1984 – Present

- *Advertising signs shall be located only in General Commercial and Industrial Zones, as designated by this Title.*
- **Since 1998: 13 billboards received City zoning approval in non-permitted zoning districts**

City of The Dalles Billboard Inventory

- 42 Total Billboards
- 14 – permitted zoning district
- 28 – non-permitted zoning district
 - *13 approved since 1998*



Appeal No. 035-23

Appellant's four reasons the City Council should grant the appeal request:

- 3. The lineal mile measurement benefits the City's economy, thus fulfilling policies set forth in the comprehensive plan*
- 2. Since 1974, the City has, as a matter of course, approved placement of billboards based on a lineal mile measurement*
- 1. Nothing in the text of TDMC 10.13.050.150(C)(2) limits the number of billboards to 8 per radial mile*
- 4. Changing the interpretation of TDMC 10.13.050.150(C)(2) to a radial mile measurement will render existing billboards nonconforming, thus consigning them to eventual demolition*

Review Criteria

- Criterion met
- Criterion met with conditions
 - *Finding #12 - 10.13.050.150 (B)*
- **Criterion not met**
 - *Finding #13-B - 10.13.050.150 (C)(2)*
- **Criterion not applicable**
 - *Finding #15 - 10.13.070.010*

Appeal No. 035-23

Appellant's four reasons the City Council should grant the appeal request:

- 3. The lineal mile measurement benefits the City's economy, thus fulfilling policies set forth in the comprehensive plan*
- 2. Since 1974, the City has, as a matter of course, approved placement of billboards based on a lineal mile measurement*
- 1. Nothing in the text of TDMC 10.13.050.150(C)(2) limits the number of billboards to 8 per radial mile*
- 4. Changing the interpretation of TDMC 10.13.050.150(C)(2) to a radial mile measurement will render existing billboards nonconforming, thus consigning them to eventual demolition*

Finding #13-B

10.13.050.150 (C)(2)

City Streets. The maximum number of advertising signs shall not exceed 8 per mile with no more than 5 on one side of the street and no closer than 300 feet apart when measured at right angles to the street centerline to which the sign is oriented.

Finding #13-B

10.13.050.150 (C)(2)

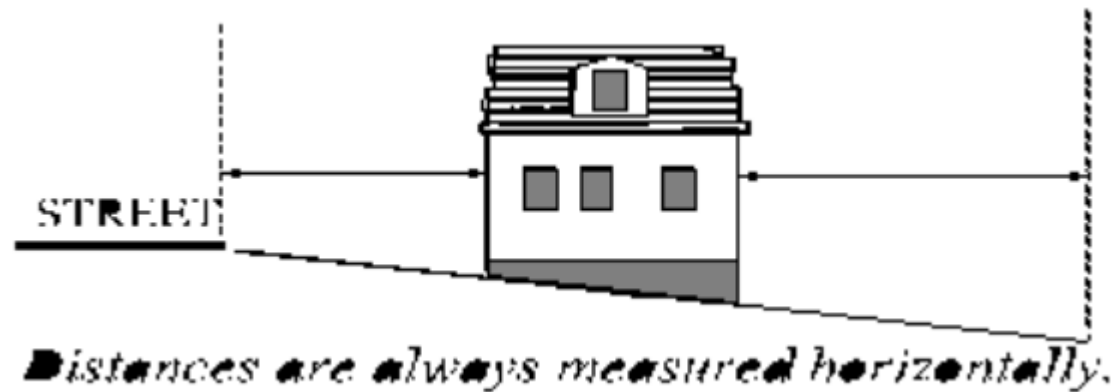
City Streets. The maximum number of advertising signs shall not exceed 8 per mile with no more than 5 on one side of the street and no closer than 300 feet apart when measured at right angles to the street centerline to which the sign is oriented.

Three requirements for sign placement:

- 1. shall not exceed 8 per mile**
- 2. no more than 5 on one side of the street*
- 3. no closer than 300 feet apart when measured at right angles to the street centerline to which the sign is oriented*

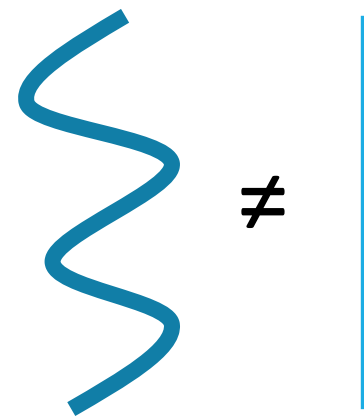
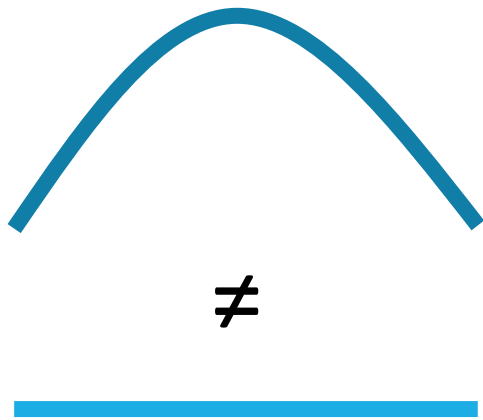
Measuring Distance (10.6.070.030 (A)(1))

Distances are measured horizontally. When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate property line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography of the land.



Measuring Distance (10.6.070.030 (A)(1))

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Measuring Distance (10.6.070.030 (A)(1))

Distances are measured horizontally. When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate property line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography of the land.

Topography

- Not specifically defined in TDMC
- Three common definitions provided below:
 - *The arrangement of the natural and **artificial** physical features of an area.*
 - *The art or practice of graphic delineation in detail usually on maps or charts of natural and **man-made** features of a place or region especially in a way to show their relative positions and elevations.*
 - *Topography is a field of geoscience and planetary science and is concerned with local detail in general, including not only relief, but also natural, **artificial**, and cultural features such as **roads**, land boundaries, and buildings.*
- Include “man-made” and “artificial features” (e.g. roads)
- **Roads/streets are not factors in determining distance, thus “Road mile” interpretation is incorrect**

Appeal No. 035-23

Appellant's four reasons the City Council should grant the appeal request:

- 3. The lineal mile measurement benefits the City's economy, thus fulfilling policies set forth in the comprehensive plan*
- 2. Since 1974, the City has, as a matter of course, approved placement of billboards based on a lineal mile measurement*
- 1. Nothing in the text of TDMC 10.13.050.150(C)(2) limits the number of billboards to 8 per radial mile*
- 4. Changing the interpretation of TDMC 10.13.050.150(C)(2) to a radial mile measurement will render existing billboards nonconforming, thus consigning them to eventual demolition*

Finding #15

10.13.070.010

Signs and advertising structures which do not conform to the provisions of this Chapter but which lawfully existed and were maintained on the effective date of Ordinance 92-1153 shall remain lawful except as provided in this Article.

Finding #15

10.13.070.010

Signs and advertising structures which do not conform to the provisions of this Chapter but which lawfully existed and were maintained on the effective date of Ordinance 92-1153 shall remain lawful except as provided in this Article.

Finding #15

10.13.070.010

Signs and advertising structures which do not conform to the provisions of this Chapter but which lawfully existed and were maintained on the effective date of Ordinance 92-1153 shall remain lawful except as provided in this Article.

Subject Billboard

- Constructed in 2003 (11 years after Ord. 92-1153)
- Per TDMC: NOT, and can never be, a nonconforming sign

Council Alternatives

- 1. Staff recommendation:** *Move to adopt Resolution No. 23-041A, a resolution denying APL 35-23 (affirming the Planning Commissions' denial of APL 33-23 and affirming the Community Development Director's denial of Sign Permit No. 2589-23), based upon all evidence submitted and entered into the hearing record, including the findings of fact and conclusions of law set forth in the Agenda Staff Report.*



City of The Dalles City Council

MONDAY, NOVEMBER 27 , 2023 | 5:30 PM

Stephen E. Lawrence, 2017 View Court, TD 97058

Statutory construction begins with looking at the plain language of the statute to determine its original intent. To determine a statute's original intent, courts first look to the words of the statute and apply their usual and ordinary meanings.

Second, while I don't see any ambiguity, where there can be perceived to be more than one interpretation of code, statutory or even contract language, the language is always construed against the party who drafted it, that being the city.

This matter before the council is a classic example of just that. Do not be overwhelmed by the legalistic, excessive analysis provided by the planning director and legal council. Those are attempts to persuade by minuscule interpretation of other parts of the code and an attempt to get away from the above easy analysis. The planning department is not responding to a ministerial directive, it is attempting to change policy, which it cannot.

Further, do not let the mountains of legal writing and legal arguing place you in a position where you say to yourself, I am not a lawyer and therefore, must rely on our city attorney's argument.

You do not. This is a **de novo** hearing, meaning you have the right to determine for yourselves what the evidence shows and what is most just and fair, considering history, plain language and impact.

This is not a metropolis. It is a small town and the size alone gives you direction. The Meadows billboards have been here for years and the company has conducted its business in a professional manner, complimenting the area and been an important economic generator. They have the right to depend upon years and years of interpretation and application of sign codes by the planning department and thus, the city. As Mayor from 2013-2019, I am not aware of any confusion about the application of this code.

Finally, to return to the language in question, “8 per mile with no more than 5 on one side of the street” can only be understood by reference to the terms used. “one side of the street” absolutely modifies “8 per mile. The word “with”, by definition means, “possessing (something) as a feature or accompaniment.” The 8 per mile thus contains the component of no more than 5 on one side of the street and thus, by its very inclusion, applies in a linear way along a street.

Please, reverse the planning commission’s erroneous decision.

Thank you, Stephen E. Lawrence, Mayor, 2013-19

Community Development Department
ATTN: City Council
313 Court Street
The Dalles, Oregon 97058

From: Daniel C Durow, 1628 W. 13th Street, The Dalles, Oregon, 97058

RE: Appeal of Planning Commission Resolution No. P.C. 618A-23

Dear Mayor and City Council.

Recently, I was contacted by the applicant for the appeal of this sign permit denial. I was asked to review the staff report and other pertinent information and comment on what I found.

I was the Community Development Director for the City of The Dalles from 1990 through 2012. In that capacity, I directed and participated in at least one major revision and several other lessor revisions to the sign code over the years. I also participated in administrative decisions and the preparation of staff reports in which the sign code was interpreted and applied.

Because of this unique position, my comments that follow are not necessarily made on behalf of the applicant or the City. I am making these comments to help the City Council understand the intent and customary interpretation of the code as I, and my staff, interpreted it throughout that time. As it appears, these past decisions and interpretations are an important element in making the current findings on this appeal.

The key issue revolves around the Code Section 10.13.050 (C)(2), which reads in part:

“The maximum number of advertising signs shall not exceed 8 per mile with no more than 5 on one side of the street and no closer than 300 feet apart when measured at right angles to the street centerline to which the sign is oriented.”

First: The staff report for appeal No. P.C. 618A-23, interprets this section to mean a one-mile radius distance from the proposed sign location. This interpretation is not consistent with the intent on how the ordinance was written, interpreted, or applied during my tenure. In fact, I could not determine how a radius measurement might be devised from this language. The language was clearly intended to be interpreted as linear measurements not an area measurement. The last portion of that sentence is clear that the intent is to be linear measurements on the street: *“...with no more than 5 on one side of the street and no closer than 300 feet apart when measured at right angles to the street centerline to which the sign is oriented.”*

Second: I have reviewed the exhibits provided by staff and tried to understand how this ‘area’ interpretation could be applied and still make sense, but it just doesn’t. The one-mile radius encompasses an area of 3.14 square miles: over two thousand acres. It includes an area ranging from the airport property on the Washington side of the river on the north, to a portion of the Community College property on the south, then west to the intersection of 10th and Chenoweth

Loop Road, and then east to include the marina. There are many more than eight signs within this expansive area, all of which become non-conforming under this interpretation. Creating many non-conforming signs was not the intent of the language noted above, nor have these signs ever been understood to be non-conforming.

Third: The intent of the broader language of the sign code was to create a policy to reach a balance between the needs of the traveling public and businesses to advertise, and the negative esthetics and ineffectiveness of having too many signs. This balance was not based on some scientific formula but on the needs and desires of the community. This balance can and does change over time. But this is a policy decision determined through public hearings with adoption by the City Council, not by what appears to be an inconsistent, unusual, and unsupported interpretation of a section of the code.

Fourth: The staff report notes on page 8, first paragraph, that distance measurements are made according to Section 10.6.070.030(A)(1) which reads:

“Distances are measured horizontally. When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate property line, edge of building, structure, storage, storage area, parking area, or other object. These distances are not measured by following the topography of the land.” (Please see the attached illustration)

This language was specifically intended to measure setbacks and other structural dimensions on a parcel of land that had a non-zero slope. When the distance to a structure is measured on a sloped line, greater or lesser than 0 (zero) degrees, the resulting horizontal setback or other structural dimensions would end up being a lesser distance than what the code intended. This language was added to make it clear how setbacks and other structural dimensions would be measured on a property that had a non-zero slope.

Thank you for the opportunity to pass along this information which should be helpful in your deliberations.

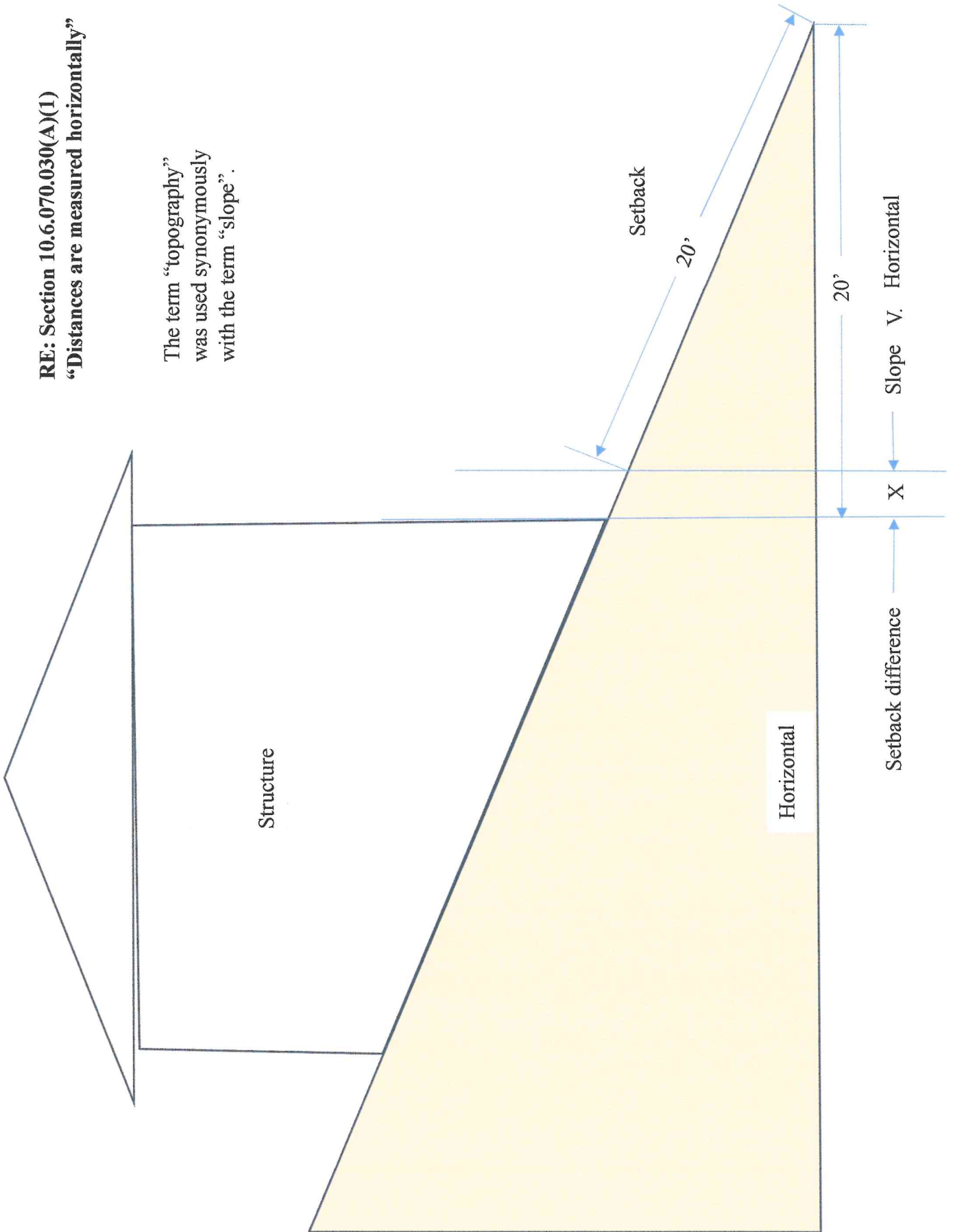
Sincerely,



Daniel C. Durow

**RE: Section 10.6.070.030(A)(1)
"Distances are measured horizontally"**

The term "topography"
was used synonymously
with the term "slope".



Scott Hege - Meadow Outdoor Appeal Comments...

Introduction and Thank you for considering this important issue

First, I have to tell you that this issue has been very troubling me for quite a while wondering why we as a community are really challenging the business operation of our more philanthropic and giving business to the community. It would be hard to find a corporation that has been more willing to support and contribute to this community than Meadow Outdoor and its leader Chris Zukin.

I'm not suggesting that anyone gets a 'pass' because they are nice or do good things for our community, but there is no one asking for a 'pass' here, they are looking to continue operating as they have for decades all with the support of the City and their staff.

This issue appears to be one of interpretation. As humans, there are lots of things we need to figure out and interpret...often on a daily basis. In this case, this interpretation leads to a fairly significant change in policy. As leaders of the community, you need to be careful to not let an interpretation of staff lead to a policy change for the entire city. Perhaps there is interest in a policy change, but that does not lie in the hands of staff, it is squarely in your hands.

As someone who has worked most of their career in working to expand and attract business to this city and this county, Meadow Outdoor is an exceptional example of a 'good corporate citizen'. We need more like them, not less. Their growth and success is beneficial to our community.

I'll leave you all with some questions: "What has changed? Why has the interpretation changed now? Is this business somehow now creating something negative in the City of The Dalles? It's not clear to me what that might be. If that is not the case, then your decision should be to support this appeal and allow one of the great businesses in our community to continue doing great things.

Thank you

RESOLUTION NO. 23-040

**A RESOLUTION CONCURRING WITH THE
MAYOR'S APPOINTMENT TO THE BEAUTIFICATION AND TREE COMMITTEE**

WHEREAS, there is a vacant position on the Beautification and Tree Committee, and

WHEREAS, the Mayor has elected to appoint Sarah Mello to the Beautification and Tree Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AS

FOLLOWS:

Section 1. The City Council concurs with the appointment of:

Sarah Mello to the Beautification and Tree Committee; with term expiring June 30, 2026.

Section 2. This Resolution shall be effective December 11, 2023.

PASSED AND ADOPTED THIS 11th DAY OF DECEMBER, 2023.

Voting Yes, Councilors: _____
Voting No, Councilors: _____
Absent, Councilors: _____
Abstaining, Councilors: _____

AND APPROVED BY THE MAYOR THIS 11th DAY OF DECEMBER, 2023.

SIGNED:

ATTEST:

Richard A. Mays, Mayor

Amie Ell, City Clerk



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

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

AGENDA STAFF REPORT

AGENDA LOCATION: Item # 9A

MEETING DATE: December 11, 2023

TO: Honorable Mayor and City Council

FROM: Kaitlyn Cook, Senior Planner

ISSUE: Legislative Public Hearing – Consideration of General Ordinance No. 23-1404, an ordinance amending The Dalles Comprehensive Plan Goal 10 (*Housing*) and adopting the Housing and Residential Land Needs Assessment and the Buildable Lands Inventory Update.

BACKGROUND: Beginning in spring 2023, the City of The Dalles, with assistance from MIG and Johnson Economics, began a series of discussions on a regional Housing Needs Analysis (HNA) update that will serve as a critical tool for making informed decisions and developing strategies to address citywide housing issues more effectively. This work will help provide an understanding of housing needs, support data-driven decision-making, plan for future growth, and foster collaboration among stakeholders.

The City last completed an HNA in 2016 with assistance from Angelo Planning Group and Johnson Economics through a Technical Assistance Grant from the Department of Land Conservation.

For this update, a dedicated Advisory Committee was formed, comprising volunteers who represent a spectrum of housing interests, spanning from subsidized housing providers to market-rate developers. This committee collaborated closely with the Planning Commission during the August 3, and August 17, 2023 Planning Commission meetings, to deliberate on and supervise the HNA, Buildable Lands Inventory (BLI), and Comprehensive Plan amendments. With input received from these various stakeholders, staff presented these documents for discussion at the September 25, 2023 City Council meeting. During this meeting, staff received comments, which were then incorporated into the final documents and approved by the Planning Commission at the regularly scheduled November 16, 2023 meeting. The update includes the following primary components:

- **Housing Needs Projections.** This includes an estimate of current needs and a projection of future needs. The analysis incorporates a demographic and economic analysis of the community and, per state law, relies on population projections prepared by the Portland State University Population Research Center. The analysis projects needed housing by type and income level, and identifies future land needs associated with housing.
- **Buildable Lands Inventory.** The BLI identifies the location and character of vacant and partially vacant residential land considered “buildable” and which has the capacity to meet future housing needs during the next 20 years. The analysis is guided by specific and prescriptive state rules related to the definition and analysis of buildable lands.
- **Comprehensive Plan Amendments.** The project team prepared a set of proposed amendments to Goal 10 (*Housing*) of The Dalles Comprehensive Plan, including:
 - *Background.* A new section includes updated narrative, which summarizes the information in the new HNA documents.
 - *Goals and Policies.* These have been updated to reflect the needs identified in the current HNA, reflect current best practices for housing development and zoning, and eliminate outdated or already completed housing policies.
 - *Implementing Measures.* These have been revised to reflect recommendations in the current HNA, eliminate outdated or already completed measures, and reduce conflicts between this document and The Dalles Municipal Code.

Staff appreciates the commitment of all those involved in this important work and, whose participation, expertise, and experience assisted the City in creating an analysis that truly resembles the housing needs of The Dalles.

NOTIFICATION: Pursuant to TDMC 10.3.020.060, a notice of public hearing was published in the Columbia Gorge News on November 20, 2023, more than ten days prior to the December 11, 2023 Council hearing. The agenda meeting packet was sent to the Wasco County Planning Department and posted on the City’s website on December 1, 2023. All City Council and Planning Commission meetings are open to the public and allow the opportunity to provide testimony on all proposed amendments. Additionally, a notice of the proposed amendments was submitted to the Oregon Department of Land Conservation and Development on September 15, 2023, more than 35 days prior to the November 16, 2023 Planning Commission hearing. To date, one comment was received and included as Attachment 5.

COMMENTS: One comment received as of the date this report was published (November 29, 2023).

November 15, 2023: Fair Housing Council of Oregon, Samuel Goldberg

Goldberg commented that the Housing Land Advocates and the Fair Housing Council of Oregon support the adoption of CPA 55-23, and further state that a current and adopted HNA will provide a solid basis of fact for future necessary changes to the City’s development and zoning codes.

REVIEW: See *Exhibit A*.

PROPOSED AMENDMENTS: The proposed amendments for Comprehensive Plan Amendment (CPA) 55-23 are included as ***Exhibit B***. The Planning Commission forwarded a recommendation of approval of the amendments to the City Council which are included as Attachment 6. Final decision on all proposed amendments are made by the City Council.

RECOMMENDATION:

1. ***Staff recommendation:*** Move to adopt General Ordinance No. 23-1404, an ordinance amending The Dalles Comprehensive Plan Goal 10 (*Housing*) and adopting the *Housing and Residential Land Needs Assessment and the Buildable Lands Inventory Update, by title only.*
2. Make modifications to then move to adopt General Ordinance No. 23-1404, an ordinance amending The Dalles Comprehensive Plan Goal 10 (*Housing*) and adopting the Housing and Residential Land Needs Assessment and the Buildable Lands Inventory Update, by title only, after reading any substantive changes aloud into the record.
3. Decline adoption and provide additional direction.

ATTACHMENTS:

- Attachment 1 – **Exhibit A:** *Findings of Fact and Conclusions of Law for Comprehensive Plan Amendment 55-23.*
- Attachment 2 – **Exhibit B:** *Proposed Amendments for Comprehensive Plan Amendment 55-23.*
- Attachment 3 – *The Dalles Housing and Residential Land Needs Assessment, 2023*
- Attachment 4 – *The Dalles Buildable Lands Inventory: Methodology and Results*
- Attachment 5 – *November 15, 2023: Fair Housing Council of Oregon Comment*
- Attachment 6 – *Planning Commission Resolution No. PC 621-23*

EXHIBIT A

Findings of Fact and Conclusions of Law for Comprehensive Plan Amendment 55-23

City of The Dalles Comprehensive Plan

Goal #1. Citizen Involvement. *To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

Policy 3. *The land-use planning process and policy framework shall include opportunity for citizen input as a part of the basis for all decisions and actions related to the use of land.*

FINDING #1: Pursuant to TDMC 10.3.020.060, a notice of public hearing was published in the Columbia Gorge News on November 20, 2023, more than ten days prior to the December 11, 2023, Council hearing. The agenda packet was sent to the Wasco County Planning Department and posted on the City’s website on December 1, 2023. All City Council and Planning Commission meetings are open to the public and allow the opportunity to provide testimony on all proposed amendments. Additionally, a notice of the proposed amendments was submitted to the Oregon Department of Land Conservation and Development on September 15, 2023, more than 35 days prior to the November 16, 2023 Planning Commission hearing. To date, one comment in support of the proposed Comprehensive Plan amendments was received. **Criterion met.**

Goal #2. Land Use Planning. *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Policy 3. *Assure an adequate factual base for decisions and actions.*

FINDING #2: The Housing Needs Analysis (HNA) and the Buildable Lands Inventory (BLI) utilize multiple data sources to forecast the projected population, growth, and buildable area in the city of The Dalles. These data sources are listed below:

- The U.S. Census
- Portland State University (PSU) Population Research Center
- Wasco County GIS
- City of The Dalles
- Clarita’s Inc. (third party company providing data on demographics and market segmentation)

The analysis reflects the population forecast from the Oregon Population Forecast Program, the Population Research Center (PRC) at Portland State University. In 2013, the Oregon State Legislature passed ORS 195.033 making the PRC responsible for generating the official population forecasts used for Goal 10 housing analyses outside of the Portland Metro area. The Wasco County population forecasts used in the HNA were those compiled in early 2020.

The data sources used to create the HNA and BLI provide for a factual base for The Dalles Comprehensive Plan (Comprehensive Plan) amendments included in this document.

Criterion met.

Policy 5. *Evaluate proposed Comprehensive Plan amendments according to the following criteria:*

- a. *Compliance with the Statewide land use goals and related administrative rules is demonstrated.*
- b. *Conformance with the Comprehensive Plan goals, policies and implementation measures is demonstrated.*
- c. *The change will not adversely affect the health, safety and welfare of the community.*
- d. *Adequate public facilities, services and transportation networks are in place, or are planned to be provided with the proposed change.*
- e. *Plan changes should be consistent with the current vision statement and action plan.*

FINDING #3: These criteria will be addressed in subsequent findings. **Criterion met.**

Policy 6. *Implement this Plan through appropriate ordinances and action...*

FINDING #4: The implementation process of the proposed amendments is consistent with the legislative action review procedures outlined in TDMC 10.3.020.060 *Legislative Actions* and the ordinance amendments procedures of TDMC 10.3.110.030 *Ordinance Amendments*.

Criterion met.

Goal #10. Housing. *To provide for the housing needs of citizens of the State.*

FINDING #5: The proposed amendments will be the most substantial modifications to Goal #10 of the Comprehensive Plan since the adoption of the 2006 Housing Needs Analysis. These amendments will reflect the current statistics and figures outlined in the 2023 HNA and BLI, and more accurately represent the existing housing needs of The Dalles. All proposed amendments are consistent with Statewide Planning Goals further addressed in subsequent findings. **Criterion met.**

Oregon Administrative Rules (OAR)

Statewide Planning Goals

OAR 660-015-0000(1): Goal 1. Citizen Involvement

FINDING #6: See Finding #1. **Criterion met.**

OAR 660-015-0000(2): Goal 2. Land Use Planning

FINDING #7: See Finding #2 and #4. **Criterion met.**

OAR 660-015-0000(10): Goal 10. Housing

Guidelines

A. Planning

1. *In addition to inventories of buildable lands, housing elements of a comprehensive plan should, at a minimum, include: (1) a comparison of the distribution of the existing population by income with the distribution of available housing units by cost; (2) a*

determination of vacancy rates, both overall and at varying rent ranges and cost levels;
(3) a determination of expected housing demand at varying rent ranges and cost levels;
(4) allowance for a variety of densities and types of residences in each community; and
(5) an inventory of sound housing in urban areas including units capable of being rehabilitated.

FINDING #8: The proposed amendments include the current statistics and figures outlined in the 2023 HNA and BLI. The HNA follows the methodology developed by Oregon Housing and Community Services and the Oregon Department of Land Conservation and Development (DLCD) as directed by Oregon House Bill 2003 in 2019. The methodology of the BLI is based upon the process laid out in OAR 660-038-0060: *Simplified Urban Growth Boundary (UGB) Method – Buildable Lands Inventory for Residential Land Within the UGB*. The proposed amendments include a section pertaining to Current Demographic and Housing Trends and Conditions, which include the findings, figures, and statistics gathered through the HNA and BLI process. This section includes a comparison and distribution of the existing population by income and available housing units by cost, projected housing by cost, rent ranges, vacancy rates at varying cost, and rent level. **Criterion met.**

2. *Plans should be developed in a manner that ensures the provision of appropriate types and amounts of land within urban growth boundaries. Such land should be necessary and suitable for housing that meets the housing needs of households of all income levels.*

FINDING #9: The BLI identifies the availability of residential lands that may be developed for housing within The Dalles Urban Growth Boundary (UGB) and City Limits. Available land is determined by removing all constrained lands, including flood hazard areas, water bodies, and steep slopes. Combined with the HNA information about housing affordability and need, this information describes the suitability of land for housing within the UGB. This information will be added to the Comprehensive Plan. **Criterion met.**

3. *Plans should provide for the appropriate type, location and phasing of public facilities and services sufficient to support housing development in areas presently developed or undergoing development or redevelopment.*

FINDING #10: The existing Comprehensive Plan includes Goal 10 Policy #13 which complies with Statewide Planning Goal 10 (A)(3). This policy includes provisions for ensuring that residential development coincides with the establishment of adequate streets, water access, sanitary sewer, and storm drainage facilities. **Criterion met.**

B. Implementation

1. *Plans should provide for a continuing review of housing need projections and should establish a process for accommodating needed revisions.*

FINDING #11: The proposed amendments include the addition of Goal 10 Policy #23 to “Regularly monitor, and periodically update an inventory of buildable residential land” within the City and UGB, as well as the addition of Goal 10 Implementation Measure #4 to “Regularly update the City’s buildable land inventory.” In addition, the proposed amendments include the addition of Goal 10 Implementation Measure #5 to “complete a Housing Production Strategy and regularly update the strategy to address community need and priorities.” These amendments establish the requirements of Oregon House Bill 2003 within the framework of the Comprehensive Plan, by encouraging continued monitoring of

housing needs, identification of modern tools, and programs the City may use to incentivize meaningful housing development in The Dalles. Beginning in winter 2024, the City, with funding assistance from the DLCD, will begin the process of developing a Housing Production Strategy. **Criterion met.**

2. *Plans should take into account the effects of utilizing financial incentives and resources to (a) stimulate the rehabilitation of substandard housing without regard to the financial capacity of the owner so long as benefits accrue to the occupants; and (b) bring into compliance with codes adopted to assure safe and sanitary housing the dwellings of individuals who cannot on their own afford to meet such codes.*

FINDING #12: The proposed amendments include the addition of Goal 10 Policy #24 to “*Encourage maintenance and rehabilitation of the existing housing stock and support local or regional programs that help provide funding for this purpose.*” The City, in partnership with the Mid-Columbia Housing Authority, has a long history of administering multiple Community Development Block Grant home repair grants, most recently in 2023, assisting eligible households throughout the Columbia Gorge Region. In addition, the proposed amendments include minor modifications to the existing Goal 10 Policy #16, which states: “*Support programs that would enable low and middle income people to obtain safe and sanitary housing through public and private for-profit or non-profit efforts.*” The proposed amendments also include the addition of Goal 10 Policy #21 to “*Continue to maintain and expand partnerships with non-profit housing developers and other affordable housing providers and agencies that preserve or provide new low- to moderate-income housing units, create opportunities for first-time homeownership, and help vulnerable homeowners stay in their homes.*” **Criterion met.**

3. *Ordinances and incentives should be used to increase population densities in urban areas taking into consideration (1) key facilities, (2) the economic, environmental, social and energy consequences of the proposed densities and (3) the optimal use of existing urban land particularly in sections containing significant amounts of unsound substandard structures.*

FINDING #13: The existing Comprehensive Plan includes multiple Goal 10 Housing Goals that comply with Statewide Planning Goal 10 (B)(4) including Goals #3, #4, #5, and #7. The proposed amendments aim to keep these goals intact, but with minor modifications to include clear and objective standards and modern terminology. In addition, the proposed amendments include modifications of existing Goal 10 Policies, including #3, #7, #8, and #11 which comply with Statewide Planning Goal 10 (B)(4), as well as the addition of Policy #20 to “*Encourage use of energy efficient building materials and practices in the design, construction, and remodeling of housing.*” The proposed amendments also include the addition of Goal 10 Implementation Measures #2 to “*Encourage a mix of residential, commercial and neighborhood-based service uses within neighborhood centers located within "Neighborhood Center" overlay districts that have been applied in the vicinity of existing commercial districts along the 10th/12th corridor at Garrison Street, Kelly Avenue, Dry Hollow Road, and Webber Street, as well as in other appropriate locations throughout the City identified in the future.*” These goals, policies, and implementation measures aim to encourage the development and strengthen neighborhood centers in residential neighborhoods throughout the City. These proposed amendments highlight energy conservation benefits by developing to allowable densities in each zone. **Criterion met.**

4. *Additional methods and devices for achieving this goal should, after consideration of the impact on lower income households, include, but not be limited to: (1) tax incentives and disincentives; (2) building and construction code revision; (3) zoning and land use controls; (4) subsidies and loans; (5) fee and less-than-fee acquisition techniques; (6) enforcement of local health and safety codes; and (7) coordination of the development of urban facilities and services to disperse low income housing throughout the planning area.*

FINDING #14: The proposed amendments include the addition of Goal 10 Implementation Measure #8 to “*Evaluate and potentially implement financial strategies such as tax abatements, tax increment financing, reduced fees, or other strategies to reduce housing costs and improve the financial feasibility of developing housing affordable to low- and moderate-income households.*” In addition, the proposed amendments include the addition of Goal 10 Policy #21 to “*Continue to maintain and expand partnerships with non-profit housing developers and other affordable housing providers and agencies that preserve or provide new low- to moderate-income housing units, create opportunities for first-time homeownership, and help vulnerable homeowners stay in their homes.*” These amendments recognize the need for the city to incentive affordable housing with development management tools and goals that benefit the development of affordable housing such as leveraging partnerships with affordable housing providers, tax incentives, and providing educational materials for renters and homebuyers. **Criterion met.**

OAR 660-038-0060: Simplified Urban Growth Boundary Method

A city must determine the supply and development capacity of lands within its UGB by conducting a buildable lands inventory (BLI) as provided in this rule.

FINDING #15: The methodology of the residential BLI is based upon the process laid out in OAR 660-038-0060: *Simplified Urban Growth Boundary (UGB) Method – Buildable Lands Inventory for Residential Land Within the UGB*. The BLI is a tool used to identify the remaining buildable land within each residential zoning district and UGB to assess The Dalles' capacity to meet projected housing demand and ensure capacity for a 20-year supply of future housing need. Results of the BLI show a total inventory of 330 acres of vacant or partially vacant residential land within the UGB, with approximately sixty percent of the acres located within the city limits (189.5 acres) and the remainder between the city limits and UGB (140.7 acres). About half of the acreage (156.6 acres) is found on vacant parcels, with the remainder on partially vacant properties. **Criterion met.**

Oregon Revised Statute (ORS)

(ORS) 197.175

FINDING #16: See Finding #4. **Criterion met.**

(ORS) 197.296

FINDING #17: See Findings #8 and #15. **Criterion met.**

Goal 10 - HOUSING

Background and Findings¹

Having affordable, quality housing in safe neighborhoods with access to community services is essential for all Oregonians. Like other cities in Oregon, the City of The Dalles is responsible for helping to ensure that its residents have access to a variety of housing types that meet the housing needs of households and residents of all incomes, ages and specific needs. Towards that end, the City has undertaken and will continue to implement and update a variety of activities to meet current and future housing needs:

- Conduct and periodically update an analysis of current and future housing conditions and needs. The City most recently conducted this analysis in 2023. The results are summarized in this element of the Comprehensive Plan and described in more detail in a supporting Housing Needs Analysis Report.
- Conduct and periodically update an inventory of buildable residential land to ensure that the City has an adequate supply of land zoned for residential use to meet projected future needs. The City most recently conducted this analysis in 2023. The results are summarized in this element of the Comprehensive Plan and described in more detail in a supporting Buildable Lands Inventory Report.
- Adopt a set of amended housing-related Comprehensive Plan policies to address future housing needs and continue to update them, as needed.
- Regularly update and apply regulations in The Dalles Municipal Code to meet housing needs identified in the Comprehensive Plan and supporting documents.
- Implement additional strategies to address housing needs in partnership with state and county agencies and other housing organizations. Potential strategies are described in more detail in the City's Housing Strategies Report prepared as part of the Housing Needs Analysis in 2016-2018.

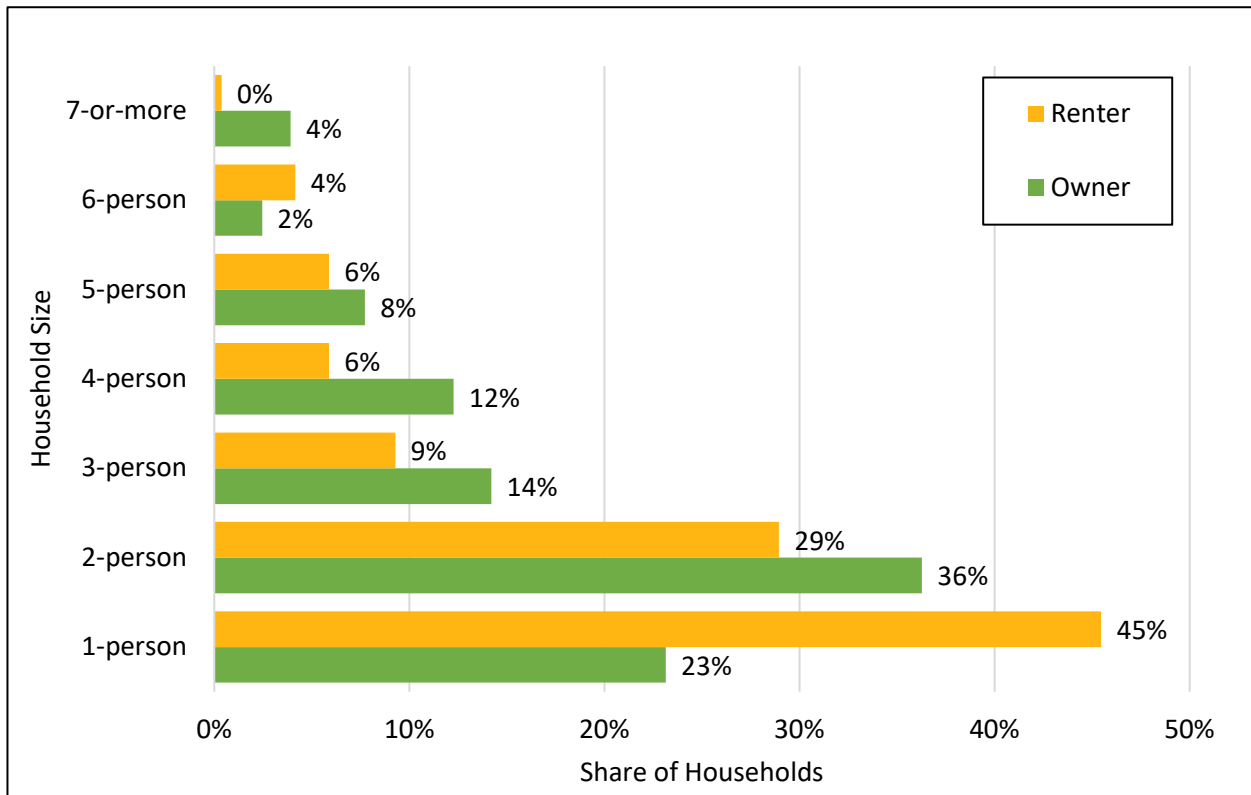
CURRENT DEMOGRAPHIC AND HOUSING TRENDS AND CONDITIONS

The population of The Dalles was just over 16,400 people (City), and over 17,550 people (UGB) in 2023. It is located in Wasco County in the Columbia River Gorge on the northern border of Oregon. Based on this population, The Dalles is the 38th largest city in the state by population, and the largest city in Wasco County. The Dalles experienced moderate growth between 2010 and 2023, growing 11% since 2010 within the UGB. In contrast, Wasco County and the state experienced population growth of 5.4% and 11.4% respectively during this same period.

As of 2021, 62% of households in The Dalles owned their homes, while 38% were renters. The average households size in The Dalles was 2.5 people during that same year. The following chart shows the breakdown of household size by these categories.

¹ Note: The Text in this section will replace all existing text in the corresponding section of the existing Comp Plan.

FIGURE XX: NUMBER OF PEOPLE PER HOUSEHOLD BY TENURE, CITY OF THE DALLES



SOURCE: US Census, JOHNSON ECONOMICS LLC
 Census Tables: B25009 (2021 ACS 5-yr Estimates)

Other demographic trends in The Dalles include the following (as of 2020):

- In general, the distribution of the population is shifting upwards in age as the Baby Boom generation is well into the retirement years (currently roughly 60 to 80 years of age). The cohorts which grew in share during this period were those aged 55 to 74 years. Still an estimated 81% of the population is under 65 years of age, and 21% of the population consists of children under the age of 15.
- The greatest growth was in the 55 to 64 age range, coinciding with the center of the Baby Boom cohort. This cohort grew from 9% to 12% of the population and 19% of the population is now 65 years or older.
- The Dalles is roughly 74% white with a smaller share of other racial groups.
- The Hispanic or Latino community has increased more significantly in The Dalles. From roughly 2,300 individuals in the 2010 Census, or 17% of the population, the Latino population grew by over 1,200 people by the 2020 Census, to roughly 3,560 people, or 22% of the population. This is higher than the 18% Latino population in Wasco County, and higher than the 14% share across the state.
- The Dalles’ estimated median household income was \$62,000 in 2023. This is roughly 7% higher than the Wasco County median of \$57,800. Median income grew by an estimated 49% between

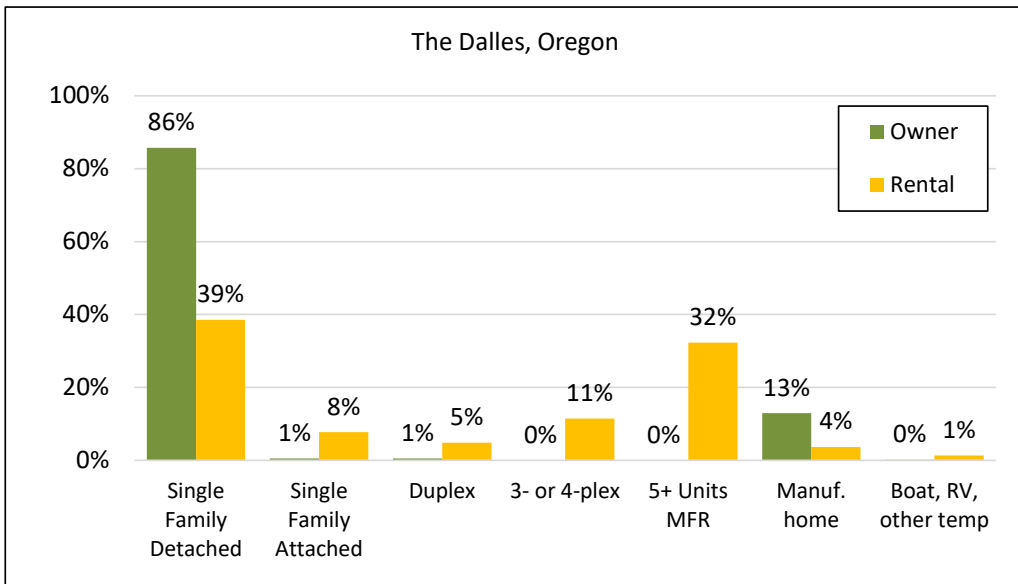
2010 and 2023, in real dollars. Inflation was an estimated 38% over this period, so the local median income has outpaced inflation.

- The Dalles poverty rate is low among most groups, but highest among children at 11%. The rate is 9% among those aged 18 to 64 years. The estimated rate for those 65 and older is 8%. For those with only a high school diploma, the poverty rate is 11%. For those with higher rates of education, that rate falls to 3%.

Between 2018 and 2023, an estimated 65% of new housing units were detached single family homes, while 35% were attached housing types. Attached housing includes most other types of housing, from duplexes and townhomes to larger multi-family apartment complexes. Detached homes are houses on their own lots, including manufactured homes. As of 2023, the city had an estimated housing stock of roughly 7,183 units for its 6,770 estimated households. This translates to an estimated vacancy rate of 4% (not including seasonal/vacation homes). The 4% vacancy rate for rental and for-sale housing indicates a tight housing supply in the community. Other current housing conditions trends in The Dalles include the following (as of 2020):

- Detached single-family homes represent an estimated 68% of housing units. Larger apartment complexes of five or more units represent 12% of units, and manufactured homes in parks represent 9.4%. Smaller attached units such as townhomes, and “plexes” represent a combined 10% of units.
- A large share of owner-occupied units (86%) are detached homes, or manufactured homes (13%). Renter-occupied units are much more distributed among a range of structure types. 42% of rented units are estimated to be detached homes or manufactured homes, while the remainder are some form of attached unit.
- In total, the US Census estimates that over 29% of The Dalles households pay more than 30% of income towards housing costs. As one would expect, households with lower incomes tend to spend more than 30% of their income on housing, while incrementally fewer of those in higher income groups spend more than 30% of their incomes on housing costs. Of those earning less than \$20,000, it is estimated that 76% of owner households spend more than 30% of income on housing costs and 93% of renters.
- An assessment of current housing conditions and needs shows that that there are few lower-value housing opportunities for many owner households, and potential support for some less expensive types of ownership housing. This may include more attached types of units such as townhomes, or smaller units such as condos or cottage clusters. There may be support for additional new rental units aimed at middle-income households, as well as additional need for subsidized affordable housing.

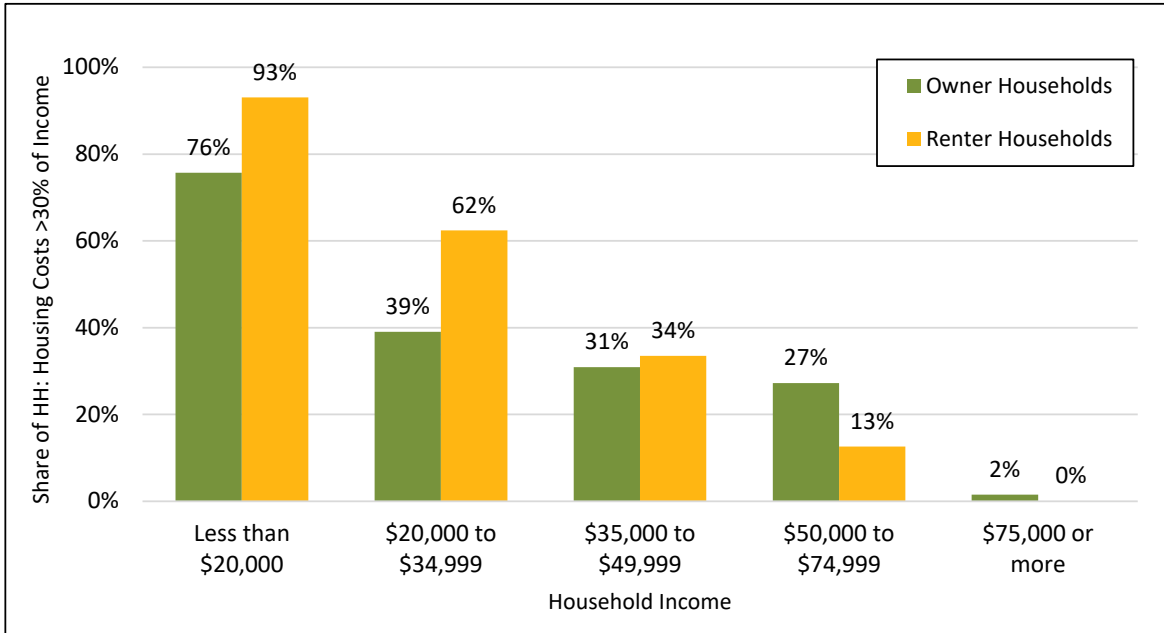
FIGURE XX: CURRENT INVENTORY BY UNIT TYPE, BY SHARE



Sources: US Census, JOHNSON ECONOMICS

Census Tables: B25004, B25032, B25063, B25075 (2021 ACS 5-yr Estimates)

FIGURE XX: SHARE OF HOUSEHOLDS SPENDING MORE THAN 30% ON HOUSING COSTS, BY INCOME GROUP



Sources: US Census, JOHNSON ECONOMICS

Census Table: B25106 (2021 ACS 5-yr Estimates)

FUTURE HOUSING NEEDS

The projected future (20-year) housing profile (Figure XX) in the study area was developed as part of the City’s most recent Housing Needs Analysis study, conducted in 2023. It is based on the current

housing profile, and the 2043 forecast of population within the UGB generated by the PSU Population Forecast program and was prepared by Johnson Economics, in collaboration with MIG, Inc. Summary findings from that analysis include the following. More detailed information about these findings can be found in the 2023 Housing Needs Analysis Report.

- The analysis projects growth in the number of non-group quarters households over 20 years of roughly 415 households, with accompanying population growth of 1,040 new residents. The results show a need for 505 new housing units by 2043. ²
- Of the new units needed, roughly 55% are projected to be ownership units, while 45% are projected to be rental units. This represents more renters than the estimated tenure split, but it is projected that more rental units will need to be added to rebalance the disproportionate share of ownership units in the current inventory.
- There is some need for new ownership housing at the lower-middle portion of the pricing spectrum. But income trends suggest that the greatest demand will remain in the middle price ranges (\$250k to \$500k).
- The greatest need for rental units is found at the lowest and some higher price points. Market rents are currently clustered in the \$900 to \$1,800 range in current dollars. Therefore, most units are to be found in this range.
- 51% of the new units are projected to be single family detached homes, while 39% is projected to be some form of attached housing, and 9.5% are projected to be new manufactured homes.
- Single family attached units (townhomes on individual lots) are projected to meet over 8% of future need. These are defined as units on separate tax lots, attached by a wall but separately metered, the most common example being townhome units.
- Duplex through four-plex units are projected to represent 9.5% of the total need. Duplex units would include a detached single-family home with an accessory dwelling unit on the same lot, or with a separate unit in the home (for instance, a rental basement unit.) The City also permits detached duplexes – individual detached homes on the same lot.
- 21% of all needed units are projected to be multi-family in structures of 5+ attached units.
- 9.5% of new needed units are projected to be manufactured home units, including manufactured homes in parks; some of these homes meet the needs of some low-income households for both ownership and rental.
- Of ownership units, 89% are projected to be detached single-family homes or manufactured homes, and 11% projected to be attached forms.
- About 73% of new rental units are projected to be found in new attached buildings, with 42% projected in rental properties of 5 or more units, and 31% in other attached housing forms. 27% of new rental units are projected to be detached homes, including manufactured homes.
- There is a finding of some new need (about 100 new units) at the lowest end of the rental spectrum (\$700 and less).
- The projection of future ownership units finds that the supply at the lowest end of the spectrum is currently insufficient due to the prevalence of newer homes most of which are detached

² Group quarters housing refers to institutional housing units such as student housing, congregate care housing, or similar housing units managed by institutions and typically including shared dining and bathroom facilities.

houses. Ownership options and lower and middle price points are often manufactured homes, townhomes, condos, and small detached homes, often on smaller lots.

- There is existing and on-going need at these levels, based on income levels specified by Oregon Housing and Community Services for Wasco County. An estimated 45% of households qualify as at least “low income” or lower on the income scale, while 14% of household qualify as “extremely low income”.
- Typically, only rent-subsidized properties can accommodate these extremely-low-income households at “affordable” housing cost levels. As noted above, most in the “low income” and many in the “very low income” groups can be served by market-rate rental housing at current rent levels.

FIGURE XX: PROJECTED FUTURE NEED FOR NEW HOUSING UNITS (2043), THE DALLES

OWNERSHIP HOUSING									
Unit Type:	Single Family Detached	Single Family Attached	Multi-Family			Manuf. home	Boat, RV, other temp	Total Units	% of Units
			2-unit	3- or 4-plex	5+ Units MFR				
Totals:	210	18	2	0	11	37	0	278	55.0%
Percentage:	75.7%	6.6%	0.6%	0.0%	4.0%	13.2%	0.0%	100%	

RENTAL HOUSING									
Unit Type:	Single Family Detached	Single Family Attached	Multi-Family			Manuf. home	Boat, RV, other temp	Total Units	% of Units
			2-unit	3- or 4-plex	5+ Units MFR				
Totals:	49	24	16	31	96	12	0	227	45.0%
Percentage:	21.5%	10.8%	6.8%	13.5%	42.3%	5.1%	0.0%	100%	

TOTAL HOUSING UNITS									
Unit Type:	Single Family Detached	Single Family Attached	Multi-Family			Manuf. home	Boat, RV, other temp	Total Units	% of Units
			2-unit	3- or 4-plex	5+ Units MFR				
Totals:	259	43	17	31	107	48	0	505	100%
Percentage:	51.3%	8.5%	3.4%	6.1%	21.2%	9.5%	0.0%	100%	

Sources: PSU, City of The Dalles, Census, Environics Analytics, JOHNSON ECONOMICS

While cities typically do not directly provide housing, they can influence a number of factors that impact the availability of housing. These can include the supply of available residential land; the availability of public services; development regulations (density and design), and support for low- and moderate-income housing through funding or incentives. The City also can assist in providing information to non-profit and private developers about housing opportunity sites, state and federal funding opportunities and design and development practices that promote construction of accessible, sustainable, attractive and affordable housing.

Goals, Policies, and Recommended Action Measures

Goals, Policies, and Recommended Action Measures are intended to address the current and future housing needs identified in The Dalles. In addition to ensuring consistency with regional, state and federal requirements, they aim to support partnerships among housing providers and stakeholders in The Dalles and to promote opportunities for a wide range of housing choices, efficient land use, and development of housing affordable to people with low and moderate incomes.

HOUSING GOALS

In ~~considering these long-term issues~~ addressing future housing needs, the City of The Dalles intends to:

1. Promote and provide an adequate supply of safe, healthy and affordable housing for all members of the community in a variety of housing types recognizing the needs and desires of the community's residents.

~~Establish areas in the community where mobile homes and manufactured housing may provide housing of a less expensive nature for residents who would prefer this type of dwelling.~~

2. Promote the development of housing that ~~is complementary with~~ minimizes or avoids impacts the natural environment and ~~the~~ surrounding land uses.
3. Provide and maintain adequate public facilities in all parts of the community and promote a logical and orderly development of those facilities. Require new housing developments to pay an equitable share of the cost of required capital improvements.
4. Promote the efficient use of vacant land by encouraging infill development which is developed at a scale that is sensitive to allowed in existing neighborhoods, and by encouraging new development which achieves the density allowed by the comprehensive plan.
5. Strengthen existing and promote new neighborhood centers as focal points for neighborhood services and activities.
6. Encourage affordable homeownership opportunities, including multiple family condominiums, row houses, duplexes and other middle housing types, single family residential.
7. Adopt standards and incentives to increase residential land use efficiency.

~~Adopt standards to protect stream corridors and wetlands and to encourage density transfer in Low Density Residential areas.~~

8. Continue to provide opportunities for a full range of rental housing ~~in manufactured dwelling parks, as well as single and multiple family residential areas.~~

GOAL 10 POLICIES

1. Plan for ~~more~~ a full range of housing types, including multi-family and affordable home ownership opportunities, single family residential, duplexes and other middle housing types, townhomes, cottage cluster housing, accessory dwelling units, and manufactured housing development consistent with findings of the City's Housing Needs Analysis.
- ~~2. Plan for the more efficient use of vacant land by encouraging infill development which is sensitive to existing neighborhoods and by encouraging new development which achieves the density allowed by the comprehensive plan.~~
- ~~3. These two objectives can be met while respecting the strong land use pattern already found in the older areas of The Dalles. The land use concepts which form the basic structure for the land use plan are:~~
 - ~~a2. Encourage a Build on the pattern of concentrating higher residential densities near downtown, along arterial and collector streets, and neighborhood centers where services and activity are nearby. The 2026 UGB includes a new multi-family area west of the new Highway 30 commercial center.~~
 - ~~3. Encourage the creation of new "neighborhood centers" along the 10th/12th corridor. These centers may be commercial districts like those at Garrison Street, Kelly Avenue, Dry Hollow Road, and Webber Street or be a focus of neighborhood activity such as schools, churches or other community-based uses. New neighborhood centers can be encouraged at Snipes Street, Thompson Street, Richmond Street, along Chenowith Loop Road, near downtown, and at the hospital area.~~
 - ~~d4. Provide incentives for neighborhood residential development and infill opportunities, particularly on under-developed lands. Focus incentives near the downtown and neighborhood centers.~~
 - ~~b. Continue the pattern of a transition of residential densities from higher density near commercial area and major streets, to lower densities at higher elevations along the gorge bluff and stream corridors.~~
 - ~~c. Create new "neighborhood centers" along the 10th/12th corridor. These centers may be commercial districts like those at Garrison Street, Kelly Avenue and Dry Hollow Road, or be a focus of neighborhood activity such as schools, churches or other community based uses. New neighborhood centers can be encouraged at Snipes Street, Weber Road, Thompson Street, near downtown, and at the hospital area.~~
- ~~45. Protect identified steeply sloped ravines, wetlands and stream corridors for their natural resource values and benefits shown on the Buildable Lands Inventory as open space while allowing for or encouraging density transfer to adjacent buildable areas.~~
- ~~56. Adopt Continue to implement and refine as needed standards to ensure that residential development occurs within planned density ranges within each residential district.~~
- ~~67. Encourage energy conservation by increasing residential densities in mixed use centers, along major linear streets that may one day serve as future transit corridors, and near commercial and employment centers.~~
- ~~78. Develop and/or provide incentives ~~should be used~~ to encourage development that meets maximum allowable density for all types of residential development.~~

89. Maintain flexibility in implementing ordinances is needed to accommodate infill and to foster a variety of development scenarios and housing options, while ensuring that development standards are clear and objective.
910. Provide for development of a wide range of housing types which may include single-family detached and attached housing, duplexes and other middle housing types, townhouses, apartments and condominiums, and manufactured housing. Allow for and encourage development of housing types shall allow for a variety of price ranges to meet the needs of people with a full range of low, medium, and high incomes groups.
10. ~~The City shall monitor building permit activity and present an annual report to the Planning Commission describing how target ratios are being met.~~
11. ~~Areas for low density residential development shall be at higher elevations along the Gorge bluff, in steeply sloped areas, along protected stream corridors, and where streets and other public facilities have limited capacity.~~
11. High density residential areas shall be located near commercial and employment areas, along major streets, and where streets and other public facilities have adequate capacity.
13. ~~Residential manufactured housing shall be allowed in individual lots on par with site-built single-family homes, subject to design standards authorized by state statute. Manufactured dwelling parks shall be allowed in the Medium-Density Residential district, subject to specific siting requirements.~~
1412. Residential development shall occur, to the greatest extent possible, on designated buildable lands free from flood hazard, severe soil limitations, or other natural or man-made hazards such as stream corridors and wetlands.
1513. Residential development shall coincide with the provision of adequate streets, water and sanitary sewerage and storm drainage facilities. These facilities shall be:
- a. capable of adequately serving all potentially benefiting properties as well as the proposed development and,
 - b. designed to meet City standards.
1614. ~~Development standards in all density residential and mixed use areas shall be revised in order to permit more provide for flexibility in site planning and development. New Standards shall consider flexibility for lot sizes, setbacks, accessory residential uses on the same lot, parking, alleyways and other development features.~~
1715. Clear and objective Ddevelopment compatibility standards shall be implemented for all density areas. Compatibility standards are intended to ensure that new development is compatible with its surroundings and enhances the character it is located within. New standards shall consider landscape, building setback, building height and bulk, main entrance, parking, building design and additional standards applicable in historic districts.
18. ~~Development on buildable but sub-standard sized lots existing prior to this Plan shall be permitted when setback requirements can be met commensurate with the surrounding area.~~
19. ~~A program of incentives and standards shall be prepared to encourage residential developments which achieve at least the lower end of the density range specified in the plan designation listed in Policy #26 below. Incentives may include "targeted" public improvements, density transfer or bonuses and other methods as appropriate. Standards are found in the base zoning district.~~
20. ~~A "Neighborhood-Center" overlay district has been applied in the vicinity of existing~~

~~commercial districts along the 10th/12th corridor at Garrison Street, Kelly Avenue and Dry Hollow Road and shall be applied at other locations shown on the Land Use Plan Map. A mix of residential, commercial and neighborhood-based service uses shall be encouraged within these neighborhood centers.~~

~~2116. The City will~~ Support programs that would enable low and middle income people to obtain safe and sanitary housing through public and private for-profit or non-profit efforts.

~~2217. To provide variety and flexibility in site design and densities, residential lands shall be divided into the following land use planning residential districts with the following prescribed density ranges for each district:~~

- ~~a. Low Density Residential 3-8.712 units/acre~~
- ~~b. Medium Density Residential 7-21.78 units/acre~~
- ~~c. High Density Residential 10-29.04 units/acre~~

~~Duplex development is exempt from meeting these density ranges, per Oregon Administrative Rules (OAR 660-046).~~

~~2318. All future residential development and design standards shall strive to create a "streetscape" that is aesthetic, functional, and beneficial to the neighborhood and community.~~

- ~~a. Streetscape refers to the aesthetic quality of the public and semi-public space. The public space includes the improved right-of-way, with streets, curbs, sidewalks, street trees, street furniture, and utilities.~~
- ~~b. The semi-public space is the front yard of adjacent property, and is named due to its visual access, connection, and influence on the quality of the streetscape.~~

~~2419. To ensure duplex development is allowed wherever single-family detached homes are allowed in residential zones, per Oregon Administrative Rules (OAR 660-046). Duplex development shall be subject to development standards and procedures that are no more restrictive than those for single-family development in the same residential zone.~~

20. Encourage use of energy efficient building materials and practices in the design, construction, and remodeling of housing.

21. Continue to maintain and expand partnerships with non-profit housing developers and other affordable housing providers and agencies that preserve or provide new low- to moderate-income housing units, create opportunities for first-time homeownership, and help vulnerable homeowners stay in their homes.

22. Employ strategies that support the Fair Housing Act and affirmatively further fair housing.

23. Regularly monitor, and periodically update an inventory of buildable residential land.

24. Encourage maintenance and rehabilitation of the existing housing stock and support local or regional programs that help provide funding for this purpose.

GOAL 10 IMPLEMENTING MEASURES

The following implementing measures are intended to allow the City to undertake specific strategies or actions to provide for the range of housing types and densities in The Dalles identified in the Residential Land Needs Report (Volume II, Section XX of The Dalles CLUP). Appendix A to this plan also includes standards that apply to applications to amend comprehensive plan and zoning maps. They represent a menu of options to help meet these needs and objectives and are consistent with strategies identified in the City's adopted 2017 Housing Strategies Report. The ability to implement these actions will depend on the availability of adequate staffing and financial resources, as well as further guidance from and support by the Planning Commission and City Council, as well as other members of the community.

[Note: We recommend eliminating virtually all of the following existing measures shown with ~~strikethrough~~ text. They appear to be either outdated, unnecessary, overly specific, and/or duplicative of or potentially conflicting with standards in the City's Development Code. We recommend replacing them with the list of actions included at the end of this section with are generally consistent with strategies identified in the City's 2017 Housing Strategies Report.]

~~1.1 SINGLE FAMILY RESIDENTIAL MEASURES~~

- ~~• Variable lot dimensions can be used to allow flexibility in platting irregular blocks. A wide lot of 55 to 70 foot width can present the illusion of a larger house where lot depth may be 70 to 80 feet. Alternating narrow and wide lots can be used to accommodate different housing plans and appeal to target markets.~~
- ~~• Rental additions can be made to existing single family neighborhoods with reasonable design guidelines. A new, generally small rental or "studio" unit can be created by converting a garage, building over garages, dormer additions on second stories, or basement apartment conversions.~~
- ~~• Cluster housing can increase the standard single family densities of 6 units per acre to anywhere from 8 to 14 units by clustering homes together and sharing open spaces.~~
- ~~• Townhouses or row houses are the same, a single family attached dwelling with a common wall shared with other units. Typically these units are narrow (22' to 32' wide) arranged in clusters or rows of 2 to 10 units, producing densities of from 10 to 16 units per acre. Each townhouse and townhouse lot (2,000 to 3,500 square feet) is individually owned and may be sold or rented, appealing to many markets.~~
- ~~• Duplexes are allowed on any lot or parcel that permits single family dwellings in residential zones.~~

~~1.2 MULTIPLE FAMILY RESIDENTIAL MEASURES~~

- ~~• Garden Apartments or Condominiums are typically two to three stories, contain 10 or more rental units within a single building, but do not have an elevator. This is the most~~

common type of apartment construction, yielding 15 to 20 units per acre. Individual units can also be individually owned, with a condominium association owning exterior and common elements of the building, and the site and parking area. Condominium ownership can be built into a new project, or an existing apartment building can be converted to condominium ownership.

- Mid-rise Apartments typically range from 4 to 8 stories in height and require service by an elevator, and may be constructed to densities of 20 to 50 units per acre.

~~1.3 MIXED USE RESIDENTIAL MEASURES~~

- Mixed-Use (Commercial and Residential) developments can take many forms, including retail space on the ground floor with office space above, rental apartments above ground floor retail space, and structures combining offices and hotels or hotels and private residential units.
- These mixed uses are often targeted in downtowns and neighborhood commercial areas where "around the clock" pedestrian activities are desired. These developments are difficult to finance and often cannot be made profitable for one developer to undertake. There are few such projects in Oregon, and The Dalles should not rely on any significant movement toward this type of real estate product over the planning period. It is likely, however, that "Mom and Pop" type of store fronts and small retail operations can develop in homes designated for mixed use as an affordable small business opportunity. Mixed uses could also take the form of adjacent commercial and residential uses in separate buildings within a neighborhood center.
- Home Occupations can provide low overhead cost and assist in business start ups by allowing them to be operated from the home. These small scale businesses are typically allowed in residential zones, but require that the primary use of the premises remain residential. Careful regulation is needed to protect the residential character of neighborhoods while allowing reasonable business starts. Criteria generally focus on a list of allowable uses and conditions, or may be performance based (i.e., related to traffic and other impacts). In all cases, the home business is expected to move to a business zone when it outgrows the permit perimeters.

~~1.4 PLANNED DEVELOPMENT~~

- Planned development shall be located within areas designated Residential and Commercial on the Comprehensive Plan map. Such developments are intended to allow greater flexibility and creativity in construction, layout, and use.
- Planned developments for commercial uses shall be a minimum of 10 acres; development for residential uses shall be a minimum of 1 acre.
- Development shall be in keeping with the established character and general objectives of the designated area.
- Land area shall be dedicated as usable open space or dedicated as an environmental buffer from contiguous land uses. Areas of semi-public or public uses, such as recreation centers and laundry rooms, may be included as open space.
- Land structures not dedicated to the public but reserved for the common use of the owners or tenants shall be subject to control by an association of owners or tenants created to form a non-profit corporation subject to the laws of the State of Oregon.
- All utility lines shall be placed underground.

- ~~Property line setbacks, building heights, parking requirements, street access, and other developmental requirements shall conform to those established for similar development in the base or underlying zone. Variances from the standard requirements shall be considered when it can be demonstrated that the design and use of the development satisfied the intent for planned developments to provide innovative solutions that benefit the property, neighborhood, or community.~~
 - ~~An impact statement shall be required of the proponent containing an analysis of the social, environmental and economic impact of the proposed development upon the City of The Dalles.~~
 - ~~The density of planned developments shall fall within the density range specified in the underlying zoning district.~~
1. Prepare and implement a program of incentives and standards to encourage residential developments which achieve the types and densities of housing identified as needed in the Comprehensive Plan and HNA. Incentives may include "targeted" public improvements, density transfer or bonuses and other methods as appropriate.
 2. Encourage a mix of residential, commercial and neighborhood-based service uses within neighborhood centers located within "Neighborhood Center" overlay districts that have been applied in the vicinity of existing commercial districts along the 10th/12th corridor at Garrison Street, Kelly Avenue, Dry Hollow Road, and Webber Street, as well as in other appropriate locations throughout the City identified in the future.
 3. Monitor building permit activity and present an annual report to the Planning Commission describing how target ratios are being met.
 4. Regularly update the City's buildable land inventory.
 5. Complete a Housing Production Strategy and regularly update the strategy to address community need and priorities.
 6. Review the City's System Development Charges (SDC) and other fees and consider implementing tiered fees based on home size and affordability targets.
 7. Continue to expand the range of housing options that can be developed in residential areas throughout the City.
 8. Evaluate and potentially implement financial strategies such as tax abatements, tax increment financing, reduced fees, or other strategies to reduce housing costs and improve the financial feasibility of developing housing affordable to low- and moderate-income households.
 9. Provide information and education to homebuyers, renters, developers, and builders about strategies and opportunities to reduce and/or mitigate the cost of developing and/or obtaining needed housing.

10. Coordinate with the Mid-Columbia Housing Authority and Columbia Cascade Housing Corporation, private non-profit housing providers, including community land trusts, and other federal, state, and regional agencies for the provision of affordable housing programs.
11. Encourage the development of affordable housing when opportunities arise to redevelop publicly owned properties.
12. Explore opportunities for and investigate and address potential regulatory or other barriers to development of alternative forms of housing such as single-room-occupancy housing, co-housing, or similar forms of housing.
13. Evaluate the potential impact of short-term rental housing on long-term rental housing costs and availability and consider requirements related to the registration of or limitations on short-term rental housing, if warranted by that analysis.
14. Work with the Mid-Columbia Housing Authority, Columbia Cascade Housing Corporation, Mid-Columbia Action Council, Wasco County, and other local organizations to reduce and address houselessness and its impacts in The Dalles.



**JOHNSON
ECONOMICS**

CITY OF THE DALLES, OR

**HOUSING AND RESIDENTIAL LAND NEEDS ASSESSMENT
(OREGON STATEWIDE PLANNING GOAL 10)**

**20-YEAR HOUSING NEED
2023 - 2043**

Prepared For:
CITY OF THE DALLES, OREGON

October 2023

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INTRODUCTION

This analysis outlines a forecast of housing need within the City of The Dalles. Housing need and resulting land need are forecast to 2043 consistent with 20-year need assessment requirements of periodic review. This report presents a housing need analysis (presented in number and types of housing units) and a residential land need analysis, based on those projections.

The primary data sources used in generating this forecast were:

- Portland State University Population Research Center
- U.S. Census
- City of The Dalles
- Claritas Inc.¹
- Wasco County GIS
- Other sources are identified as appropriate.

This analysis reflects the coordinated population forecast from the Oregon Population Forecast Program, at the Population Research Center (PRC) at PSU. State legislation passed in 2013 made the PRC responsible for generating the official population forecasts to be used in Goal 10 housing analyses in Oregon communities outside of the Portland Metro area (ORS 195.033). The population forecasts used in this analysis were generated in 2020 for all the jurisdictions within Wasco County.

This analysis relies heavily on Census data from the 2020 Decennial Census and the 2021 American Community Survey (ACS). All Census data feature some margin of error but remain the best data source available on many demographic and housing subjects.

I. CITY OF THE DALLES DEMOGRAPHIC PROFILE

SUMMARY

The following table (Figure 1.1) presents a profile of City of The Dalles demographics from the 2010 and 2020 Census. This includes the total area the Urban Growth Boundary (UGB) of The Dalles, not just city limits. It also presents the estimated population of this area in 2023 based on PSU estimates.

- The Dalles is a City of over 16,400 people (City), and over 17,550 people (UGB), located in Wasco County in the Columbia River Gorge on the northern border of Oregon.
- Based on the UGB population, The Dalles is the 38th largest city in the state by population, and the largest city in Wasco County.

¹ Claritas Inc. is a third-party company providing data on demographics and market segmentation. It is owned by the Nielson Company which conducts direct market research including surveying of households across the nation. Nielson combines proprietary data with data from the U.S. Census, Postal Service, and other federal sources, as well as local-level sources such as Equifax, Vallassis and the National Association of Realtors. Claritas promotes a “bottom-up” and “top-down” analysis using these sources to produce annual demographic and economic profiles for individual geographies. Projections of future growth are based on the continuation of long-term and emergent demographic trends identified through the above sources.

- The Dalles has experienced moderate growth, growing 11% since 2010 within the UGB. In contrast, Wasco County and the state experienced population growth of 5.4% and 11.4% respectively. (US Census and PSU Population Research Center)
- The Dalles is home to an estimated 6,800 households in 2023, an increase of roughly 425 households since 2010. The percentage of families fell somewhat between 2010 and 2023 from 62.9% to 60.5% of all households. Average household size has remained flat during this period. The city has a similar share of family households as Wasco County (63.2%) and the state (61.9%).
- The Dalles' average household size is 2.51 persons as of the 2020 Census. This is somewhat larger than the Wasco County average of 2.47 and the statewide average of 2.44.

FIGURE 1.1: THE DALLES DEMOGRAPHIC PROFILE

POPULATION, HOUSEHOLDS, FAMILIES, AND YEAR-ROUND HOUSING UNITS					
	2010	2020	Growth	2023	Growth
	(Census)	(Census)	10-20	(PSU)	20-23
Population ¹	15,792	17,124	8%	17,552	2%
Households ²	6,345	6,708	6%	6,768	1%
Families ³	3,990	4,060	2%	4,096	1%
Housing Units ⁴	6,776	7,079	4%	7,171	1%
Group Quarters Population ⁵	469	515	10%	529	3%
<i>Household Size (non-group)</i>	2.40	2.51	5%	2.51	0%
<i>Avg. Family Size</i>	3.15	3.16	0%	3.16	0%
PER CAPITA AND MEDIAN HOUSEHOLD INCOME					
	2010	2020	Growth	2023	Growth
	(Census)	(Census)	10-20	(Proj.)	10-21
Per Capita (\$)	\$23,369	\$33,493	na	\$37,312	11%
Median HH (\$)	\$41,639	\$56,598	na	\$62,057	10%

SOURCE: Census, PSU Population Research Center, and Johnson Economics

Census Tables: DP-1; DP-3 (2000); S1101; S1901; S19301

1 From PSU Population Research Center, growth rate 2010-2022 extended to 2023

2 2021 Households = (2021 population - Group Quarters Population)/2021 HH Size

3 Ratio of 2023 Families to total HH is based on 2020 Census

4 2021 housing units are the '20 Census total plus new units permitted from '20 through '22 (source: Census, City)

5 Ratio of 2023 Group Quarters Population to Total Population is kept constant from 2020.

A. POPULATION GROWTH

Since 2010, The Dalles has grown by roughly 1,750 people within the UGB, or 11% in 13 years. This is a greater growth rate than was seen in the rest of the county, but similar to statewide growth.

B. HOUSEHOLD GROWTH & SIZE

As of 2023, the city has an estimated 6,768 households. Since 2010, The Dalles has added an estimated 423 households, or growth of 6.7%. This is an average of roughly 33 households annually during this period. The growth since 2010 has slightly outpaced the growth in new housing units, which have been permitted at the rate of 30 units per year.

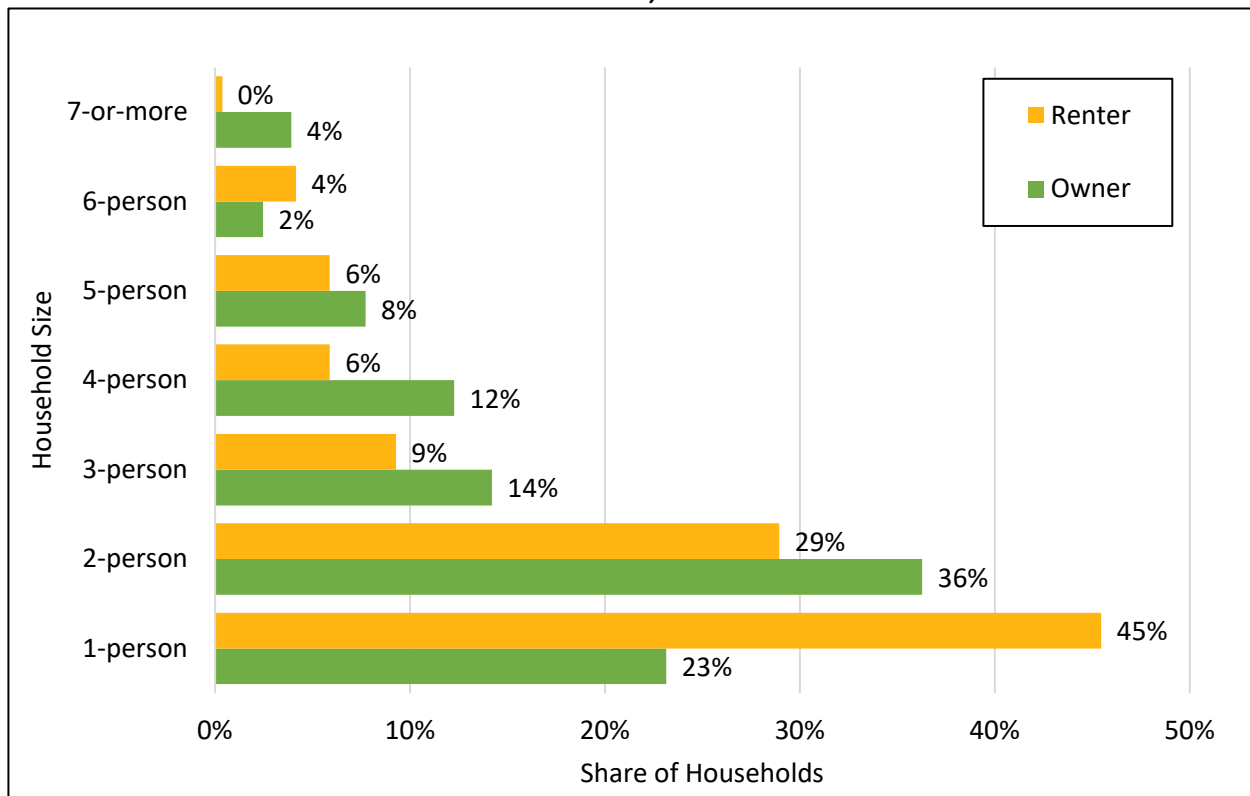
The average household size has grown since 2010 from 2.4 to 2.5 persons per household. There has been a general trend in Oregon and nationwide towards declining household size as birth rates have fallen, more people have chosen to live alone, and the Baby Boomers have become empty nesters. While this long-term trend of diminishing household size is expected to continue nationwide, disruptions of recent years include the pandemic and tight housing supply have caused resistance to this trend in some communities.

The Covid-19 pandemic is not estimated by the Census or Portland State University to have had a negative impact on population growth in the Dalles. Some, mostly larger, cities experienced some loss in households due to people adopting remote work or seeking less congested areas to shelter at home. Nationwide, household size temporarily increased, as families and other households consolidated to living together. However, this was quickly reversed as the pandemic eased, and new household formation increased.

The Dalles' average household size of 2.5 people, with 61% family households, is similar to Wasco County (2.47; 65%). In comparison, Hood River has an average household size of 2.23 people with 54% family households.

Figure 1.2 shows the share of households by the number of people for renter and owner households in 2021 (latest data available), according to the Census. Renter households are more likely to have one person. Owner households are more likely to have two or more persons. Household size correlates to housing needs.

FIGURE 1.2: NUMBER OF PEOPLE PER HOUSEHOLD BY TENURE, CITY OF THE DALLES



SOURCE: US Census, JOHNSON ECONOMICS LLC
 Census Tables: B25009 (2021 ACS 5-yr Estimates)

C. FAMILY HOUSEHOLDS

As of the 2020 Census, 61% of The Dalles households were family households, down from 63% of households in 2010. Nevertheless, the number of family households in The Dalles is estimated to have grown by 106 since 2010.

The Census defines family households as two or more persons, related by marriage, birth or adoption and living together. In 2020, family households in The Dalles had an average size of 3.16 people.

D. HOUSING UNITS

Data from the City of The Dalles and the US Census indicate that the city added an estimated 396 housing units since 2010 within the UGB, representing 6% growth in the housing stock. This number of new units is 93% of the 423 new households estimated during the same period, indicating that housing growth did not keep pace with growing need.

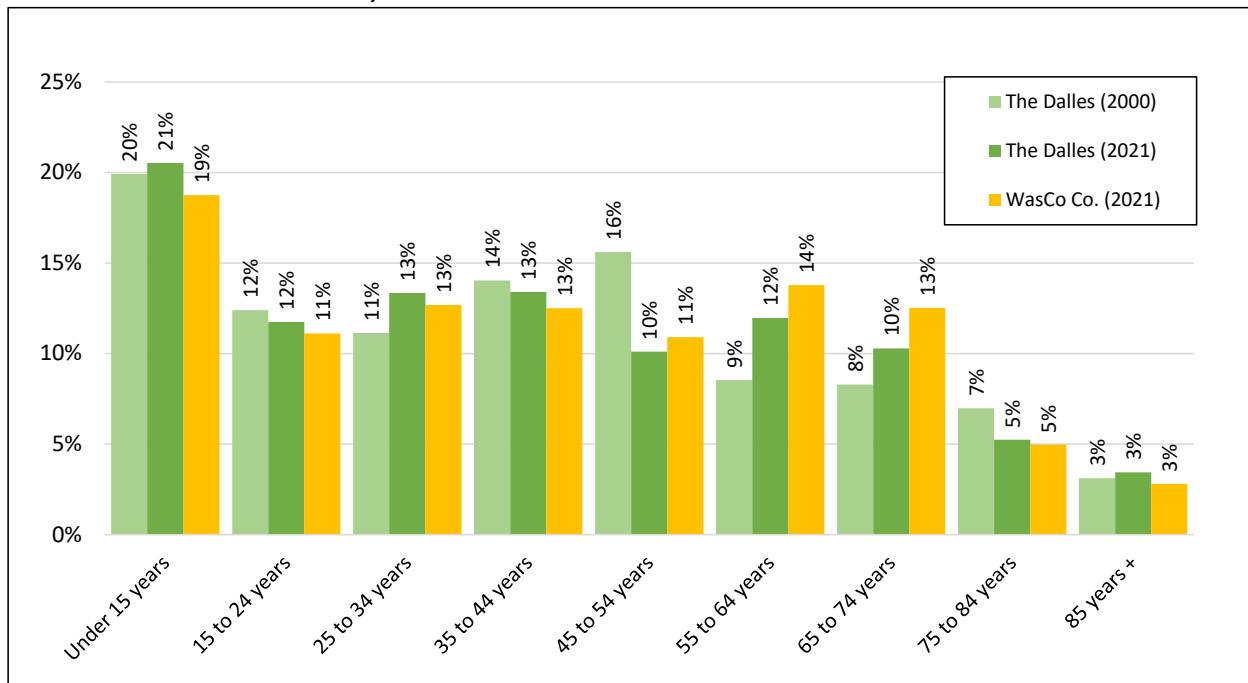
Over the last five years, an estimated 65% of new units were detached single family homes, while 35% were attached housing types. Attached housing includes most other types of housing, from duplexes and townhomes to larger multi-family apartment complexes. Detached homes are houses on their own lots, including manufactured homes.

As of 2023, the city has an estimated housing stock of roughly 7,171 units for its 6,770 estimated households. This translates to an estimated vacancy rate of 4% (not including seasonal/vacation homes). The 4% vacancy rate for rental and for-sale housing indicates a tight housing supply in the community.

E. AGE TRENDS

The following figure shows the share of the population falling in different age cohorts between the 2000 Census and the most recent 5-year American Community Survey estimates. As the chart shows, there is a general trend for middle-age cohorts to fall as share of total population, while older cohorts have grown in share. This is in keeping with the national trend caused by the aging of the Baby Boom generation. At the same time, the number of younger people has remained fairly steady as a share of population.

FIGURE 1.3: AGE COHORT TRENDS, 2000 - 2021



SOURCE: US Census, JOHNSON ECONOMICS LLC
Census Tables: DP-1 (2000); S0101 (2021 ACS 5-yr Estimates)

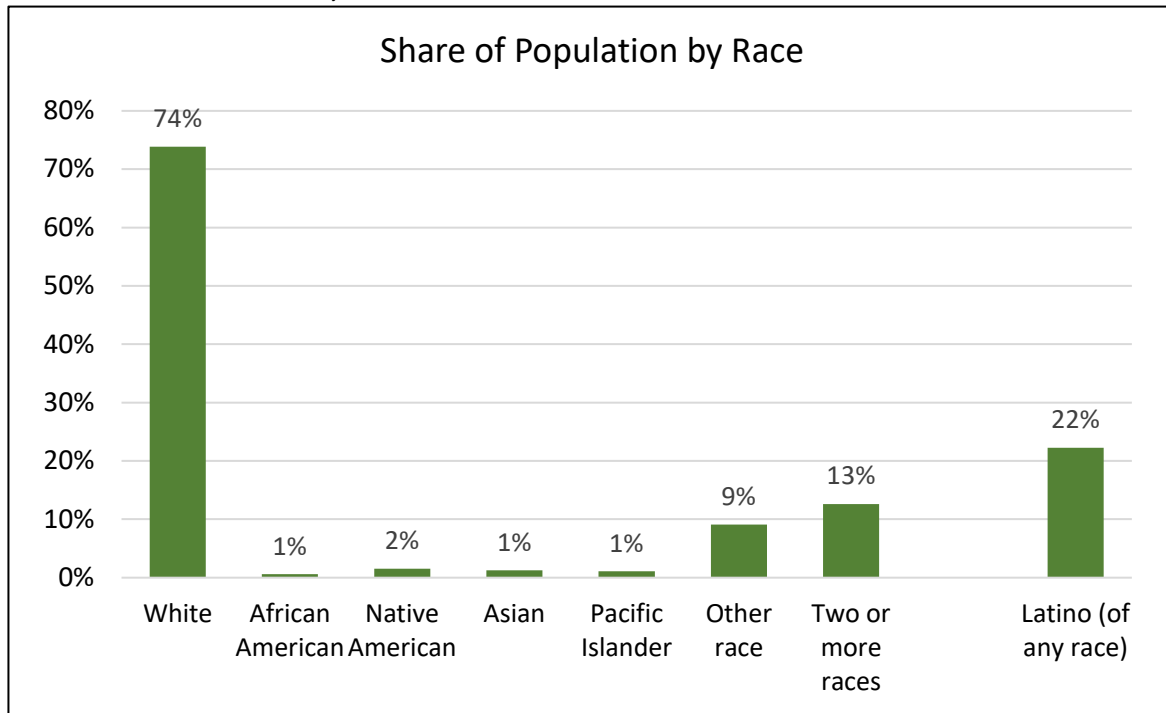
- In general, the distribution of the population is shifting upwards in age as the Baby Boom generation is well into the retirement years (currently roughly 60 to 80 years of age). The cohorts which grew in share during this period were those aged 55 to 74 years. Still an estimated 81% of the population is under 65 years of age, and 21% of the population consists of children under the age of 15.
- Wasco County in comparison features a smaller share of people in younger cohorts, and larger share of those aged 55 to 74 years.

- As of the 2021 ACS, the estimated local median age was 39 years, compared to 40 years in Oregon.
- The greatest growth was in the 55 to 64 age range, coinciding with the center of the Baby Boom cohort. This cohort grew from 9% to 12% of the population.
- 19% of the population is now 65 years or older.

F. DIVERSITY TRENDS

The Dalles is roughly 74% white with a smaller share of other racial groups. Wasco County has a similar share of white residents (74%), while Oregon is 75% white.

FIGURE 1.4: RACIAL DIVERSITY, 2020



SOURCE: US Census
Census Tables: DP-1 (2020)

The Hispanic or Latino community has increased more significantly in The Dalles. From roughly 2,300 individuals in the 2010 Census, or 17% of the population, the Latino population grew by over 1,200 people by the 2020 Census, to roughly 3,560 people, or 22% of the population. This is higher than the 18% Latino population in Wasco County, and higher than the 14% share across the state. (The Census tracks Latino heritage as a separate ethnic category and not as a racial category. Those identifying as Latino, may also fall into any of the racial categories.)

Immigration: As of the 2021 American Community Survey², an estimated 8.5% of The Dalles' population is foreign-born, up from 7% in 2000. Of these, 73% were born in Latin America, 17% were born in Europe, and roughly 6% were born in Asia.

As of 2021, the percentage of the population speaking a language other than English at home was 14%, up from 12% in 2000.

² Census Table: B05006 (2021 ACS, 5-Year Estimates)

G. INCOME TRENDS

The following figure presents data on income trends in The Dalles.

- The Dalles’ estimated median household income was \$62,000 in 2023. This is roughly 7% higher than the Wasco County median of \$57,800.
- The Dalles’ per capita income is roughly \$37,300.
- Median income has grown an estimated 49% between 2010 and 2023, in real dollars. Inflation was an estimated 38% over this period, so the local median income has outpaced inflation.

FIGURE 1.5: INCOME TRENDS, 2000 – 2021

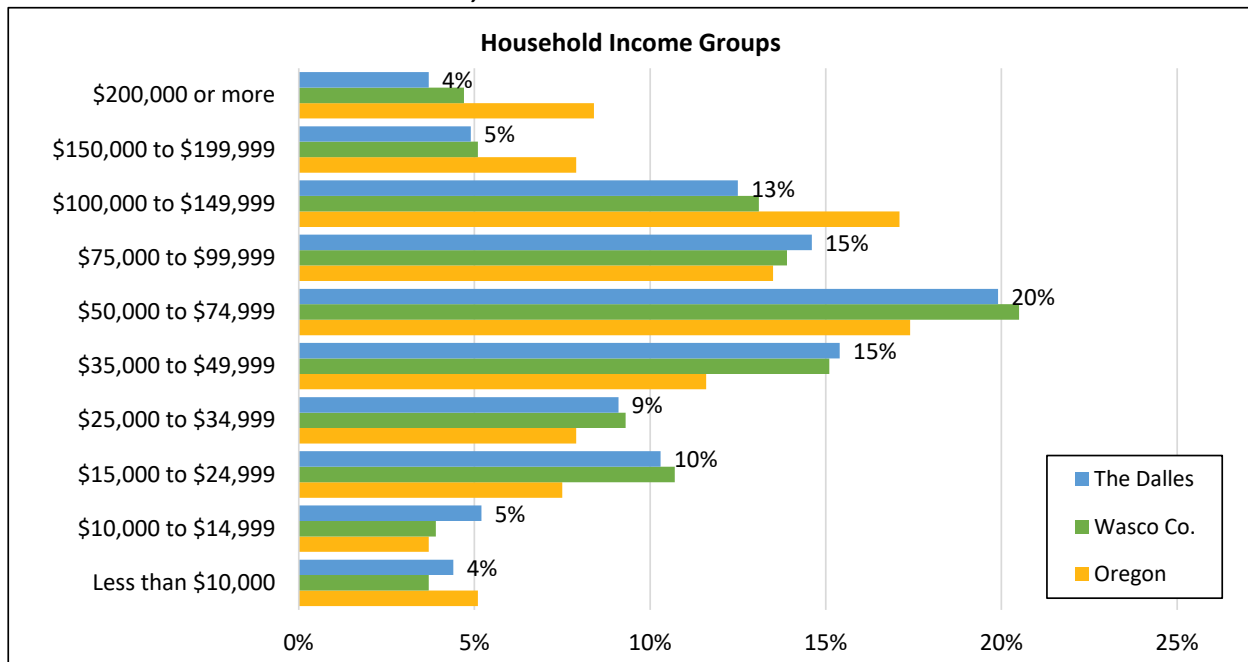
PER CAPITA AND MEDIAN HOUSEHOLD INCOME					
	2010	2020	Growth	2023	Growth
	(Census)	(Census)	10-20	(Proj.)	10-21
Per Capita (\$)	\$23,369	\$33,493	na	\$37,312	11%
Median HH (\$)	\$41,639	\$56,598	na	\$62,057	10%

SOURCE: Census, PSU Population Research Center, and Johnson Economics

Census Tables: DP-1; DP-3 (2000); S1101; S1901; S19301

Figure 1.6 presents the estimated distribution of households by income as of 2021 (ACS). The largest income cohort are those households earning between \$50k and \$75k, at 20% of households. 44% of households earn less than this, while 36% of households earn \$75k or more per year. 20% of households earn \$25k or less.

FIGURE 1.6: HOUSEHOLD INCOME COHORTS, 2021



SOURCE: US Census, Nielsen Claritas

Census Tables: S1901 (2021 ACS 5-yr Est.)

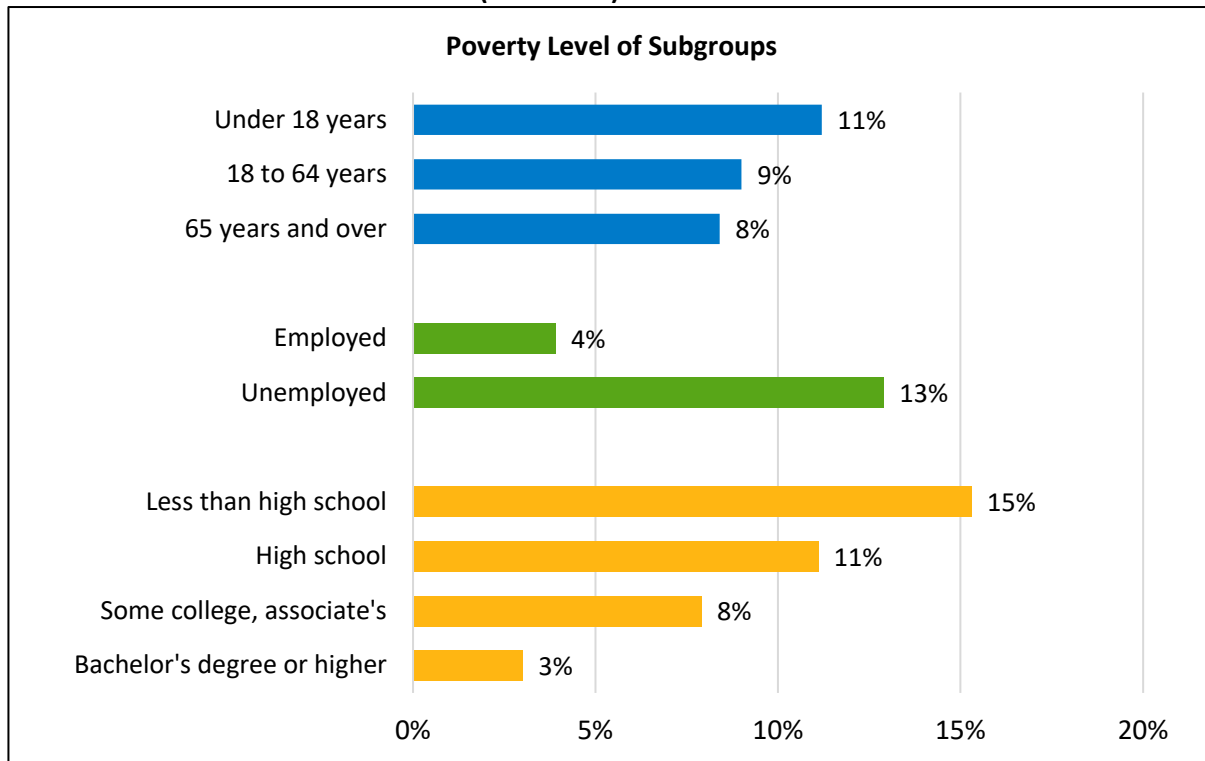
H. POVERTY STATISTICS

According to the US Census, the official poverty rate in The Dalles is an estimated 9.5% over the most recent period reported (2021 5-year estimates).³ This is roughly 1,470 individuals in The Dalles. In comparison, the official poverty rate in Wasco County is a similar 9.7%, and at the state level is 12%. In the 2017-21 period:

- The Dalles poverty rate is low among most groups, but highest among children at 11%. The rate is 9% among those aged 18 to 64 years. The estimated rate for those 65 and older is 8%.
- For those with only a high school diploma, the poverty rate is 11%. For those with higher rates of education, that rate falls to 3%.
- Among those who are employed the poverty rate is just 4%, while it is 13% for those who are unemployed.

Information on affordable housing is presented in Section III of this report.

FIGURE 1.7: POVERTY STATUS BY CATEGORY (THE DALLES)



SOURCE: US Census
Census Tables: S1701 (2021 ACS 5-yr Est.)

I. EMPLOYMENT TRENDS

This section provides an overview of employment and industry trends in The Dalles that are related to housing.

Commuting Patterns: The following figure shows the inflow and outflow of commuters to The Dalles according to the Census Employment Dynamics Database. These figures reflect “covered employment” as of 2019, the most recent year available. Covered employment refers to those jobs where the employee is covered by federal unemployment insurance. This category does not include many contract employees and

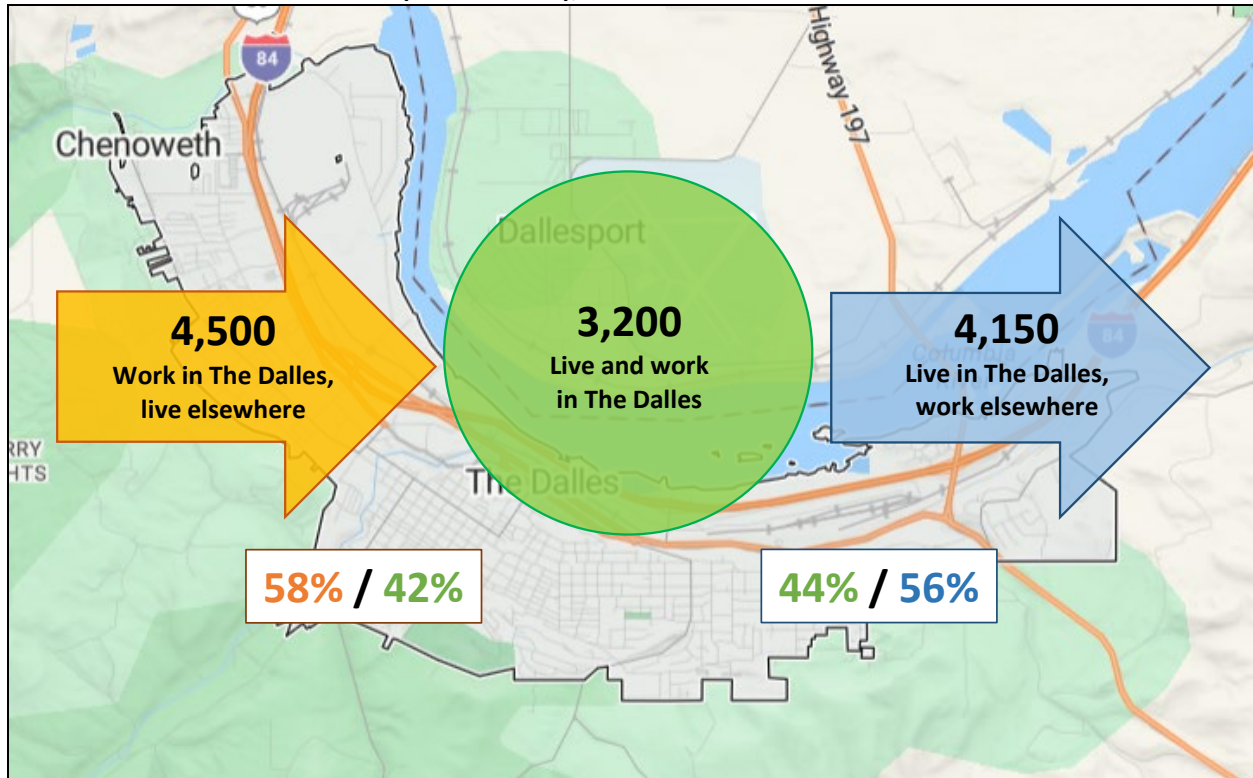
³ Census Tables: S1701 (2019 ACS 5-yr Estimates)

self-employed and therefore is not a complete picture of local employment. The figure discussed here is best understood as indicators of the general pattern of commuting and not exact figures.

As of 2020, the Census estimated there were roughly 7,670 covered employment jobs located in The Dalles. Of these, an estimated 3,200 or 42%, were held by local residents, while roughly 4,500 employees commuted into the city from elsewhere. This general pattern is fairly common among many communities within commuting distance to the Metro area. The most common places of residence of workers commuting into the city are Chenoweth, Hood River and Mosier.

Similarly, of the estimated 7,300 employed The Dalles residents, 56% of them commute elsewhere to their employment. The most common destinations for The Dalles commuters are Hood River and Portland.

FIGURE 1.8: COMMUTING PATTERNS (PRIMARY JOBS), THE DALLES



Source: US Census Longitudinal Employer-Household Dynamics

Jobs/Household Ratio: The Dalles features a high jobs-to-households ratio. There are an estimated 7,670 jobs in The Dalles (covered), and an estimated 6,770 households in The Dalles. This represents 1.1 jobs per household. There is no standard jobs-to-households ratio that is right for all communities, but it can provide a guide to the balance between employment uses and residential uses in the city. In the case of The Dalles, the number of jobs available locally, and the number of working residents is similar.

II. CURRENT HOUSING CONDITIONS

The following figure presents a profile of the current housing stock and market indicators in The Dalles. This profile forms the foundation to which current and future housing needs will be compared.

A. HOUSING TENURE

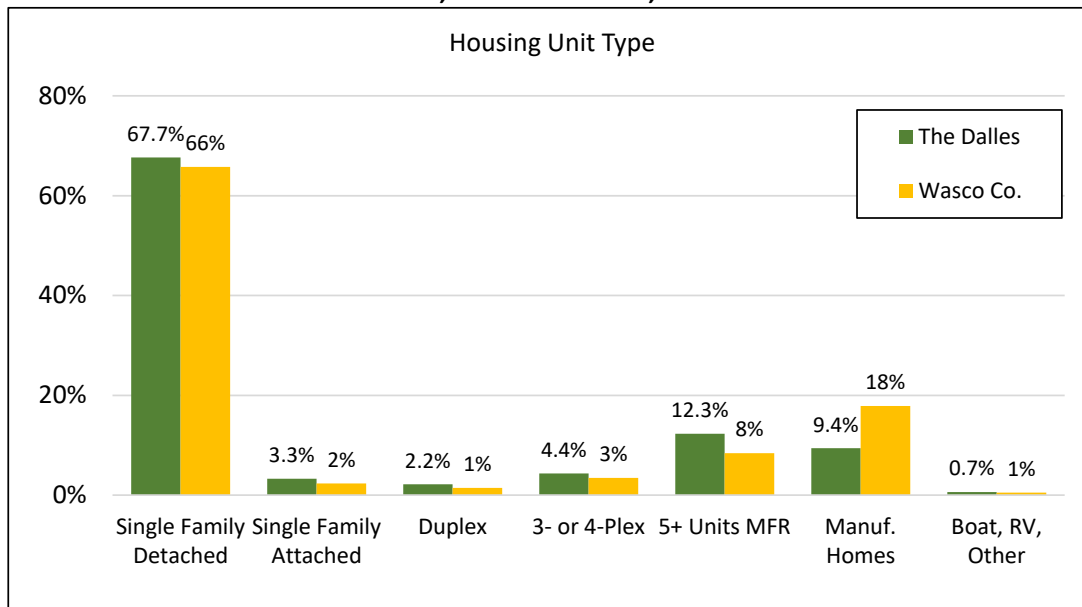
The Dalles has a greater share of homeowner households than renter households. The 2021 American Community Survey estimates that 62% of occupied units were owner occupied, and 38% renter occupied. The ownership rate in The Dalles has fallen slightly since 2000 from 63%. Nationally, the homeownership rate has nearly reached the historical average of 65%.

The estimated ownership rate is higher in Wasco County (66%) but roughly equal statewide (63%). The estimated ownership rate in Hood River is a lower 53%.

B. HOUSING STOCK

As shown in Figure 1.1, The Dalles UGB had an estimated 6,768 housing units in 2023, with a vacancy rate of 5% (includes ownership and rental units). The housing stock has increased by roughly 400 units since 2010, or growth of 6%.

FIGURE 2.1: ESTIMATED SHARE OF UNITS, BY PROPERTY TYPE, THE DALLES AND WASCO COUNTY



SOURCE: US Census
Census Tables: B25032 (2021 ACS 5-year Estimates)

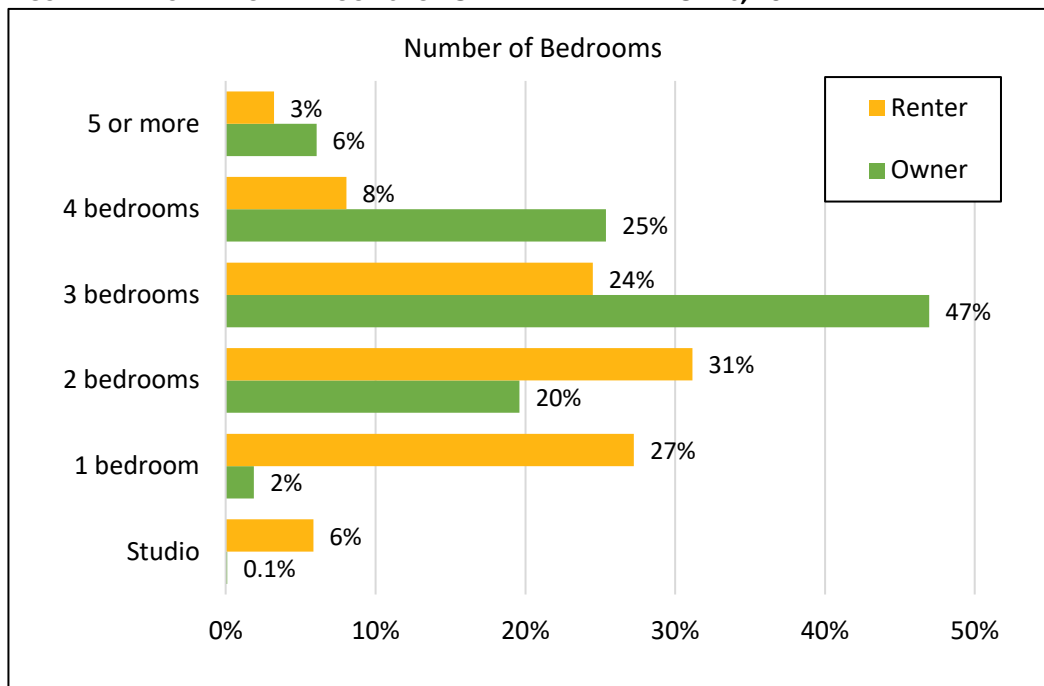
Figure 2.1 shows the estimated number of units by type as of 2021. Detached single-family homes represent an estimated 68% of housing units. Larger apartment complexes of five or more units represent 12% of units, and mobile homes represent 9.4%. Smaller attached units such as townhomes, and “plexes” represent a combined 10% of units. (Attached single family generally includes townhomes, some condos, and plexes which are separately metered.)

As shown in Figure 2.1, the Census provides an estimate of the share of households living in RV’s, boats, or other unconventional homes. Note that the City of the Dalles, like most cities, does not consider these to be permanent dwellings or part of the long-term housing stock.

C. NUMBER OF BEDROOMS

Figure 2.2 shows the share of units for owners and renters by the number of bedrooms they have. In general, owner-occupied units are much more likely to have three or more bedrooms, while renter occupied units are much more likely to have two or fewer bedrooms.

FIGURE 2.2: NUMBER OF BEDROOMS FOR OWNER AND RENTER UNITS, 2021



SOURCE: US Census
Census Tables: B25042 (2021 ACS 5-year Estimates)

D. UNITS TYPES BY TENURE

As Figure 2.3 and 2.4 show, a large share of owner-occupied units (86%) are detached homes, or manufactured homes (13%). Renter-occupied units are much more distributed among a range of structure types. 42% of rented units are estimated to be detached homes or manufactured homes, while the remainder are some form of attached unit.

FIGURE 2.3: CURRENT INVENTORY BY UNIT TYPE, FOR OWNERSHIP AND RENTAL HOUSING

OWNERSHIP HOUSING

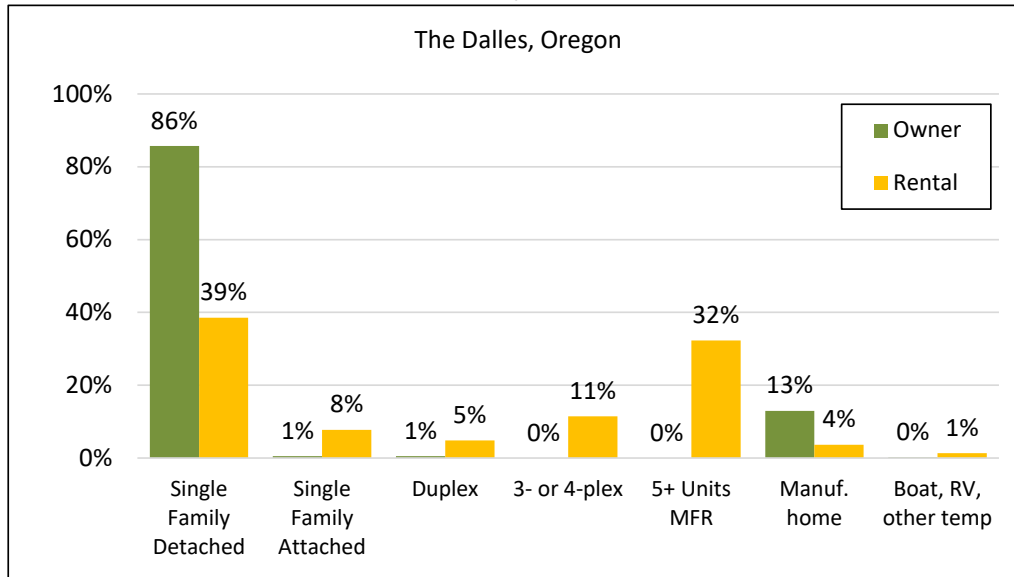
OWNERSHIP HOUSING								
	Single Family Detached	Single Family Attached	Duplex	3- or 4-plex	5+ Units MFR	Manuf. home	Boat, RV, other temp	Total Units
Totals:	3,810	26	26	0	0	576	9	4,446
Percentage:	85.7%	0.6%	0.6%	0.0%	0.0%	13.0%	0.2%	100%

RENTAL HOUSING

RENTAL HOUSING								
	Single Family Detached	Single Family Attached	Duplex	3- or 4-plex	5+ Units MFR	Manuf. home	Boat, RV, other temp	Total Units
Totals:	1,050	211	132	313	881	100	38	2,726
Percentage:	38.5%	7.8%	4.8%	11.5%	32.3%	3.7%	1.4%	100%

Sources: US Census, JOHNSON ECONOMICS

FIGURE 2.4: CURRENT INVENTORY BY UNIT TYPE, BY SHARE

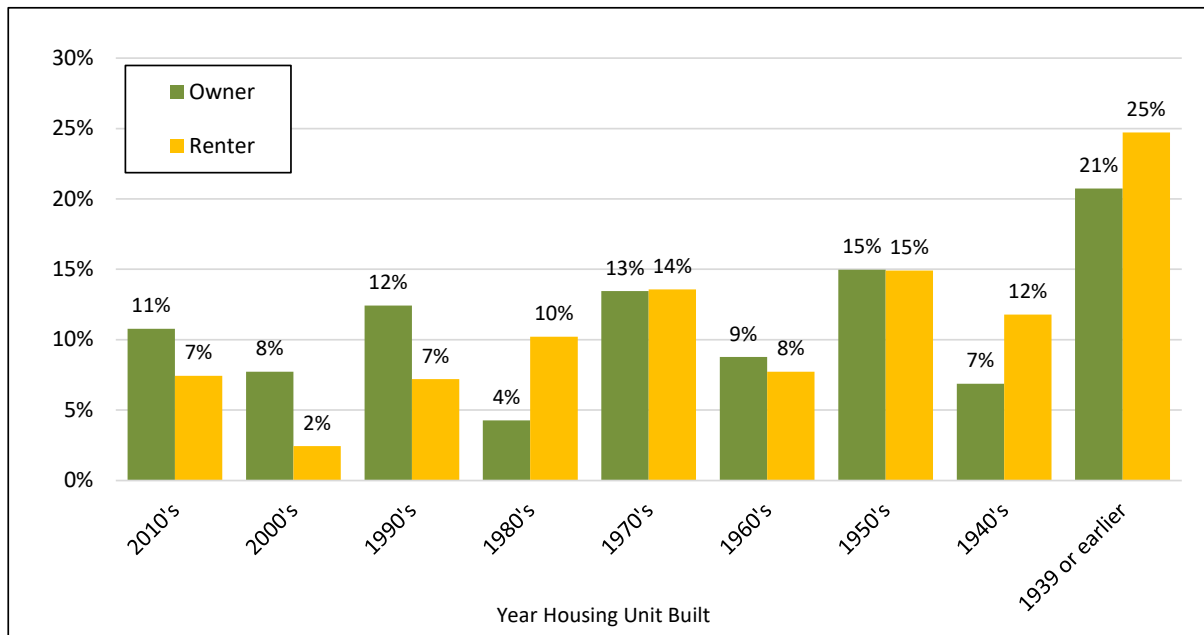


Sources: US Census, JOHNSON ECONOMICS
 Census Tables: B25004, B25032, B25063, B25075 (2021 ACS 5-yr Estimates)

E. AGE OF HOUSING STOCK

The Dalles’ housing stock reflects the pattern of settlement in the area. Nearly 85% of the housing stock is pre-1990 with the remainder being post-1990. 45% of the housing stock dates from the 1950’s or earlier. The following figure shows that owner-occupied households are somewhat more likely to live in newer housing on average, and renter households in older housing.

FIGURE 2.5: AGE OF UNITS FOR OWNERS AND RENTERS



SOURCE: US Census
 Census Tables: B25036 (2021 ACS 5-year Estimates)

- Unfortunately, good quantitative data on housing condition is generally unavailable without an intensive on-site survey of all local housing that is beyond the scope of this analysis. Census categories related to housing condition are ill-suited for this analysis, dealing with such issues as units without indoor plumbing, which was

more common in the mid-20th Century, but is an increasingly rare situation. Age of units serves as the closest reliable proxy for condition with available data.

- For ownership units, older homes may be in poor condition, but are also more likely to have undergone some repair and renovation over the years. Rental units are more likely to degrade steadily with age and wear-and-tear, and less likely to receive sufficient reinvestment to keep them in top condition, though this is not universally true.

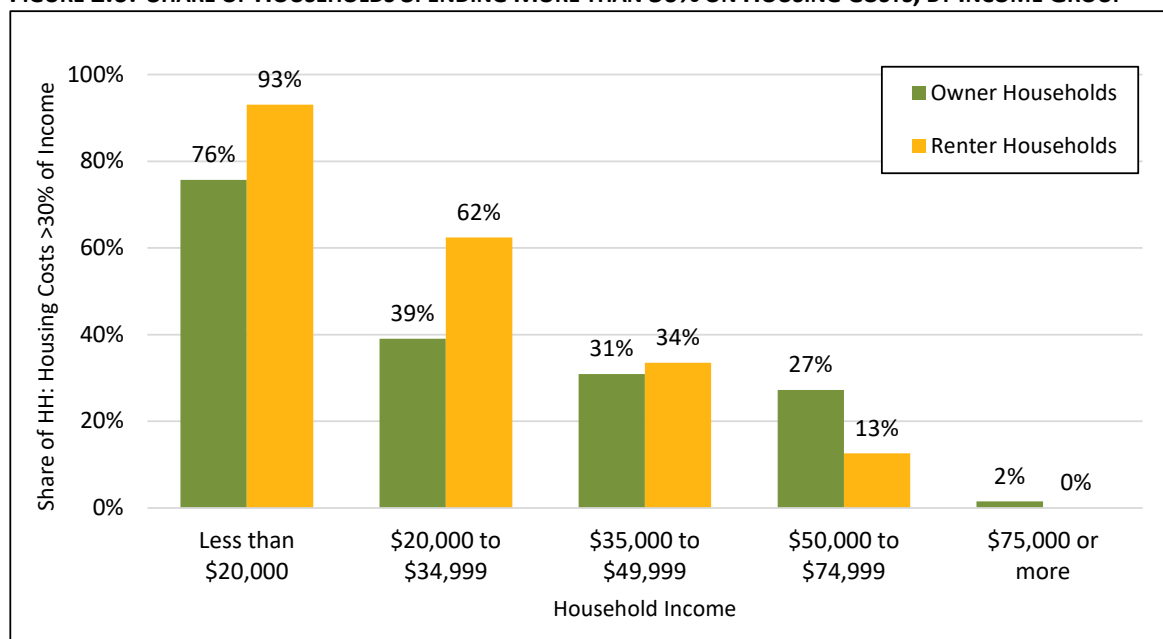
F. HOUSING COSTS VS. LOCAL INCOMES

Figure 2.6 shows the share of owner and renter households who are paying more than 30% of their household income towards housing costs, by income segment. (Spending 30% or less on housing costs is a common measure of “affordability” used by HUD and others, and in the analysis presented in this report.)

As one would expect, households with lower incomes tend to spend more than 30% of their income on housing, while incrementally fewer of those in higher income groups spend more than 30% of their incomes on housing costs. Of those earning less than \$20,000, it is estimated that 76% of owner households spend more than 30% of income on housing costs and 93% of renters.

In total, the US Census estimates that over 29% of The Dalles households pay more than 30% of income towards housing costs (2021 American Community Survey, B25106).

FIGURE 2.6: SHARE OF HOUSEHOLDS SPENDING MORE THAN 30% ON HOUSING COSTS, BY INCOME GROUP



Sources: US Census, JOHNSON ECONOMICS
 Census Table: B25106 (2021 ACS 5-yr Estimates)

Housing is generally one of a household’s largest living costs, if not the largest. The ability to find affordable housing options, and even build wealth through ownership, is one of the biggest contributors to helping lower income households save and cultivate wealth. Even if renting, affordable housing costs allow for more household income to be put to other needs, including saving.

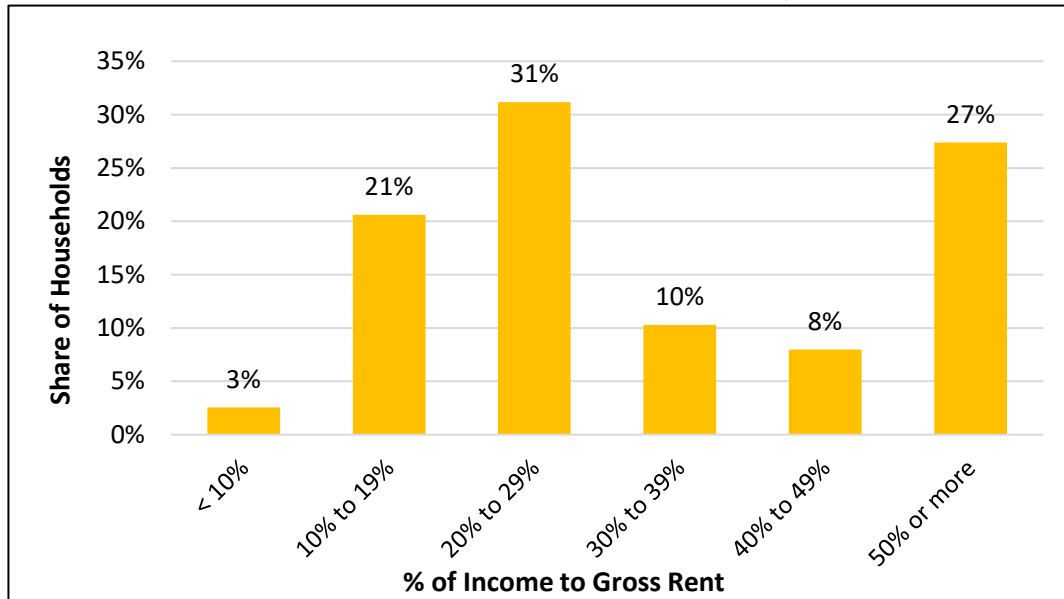
The following figures shows the percentage of household income spent towards gross rent⁴ for local renter households only. This more fine-grained data shows that not only are 45% of renters spending more than 30% of their

⁴ The Census defines Gross Rent as “the contract rent plus the estimated average monthly cost of utilities (electricity, gas, and water and sewer) and fuels (oil, coal, kerosene, wood, etc.) if these are paid by the renter (or paid for the renter by someone else).” Housing costs for homeowners include mortgage, property taxes, insurance, utilities and condo or HOA dues.

income on gross rent, but an estimated 27% of renters are spending 50% or more of their income on housing and are considered “severely rent-burdened.”

Renters are disproportionately lower income relative to homeowners. Housing cost burdens are felt more broadly for these households, and as the analysis presented in a later section shows there is a need for more affordable rental units in The Dalles, as in most communities.

FIGURE 2.7: PERCENTAGE OF HOUSEHOLD INCOME SPENT ON GROSS RENT, THE DALLES RENTER HOUSEHOLDS



Sources: US Census, JOHNSON ECONOMICS
 Census Table: B25070 (2021 ACS 5-yr Estimates)

G. PUBLICLY ASSISTED HOUSING

The Dalles has an estimated 526 affordable housing units according to Oregon Housing and Community Development (OHCS).

The 526 affordable units in The Dalles represent 98% of the 537 affordable units in Wasco County. In comparison, Hood River County offers 412 affordable units, and Umatilla County features 1,701 affordable units.

FIGURE 2.8: SUBSIDIZED HOUSING UNITS IN THE DALLES, AND COMPARISON COMMUNITIES

Geography	Subsidized Units
The Dalles	526
Wasco County (Total)	537
Hood River City	373
Hood River County (Total)	412
Umatilla County (Total)	1,701

Sources: Oregon Housing and Community Services

The estimated 526 subsidized housing units in The Dalles represent 8% of total local households (6,768). Despite this, the estimate of current housing need finds a greater need for housing units at the lowest price

points (Section 3 below). This reflects the high number of renters paying over 30% of their income towards housing costs. This inventory does not include households who receive housing choice vouchers in the county.

Agricultural Worker Housing: The Dalles is home to two properties offering a total of 47 units dedicated to agricultural workers. Many farm businesses in the region provide some temporary or permanent housing for their workers outside of incorporated cities. This population may also be served by other available affordable units.

Homelessness: A Point-in-Time count of homeless individuals in Wasco County conducted in January of 2022 found 194 homeless individuals on the streets, in shelters, or other temporary and/or precarious housing. This was a 73% increase over the prior count. *These figures are for the entire county.*⁵ This included:

- 194 individuals experiencing homelessness (+82)
- 138 Unsheltered (+43)
- 56 Sheltered (+39)
- 54 self-identified as having a mental illness (+24)
- 34 identified having a substance use disorder (+18)
- 9 Veterans (+3)
- 16 Native Community Members (+10)
- 32 Latinx Community Members (+24)
- 19 People of Color (+1)
- 19 Children and Youth under the age of 24 (+1)

An analysis of the ability of current and projected housing supply to meet the needs of low-income people, and the potential shortfall is included in the following sections of this report.

⁵ Figures via OHCS

III. CURRENT HOUSING NEEDS (CITY OF THE DALLES)

The profile of current housing conditions in the study area is based on Census 2020, which the Portland State University Population Research Center (PRC) uses to develop yearly estimates that have been further forecasted to 2023. The PRC methodology incorporates the estimated population from within the City boundary and an estimated population from those areas within the UGB, but outside of the City boundary. To estimate the additional population within the UGB area, the PRC assigned a share of the population from the relevant Census tracts.

This analysis removes those living in “group housing” situations from the calculation of new housing units needed. Group living situations include such examples as nursing and assisted living homes, correctional facilities, dorms, group worker housing, and similar situations. In the Dalles, a majority of the group living population lives in nursing facilities.

FIGURE 3.1: CURRENT HOUSING PROFILE (2023)

CURRENT HOUSING CONDITIONS (2023)		SOURCE
Total 2023 Population:	17,552	PSU Pop. Research Center
- Estimated group housing population:	529 (3% of Total)	US Census
Estimated Non-Group 2023 Population:	17,023 (Total - Group)	
Avg. HH Size:	2.51	US Census
Estimated Non-Group 2023 Households	6,768 (Pop/HH Size)	
Total Housing Units:	7,171 (Occupied + Vacant)	Census 2020 + permits
Occupied Housing Units:	6,768 (= # of HH)	
Seasonal/Vacation Units:	103	US Census
Vacant Housing Units:	301 (Total HH - Occupied)	
Current Vacancy Rate:	4.2% (Vacant units/ Total units)	

Sources: Johnson Economics, City of The Dalles, PSU Population Research Center, U.S. Census

*This table reflects population, household and housing unit projections shown in Figure 1.1

We estimate a current population of roughly 17,550 residents, living in 6,770 households (excluding group living situations). Average household size is 2.5 persons.

There are an estimated 7,171 housing units in the city, with 301 units vacant (excluding seasonal/vacation homes). The estimated 2021 vacancy rate of housing units is 4%.

ESTIMATE OF CURRENT HOUSING DEMAND

Following the establishment of the current housing profile, the current housing demand was determined based upon the age and income characteristics of current households.

The analysis considered the propensity of households in specific age and income levels to either rent or own their home (tenure), to derive the current demand for ownership and rental housing units and the appropriate housing cost level of each. This is done by combining data on tenure by age and tenure by income from the Census American Community Survey (tables: B25007 and B25118, 2021 ACS 5-yr Estimates).

The analysis takes into account the average amount that owners and renters tend to spend on housing costs. For instance, lower income households tend to spend more of their total income on housing, while upper

income households spend less on a percentage basis. In this case, it was assumed that households in lower income bands would *prefer* housing costs at no more than 30% of gross income (a common measure of affordability). Higher income households pay a decreasing share down to 20% for the highest income households.

While the Census estimates that most low-income households pay more than 30% of their income for housing, this is an estimate of current preferred demand. It assumes that low-income households prefer (or demand) units affordable to them at no more than 30% of income, rather than more expensive units.

Figure 3.2 presents a snapshot of current housing demand (i.e. preferences) equal to the number of households in the study area (6,768). The breakdown of tenure (owners vs. renters) is 62% to 38%.

FIGURE 3.2: ESTIMATE OF CURRENT HOUSING DEMAND (2023)

Ownership				
Price Range	# of Households	Income Range	% of Total	Cumulative
\$0k - \$80k	164	Less than \$15,000	3.9%	3.9%
\$80k - \$130k	296	\$15,000 - \$24,999	7.0%	10.9%
\$130k - \$180k	139	\$25,000 - \$34,999	3.3%	14.2%
\$180k - \$240k	506	\$35,000 - \$49,999	12.0%	26.2%
\$240k - \$330k	831	\$50,000 - \$74,999	19.7%	45.9%
\$330k - \$400k	789	\$75,000 - \$99,999	18.7%	64.5%
\$400k - \$460k	588	\$100,000 - \$124,999	13.9%	78.5%
\$460k - \$500k	241	\$125,000 - \$149,999	5.7%	84.2%
\$500k - \$670k	351	\$150,000 - \$199,999	8.3%	92.5%
\$670k +	317	\$200,000+	7.5%	100.0%
Totals:	4,222		% of All:	62.4%

Rental				
Rent Level	# of Households	Income Range	% of Total	Cumulative
\$0 - \$400	371	Less than \$15,000	14.6%	14.6%
\$400 - \$700	347	\$15,000 - \$24,999	13.6%	28.2%
\$700 - \$900	307	\$25,000 - \$34,999	12.0%	40.2%
\$900 - \$1200	461	\$35,000 - \$49,999	18.1%	58.3%
\$1200 - \$1700	605	\$50,000 - \$74,999	23.8%	82.1%
\$1700 - \$2000	170	\$75,000 - \$99,999	6.7%	88.8%
\$2000 - \$2300	120	\$100,000 - \$124,999	4.7%	93.5%
\$2300 - \$2500	42	\$125,000 - \$149,999	1.6%	95.2%
\$2500 - \$3400	65	\$150,000 - \$199,999	2.5%	97.7%
\$3400 +	58	\$200,000+	2.3%	100.0%
Totals:	2,546		% of All:	37.6%

All Households
6,768

Sources: PSU Population Research Center, Claritas Inc., Census, JOHNSON ECONOMICS
 Census Tables: B25007, B25106, B25118 (2021 ACS 5-yr Estimates)
 Claritas: Estimates of income by age of householder

The estimated home price and rent ranges are irregular because they are mapped to the affordability levels of the Census income level categories. For instance, an affordable home for those in the lowest income category (less than \$15,000) would have to cost \$90,000 or less. Affordable rent for someone in this category would be \$400 or less.

The affordable price level for ownership housing assumes 30-year amortization, at an interest rate of 5% (less than the current rate, but in line with historic norms), with 10% down payment. These assumptions are designed to represent prudent lending and borrowing levels for ownership households. The 30-year

mortgage commonly serves as the standard. In the last decade, down payment requirements fell significantly. While 20% is often cited as the standard for most buyers, it is common for homebuyers, particularly first-time buyers, to pay significantly less than this using available programs.

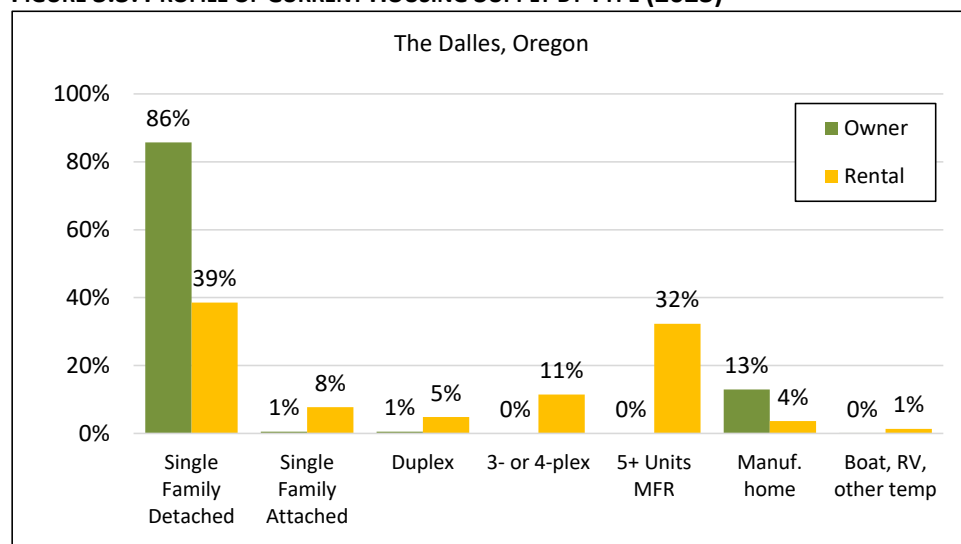
Interest rates are subject to disruption from national and global economic forces, and therefore impossible to forecast beyond the short term. The 5% used here is roughly the average 30-year rate over the last 20 years. The general trend has been falling interest rates since the early 1980's, but coming out of the recent recession, many economists believe that rates cannot fall farther and must begin to climb as the Federal Reserve raises its rate over the coming years.

CURRENT HOUSING INVENTORY

The profile of current housing demand (Figure 3.2) represents the preference and affordability levels of households. In reality, the current housing supply (Figures 3.3 and 3.4 below) differs from this profile, meaning that some households may find themselves in housing units which are not optimal, either not meeting the household's own/rent preference, or being unaffordable (requiring more than 30% of gross income).

A profile of current housing supply in The Dalles was estimated based on permit data from the City of The Dalles and Census data from the most recently available 2021 ACS, which provides a profile of housing types (single family, attached, manufactured home, etc.), tenure, housing values, and rent levels.

FIGURE 3.3: PROFILE OF CURRENT HOUSING SUPPLY BY TYPE (2023)

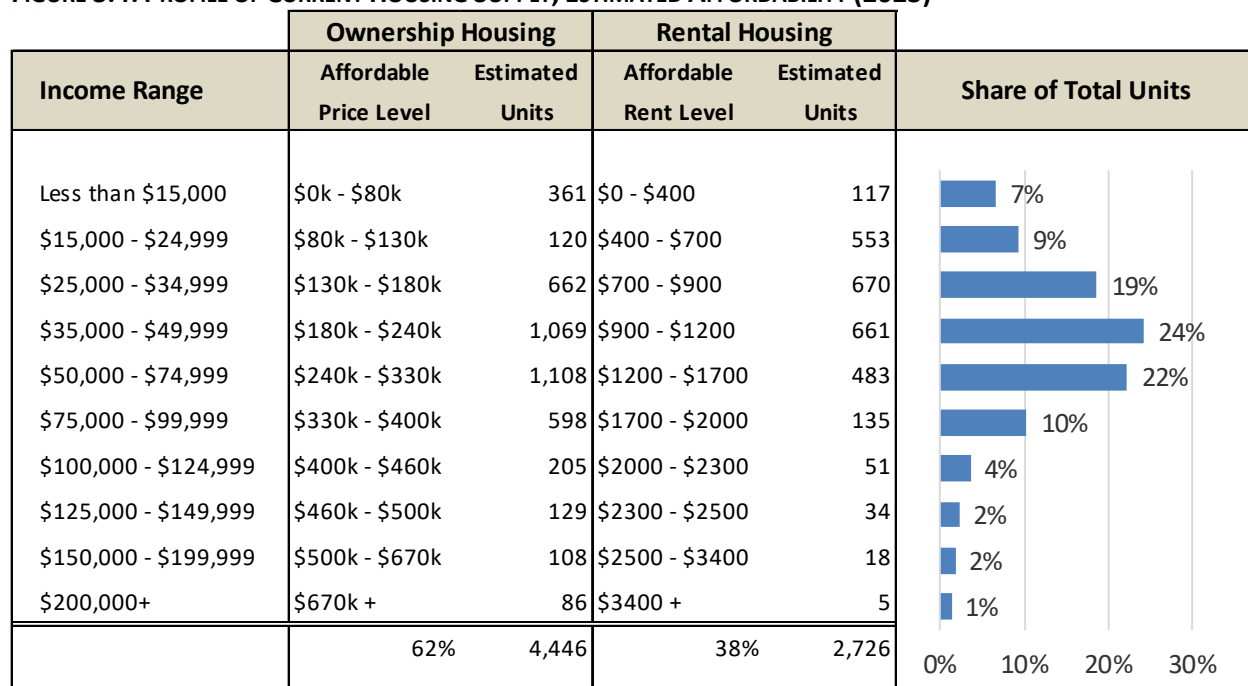


Sources: US Census, PSU Population Research Center, JOHNSON ECONOMICS

- An estimated 62% of housing units are ownership units, while an estimated 38% of housing units are rental units. This is similar to the estimated demand profile shown in Figure 3.2. The inventory includes vacant units.
- 86% of ownership units are detached homes, and 13% are manufactured homes. Forty-three percent of rental units are either single family homes or manufactured homes, while 32% are in structures of 5 units or more.
- Of total housing units, an estimated 68% are detached homes, and an additional 9% are manufactured homes. An estimated 22% are some sort of attached unit type.
- The affordability of different unit types is an approximation based on Census data on the distribution of housing units by value (ownership) or gross rent (rentals).

- Ownership housing found at the lower end of the value spectrum generally reflect older, smaller homes, or homes in poor condition on small or irregular lots. **It is important to note that these represent estimates of current property value or current housing cost to the owner, not the current market pricing of homes for sale in the city.** These properties may be candidates for redevelopment when next they sell but are currently estimated to have low value.

FIGURE 3.4: PROFILE OF CURRENT HOUSING SUPPLY, ESTIMATED AFFORDABILITY (2023)



Sources: US Census, PSU Population Research Center, JOHNSON ECONOMICS
 Census Tables: B25004, B25032, B25063, B25075 (2021 ACS 5-yr Estimates)

- Most housing in The Dalles is found in price and rent levels affordable to those earning at least \$35,000 per year. Thirty-five percent of housing is estimated to be affordable to those earning less than this.

COMPARISON OF CURRENT HOUSING DEMAND WITH CURRENT SUPPLY

A comparison of estimated current housing *demand* with the existing *supply* identifies the existing discrepancies between needs and the housing which is currently available. The estimated number of units outnumbers the number of households by roughly 404 units, indicating an average vacancy rate of 5.6% (including seasonal/vacation homes). Excluding vacation homes, there are an estimated 301 vacant units, indicating a vacancy rate of 4.2%.

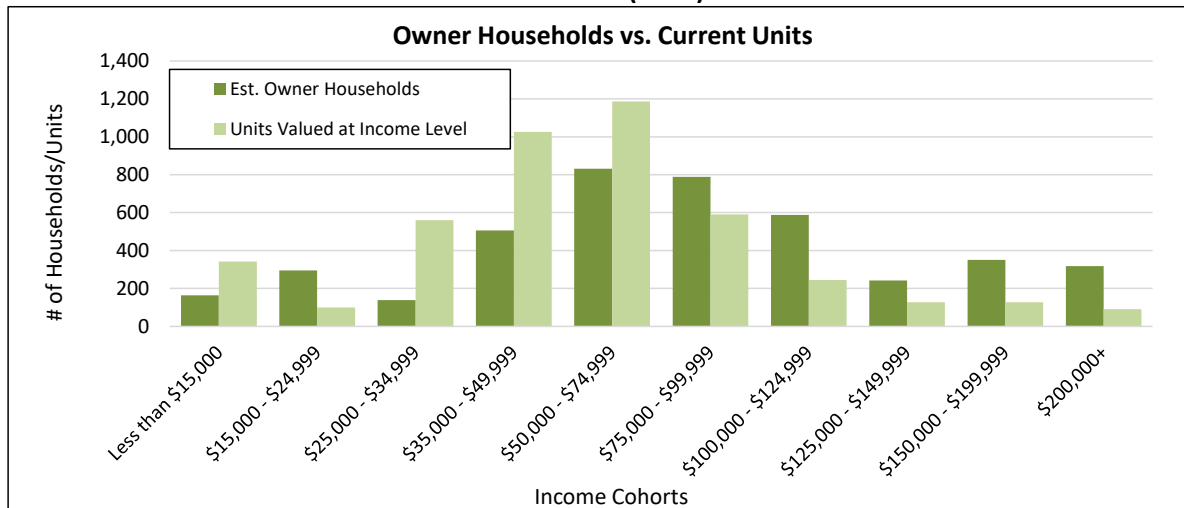
In general, this identifies that there is currently support for more ownership housing at middle price points. There is a finding that upper income households in The Dalles could perhaps support some more expensive housing supply, though the large amount of new housing built in recent years is filling this niche.

The analysis finds that the current market rates for most rental units are in the \$900 to \$1,800/month range. Therefore, this is where most of the rental unit supply is currently clustered. Supply and demand at the lowest income ranges indicate a strong need for more subsidized affordable housing in the city. There may also be support for more rental housing appropriate for middle income households, reflecting the relative low production of modern, up-to-date apartment complexes in recent years. Rentals at the most expensive levels generally represent single family homes for rent.

Figures 3.5 and 3.6 present this information in chart form, comparing the estimated number of households in given income ranges, and the supply of units currently valued (ownership) or priced (rentals) within those income ranges. The data is presented for owner and renter households.

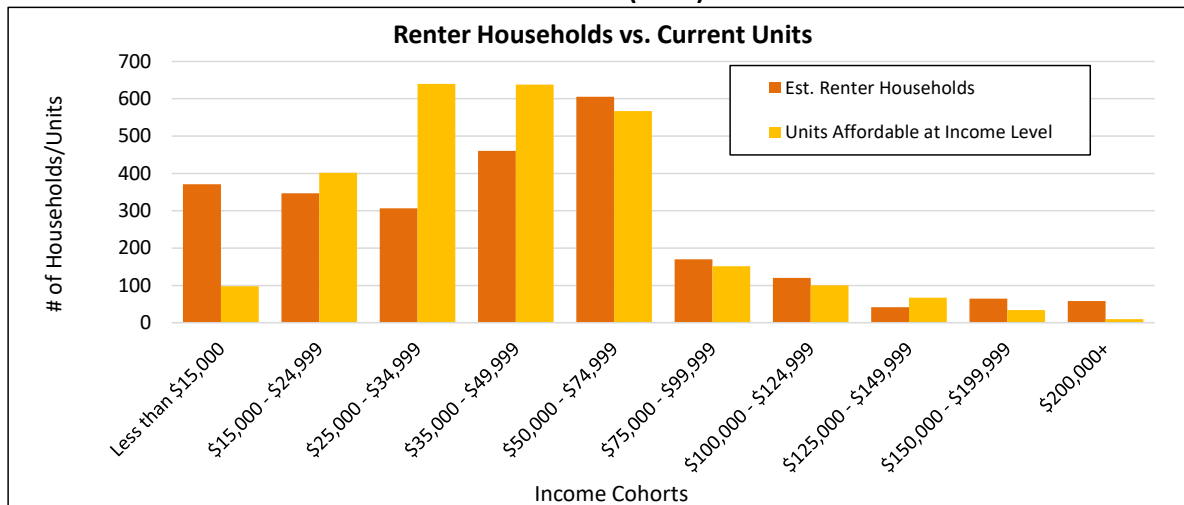
Figures 3.5 and 3.6 show where most of the home values and market rents cluster currently. The price segments where homes are most prevalent do not match the spectrum of income levels of owners and renters. These levels will be too costly for some (i.e. require more than 30% in gross income). For instance, the “surplus” rental units affordable to those in the \$25k to \$50 segments are most likely occupied by those of lower income, who are paying more than they can afford for these market-rate units.

FIGURE 3.5: COMPARISON OF OWNER HOUSEHOLD INCOME GROUPS TO ESTIMATED SUPPLY AFFORDABLE AT THOSE INCOME LEVELS (2023)



Sources: PSU Population Research Center, City of The Dalles, Census, JOHNSON ECONOMICS

FIGURE 3.6: COMPARISON OF RENTER HOUSEHOLD INCOME GROUPS TO ESTIMATED SUPPLY AFFORDABLE AT THOSE INCOME LEVELS (2023)



Sources: PSU Population Research Center, City of The Dalles, Census, JOHNSON ECONOMICS

In general, these findings demonstrate that there are few lower-value housing opportunities for many owner households, and potential support for some less expensive types of ownership housing. This may include more attached types of units such as townhomes, or smaller units such as condos or cottage clusters. There may be support for additional new rental units aimed at middle-income households, as well as additional need for subsidized affordable housing.

* * *

The findings of current need form the foundation for projected future housing need, presented in the following section.

IV. FUTURE HOUSING NEEDS - 2043 (CITY OF THE DALLES)

The projected future (20-year) housing profile (Figure 4.1) in the study area is based on the current housing profile, and the 2043 forecast of population within the UGB generated by the PSU Population Forecast program.

FIGURE 4.1: FUTURE HOUSING PROFILE (2043)

PROJECTED FUTURE HOUSING CONDITIONS (2023 - 2043)		SOURCE
2023 Population (Minus Group Pop.)	17,023	PSU
Projected Annual Growth Rate	0.3% PSU Forecast Program	PSU
2043 Population (Minus Group Pop.)	18,029 (Total 2043 Population - Group Housing Pop.)	
Estimated group housing population:	560 Share of total pop. (3.0%)	US Census
Total Estimated 2043 Population:	18,589	
Estimated Non-Group 2043 Households:	7,183 (2043 Non-Group Pop./Avg. Household Size)	
New Households 2023 to 2043	415	
Avg. Household Size:	2.51 Projected household size	US Census
Total Housing Units:	7,677 Occupied Units plus Vacant	
Occupied Housing Units:	7,183 (= Number of Non-Group Households)	
Seasonal/Vacation Units:	110	
Vacant Housing Units:	384 (= Total Units - Occupied Units)	
Projected Market Vacancy Rate:	5.0% (Vacant Units/ Total Units)	

Sources: PSU Population Research Center Oregon Population Forecast Program, Census, JOHNSON ECONOMICS LLC

The model projects growth in the number of non-group households over 20 years of roughly 415 households, with accompanying population growth of 1,040 new residents. (The number of households differs from the number of housing units, because the total number of housing units includes a percentage of vacancy. Projected housing unit needs are discussed below.)

It should be noted that local community members question the accuracy of the population projections estimated by Portland State University and anticipate that actual growth is likely to be higher based on past trends and local opportunities for future economic and housing development.

PROJECTION OF FUTURE HOUSING UNIT DEMAND (2043)

The profile of future housing demand was derived using the same methodology used to produce the estimate of current housing need. This estimate includes current and future households *but does not include a vacancy assumption*. The vacancy assumption is added in the subsequent step. Therefore, the need identified below is the total need for actual households in occupied units (7,183).

The analysis considered the propensity of households at specific age and income levels to either rent or own their home, in order to derive the future need for ownership and rental housing units, and the affordable cost level of each. The projected need is for *all* 2043 households and therefore includes the needs of current households.

The price levels presented here use the same assumptions regarding the amount of gross income applied to housing costs, from 30% for low income households down to 20% for the highest income households.

The affordable price level for ownership housing assumes 30-year amortization, at an interest rate of 5%, with 10% down payment. Because of the impossibility of predicting variables such as interest rates 20 years into the future, these assumptions were kept constant from the estimation of current housing demand. Income levels and price levels are presented in 2023 dollars.

Figure 4.2 presents the projected occupied future housing demand (current and new households, without vacancy) in 2043.

FIGURE 4.2: PROJECTED OCCUPIED FUTURE HOUSING DEMAND (2043)

Ownership				
Price Range	# of Households	Income Range	% of Total	Cumulative
\$0k - \$80k	166	Less than \$15,000	3.8%	3.8%
\$80k - \$130k	304	\$15,000 - \$24,999	6.9%	10.6%
\$130k - \$180k	141	\$25,000 - \$34,999	3.2%	13.8%
\$180k - \$240k	523	\$35,000 - \$49,999	11.8%	25.6%
\$240k - \$330k	860	\$50,000 - \$74,999	19.5%	45.1%
\$330k - \$400k	837	\$75,000 - \$99,999	18.9%	64.0%
\$400k - \$460k	624	\$100,000 - \$124,999	14.1%	78.2%
\$460k - \$500k	256	\$125,000 - \$149,999	5.8%	84.0%
\$500k - \$670k	372	\$150,000 - \$199,999	8.4%	92.4%
\$670k +	337	\$200,000+	7.6%	100.0%
Totals:	4,420		% of All:	61.5%

Rental				
Rent Level	# of Households	Income Range	% of Total	Cumulative
\$0 - \$400	402	Less than \$15,000	14.5%	14.5%
\$400 - \$700	378	\$15,000 - \$24,999	13.7%	28.2%
\$700 - \$900	332	\$25,000 - \$34,999	12.0%	40.2%
\$900 - \$1200	504	\$35,000 - \$49,999	18.2%	58.5%
\$1200 - \$1700	664	\$50,000 - \$74,999	24.0%	82.5%
\$1700 - \$2000	181	\$75,000 - \$99,999	6.5%	89.0%
\$2000 - \$2300	128	\$100,000 - \$124,999	4.6%	93.7%
\$2300 - \$2500	45	\$125,000 - \$149,999	1.6%	95.3%
\$2500 - \$3400	69	\$150,000 - \$199,999	2.5%	97.8%
\$3400 +	62	\$200,000+	2.2%	100.0%
Totals:	2,763		% of All:	38.5%

All Units
7,183

Sources: Claritas, Census, JOHNSON ECONOMICS

It is projected that the homeownership rate in The Dalles will remain steady over the next 20 years at 62%, similar to the current statewide average (63%).

COMPARISON OF FUTURE HOUSING DEMAND TO CURRENT HOUSING INVENTORY

The profile of occupied future housing demand presented above (Figure 4.2) was compared to the current housing inventory presented in the previous section to determine the total future need for new housing units by type and price range (Figure 4.3).

This estimate includes a vacancy assumption. As reflected by the most recent Census data, and as is common in most communities, the vacancy rate for rental units is typically higher than that for ownership units. An average vacancy rate of 5% is assumed for the purpose of this analysis.

FIGURE 4.3: PROJECTED FUTURE NEED FOR NEW HOUSING UNITS (2043), THE DALLES

OWNERSHIP HOUSING									
Unit Type:	Single Family Detached	Single Family Attached	Multi-Family			Manuf. home	Boat, RV, other temp	Total Units	% of Units
			2-unit	3- or 4-plex	5+ Units MFR				
Totals:	210	18	2	0	11	37	0	278	55.0%
Percentage:	75.7%	6.6%	0.6%	0.0%	4.0%	13.2%	0.0%	100%	

RENTAL HOUSING									
Unit Type:	Single Family Detached	Single Family Attached	Multi-Family			Manuf. home	Boat, RV, other temp	Total Units	% of Units
			2-unit	3- or 4-plex	5+ Units MFR				
Totals:	49	24	16	31	96	12	0	227	45.0%
Percentage:	21.5%	10.8%	6.8%	13.5%	42.3%	5.1%	0.0%	100%	

TOTAL HOUSING UNITS									
Unit Type:	Single Family Detached	Single Family Attached	Multi-Family			Manuf. home	Boat, RV, other temp	Total Units	% of Units
			2-unit	3- or 4-plex	5+ Units MFR				
Totals:	259	43	17	31	107	48	0	505	100%
Percentage:	51.3%	8.5%	3.4%	6.1%	21.2%	9.5%	0.0%	100%	

Sources: PSU, City of The Dalles, Census, Environics Analytics, JOHNSON ECONOMICS

- The results show a need for 505 new housing units by 2043.
- Of the new units needed, roughly 55% are projected to be ownership units, while 45% are projected to be rental units. This represents more renters than the estimated tenure split, but it is projected that more rental units will need to be added to rebalance the disproportionate share of ownership units in the current inventory.
- There is some need for new ownership housing at the lower-middle portion of the pricing spectrum. But income trends suggest that the greatest demand will remain in the middle price ranges (\$250k to \$500k).
- The greatest need for rental units is found at the lowest and some higher price points. Market rents are currently clustered in the \$900 to \$1,800 range in current dollars. Therefore, most units are to be found in this range.

Needed Unit Types

The mix of needed unit types shown in Figure 4.3 reflects both past trends and anticipated future trends. Since 2000, detached single family units (including manufactured and mobile homes) have continued to constitute most of the permitted units in The Dalles, with little multi-family development.

In keeping with development trends, and the buildable land available to The Dalles, single family units and manufactured homes are expected to continue to make up the largest share of new housing development over the next 20 years. However, an increasing share of new needed units is anticipated to be attached housing types to accommodate renters and first-time home buyers.

- 51% of the new units are projected to be single family detached homes, while 39% is projected to be some form of attached housing, and 9.5% are projected to be new manufactured homes.

- Single family attached units (townhomes on individual lots) are projected to meet over 8% of future need. These are defined as units on separate tax lots, attached by a wall but separately metered, the most common example being townhome units.
- Duplex through four-plex units are projected to represent 9.5% of the total need. Duplex units would include a detached single-family home with an accessory dwelling unit on the same lot, or with a separate unit in the home (for instance, a rental basement unit.)
- 21% of all needed units are projected to be multi-family in structures of 5+ attached units.
- 9.5% of new needed units are projected to be manufactured home units, which meet the needs of some low-income households for both ownership and rental.
- Of ownership units, 89% are projected to be detached single-family homes or manufactured homes, and 11% projected to be attached forms.
- About 73% of new rental units are projected to be found in new attached buildings, with 42% projected in rental properties of 5 or more units, and 31% in other attached housing forms. 27% of new rental units are projected to be detached homes, including manufactured homes.

Needed Affordability Levels

Figure 4.4 presents the estimated need for net new housing units by major income segment, based on the projected demographics of new households to the market area. The needed affordability levels presented here are based on current 2023 dollars. Over time, incomes and housing costs will both inflate, so the general relationship projected here is expected to remain unchanged.

Figure 4.4 also discusses the housing types typically attainable by residents at these income levels.

FIGURE 4.4: PROJECTED NEED FOR NEW HOUSING AT DIFFERENT INCOME LEVELS

Household Income Segment	Income Level (Rounded)*	Afford. Rent Range	Afford. Price Range	Owner Units	Renter Units	Total	Share	Common Housing Product
Extremely Low Inc. < 30% AMI	< \$21,500	<\$700	<\$130k	11	53	64	13%	Govt-subsidized; Voucher
Very Low Income 30% - 50% AMI	\$21.5k - \$36k	\$700-\$1,200	\$130k-\$180k	8	41	49	10%	Aging/substandard rentals; Govt-subsidized; Voucher
Low Income 50% - 80% AMI	\$436k - \$57k	\$1,200-\$1,500	\$180k-\$280k	34	61	94	19%	Market apts; Manuf. homes; Plexes; Aging SFR
Middle Income 80% - 120% AMI	\$57k - \$86k	\$1,500-\$1,900	\$280k-\$380k	59	48	107	21%	Single-family detached; Townhomes; Small homes; New apts
Upper Income > 120% AMI	> \$86,000	\$1,900 +	\$380k +	167	24	191	38%	Single-family detached
TOTAL:				278	227	505	100%	

Sources: HUD, Census, Envirionics Analytics, JOHNSON ECONOMICS

- Figure 4.3 presents the *net NEW* housing unit need over the next 20 years. However, there is also a *current* need for more affordable units. For all households, current and new, to pay 30% or less of their income towards housing in 2040, more affordable rental units would be required. This indicates that some of the current supply, while it shows up as existing available housing, would need to become less expensive to meet the needs of current households.
- There is a finding of some new need at the lowest end of the rental spectrum (\$700 and less).
- The projection of future ownership units finds that the supply at the lowest end of the spectrum is currently insufficient due to the prevalence of newer homes most of which are detached houses. (This reflects the estimated *value* of the total housing stock, and not necessarily the average pricing for housing

currently for sale.) Ownership options and lower and middle price points are often manufactured homes, townhomes, condos, and small detached homes, often on smaller lots.

- Figure 4.5 presents estimates of need at key low-income affordability levels in 2023 and in 2043. There is existing and on-going need at these levels, based on income levels specified by Oregon Housing and Community Services for Wasco County. An estimated 45% of households qualify as at least “low income” or lower on the income scale, while 14% of household qualify as “extremely low income”.
- Typically, only rent-subsidized properties can accommodate these extremely-low-income households at “affordable” housing cost levels. As noted above, most in the “low income” and many in the “very low income” groups can be served by market-rate rental housing at current rent levels (see Figure 4.4).
- The city is not obligated to produce appropriate housing for all of these groups but should ensure that local policy and zoning code accommodates market-rate and non-profit agencies who wish to pursue projects to meet the full spectrum of local housing needs.

FIGURE 4.5: PROJECTED NEED FOR HOUSING AFFORDABLE AT LOW INCOME LEVELS, THE DALLES

Affordability Level	Income Level*		Current Need (2021)		Future Need (2041)		NEW Need (20-Year)	
			# of HH	% of All	# of HH	% of All	# of HH	% of All
Extremely Low Inc.	30% AMI	\$21,540	955	14%	1,020	14%	64	13%
Very Low Income	50% AMI	\$35,900	1,681	25%	1,794	25%	113	22%
Low Income	80% AMI	\$57,440	3,018	45%	3,225	45%	207	41%

Sources: OHCS, Environics Analytics, JOHNSON ECONOMICS

* Income levels are based on OHCS guidelines for a family of four.

V. RECONCILIATION OF FUTURE NEED (2043) & LAND SUPPLY

This section summarizes the results of the Buildable Lands Inventory (BLI), which presented in detail in an accompanying memo to this report. The BLI provides an estimate of the remaining buildable residential lands within the UGB, and an estimate of the capacity to hold new housing units.

The following table (Figure 5.1) presents the estimated new unit capacity of the buildable lands identified in the City of The Dalles and within the UGB. The table breaks down the City's zoning into broad categories of low, and medium/ high density.

FIGURE 5.1: ESTIMATED BUILDABLE LANDS CAPACITY BY ACREAGE AND NO. OF UNITS (2023)

ZONING		Buildable Acres (Gross)			Gross Unit	Unit Capacity			
		Inside City	Outside City	Total	Density	Inside City	Outside City	Total	Share
ZONE	Category								
RL	Low-Density Res.	85.4	109.3	194.7	5.6	480	615	1,095	33%
RM	Medium-Density Res.	24.2	4.8	29.0	12.0	290	58	348	10%
RH	High-Density Res.	79.4	21.6	101.0	18.8	1,489	405	1,894	57%
(GMA) R-5	Medium-Density Res.	0	5	5.0	0.2	0	0	0	0%
(GMA) R-1	Low-Density Res.	0.5	0	0.5	0.8	0	0	0	0%
TOTALS:		189.5	140.7	330.2	10.1	2,260	1,077	3,337	100%

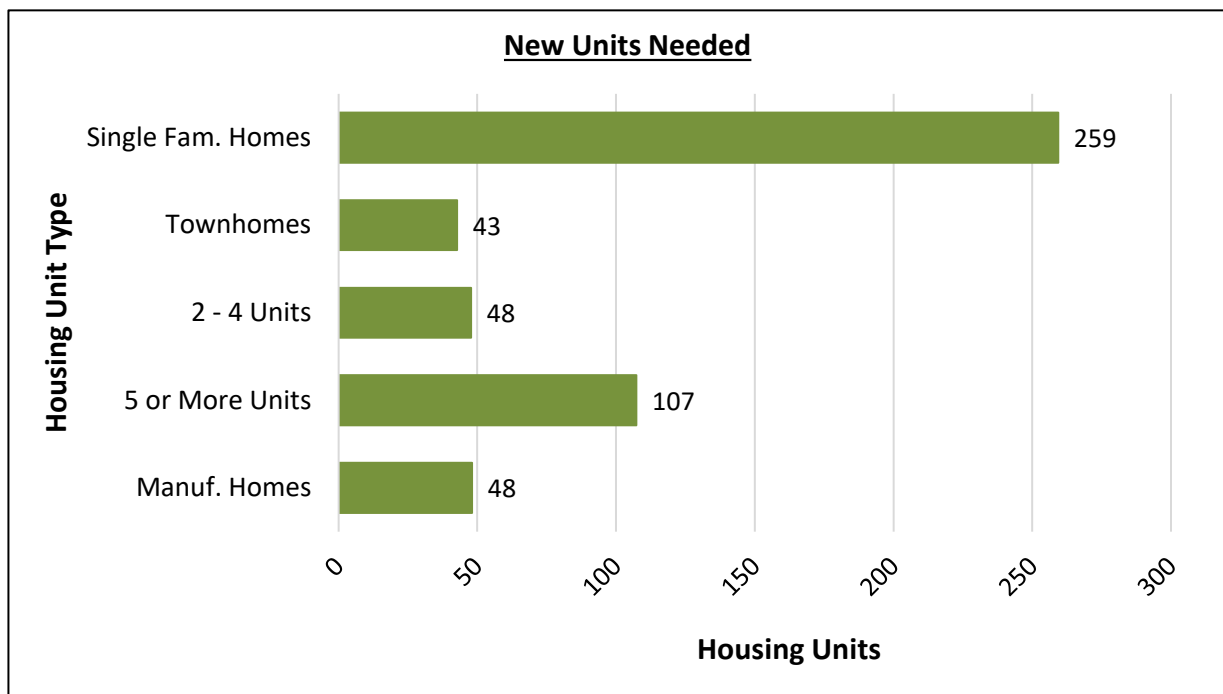
Source: MIG/APG

- There is a total estimated remaining capacity of 3,337 units of different types within the study area.
- Most of the remaining buildable acreage is in the low-density residential zone. At a total capacity of 1,095 housing units, these zones represent roughly 33% of the total unit capacity due to the lower average density.
- There are sufficient buildable medium-density acres to accommodate 348 new units. This is only 10% of the total unit capacity at an average assumed density of 12 units per acre.
- The high-density residential zone does not have the greatest amount of remaining buildable acreage, but due to the higher average density can accommodate an estimated 57% of the total unit capacity, or nearly 1,900 units.
- Figure 5.4 at the end of this section presents a map of buildable residential lands.

The following table summarizes the forecasted future unit need for The Dalles. These are the summarized results from Section IV of this report, presented here for reference.

FIGURE 5.2: SUMMARY OF FORECASTED FUTURE UNIT NEED (2043)

TOTAL HOUSING UNITS									
Unit Type:	Single Family Detached	Single Family Attached	Multi-Family			Manuf. home	Boat, RV, other temp	Total Units	% of Units
			2-unit	3- or 4-plex	5+ Units MFR				
Totals:	259	43	17	31	107	48	0	505	100%
Percentage:	51.3%	8.5%	3.4%	6.1%	21.2%	9.5%	0.0%	100%	



Sources: PSU Population Research Center, Census, Johnson Economics

Comparison of Housing Need and Capacity

There is a total forecasted need for roughly 505 units over the next 20 years based on the forecasted growth rate. This is well below than the estimated total capacity of 3,337 units. Figure 6.3 below presents a comparison of the BLI capacity for new housing units, compared to the estimate for new unit need by 2043.

- This analysis breaks down need by general zoning category (low-density, and medium-density residential). In this analysis, LDR is assumed to have an average housing density of 5.6 units/gross acre, MDR 12 units/gross acre, and HDR 18.8 units/gross acre.
- The results find sufficient capacity for a variety of housing types across the residential zones. There is likely capacity to absorb growth for 20-years and beyond for these housing types.

FIGURE 5.3: COMPARISON OF FORECASTED FUTURE LAND NEED (2042) WITH AVAILABLE CAPACITY

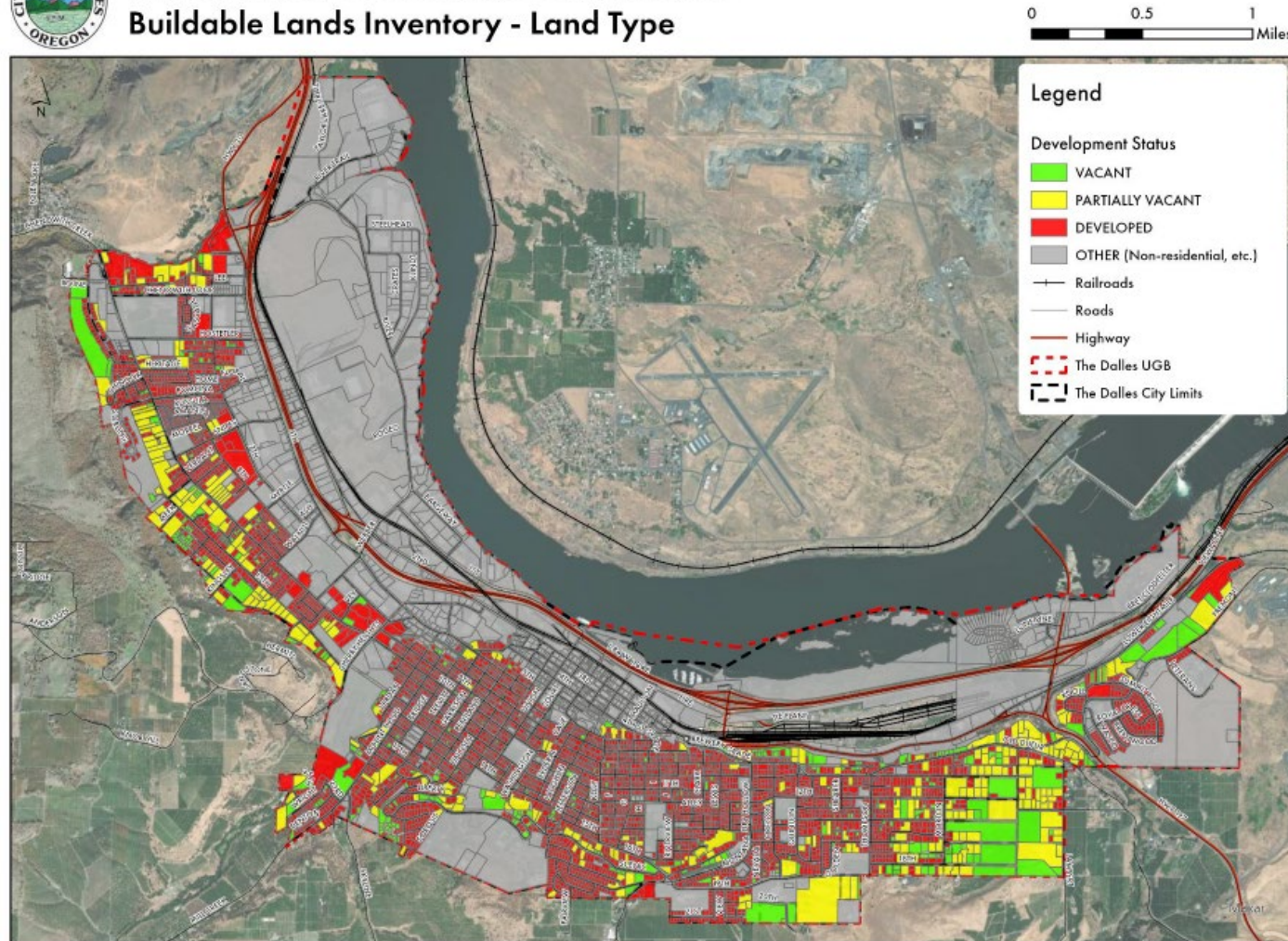
WITHIN CITY LIMITS		SUPPLY			DEMAND		
Zone & Plan Category	Typical Housing Type	Land Inventory			Growth Rate (0.3%)		
		Developable Acres	Unit Capacity	Gross Density (units/ac)	New Unit Need (2043)	Surplus or (Deficit)	
						Units	Acres
RL - Low-Density	Single-family detached and attached; Duplex	194.7	1,095	5.6	267	828	147
RM - Med-Density	Single-family detached and attached; Duplex; Cluster; Multi-family; Mobile Homes	29.0	348	12.0	131	217	18
RH - High-Density	Single-family detached and attached; Duplex; Cluster; Multi-family	101.0	1,894	18.8	107	1,786	95
TOTALS:		324.7	3,337	10.3	505	2,832	261

Sources: MIG/APG, Johnson Economics

FIGURE 5.4: THE DALLES UGB RESIDENTIAL LAND DEVELOPMENT STATUS (2023)



City of The Dalles Housing Needs Analysis Buildable Lands Inventory - Land Type



Sources: Buildable Land Inventory, MIG/APG



MEMORANDUM

To: Joshua Chandler and Kaitlyn Cook, City of The Dalles
Brendan Buckley, Johnson Economics

From: Matt Hastie AICP, Clinton “CJ” Doxsee, and Sun-Gyo Lee, MIG

Date: August 10, 2023 (Revised)

RE: The Dalles Buildable Lands Inventory (BLI) – Methodology and Results

Introduction

This memorandum describes the approach and initial results of The Dalles Buildable Lands Inventory (BLI), conducted in support of the updated Housing Needs Analysis being prepared for the City. The inventory includes land within the entire urban growth boundary, both within and outside the city limits.

The memo and results of the analysis will be updated to reflect comments from City staff regarding specific parcels in the inventory. The results of the inventory will be compared to the estimated need for residential to meet projected future housing needs in The Dalles.

Methodology

The methodology of this BLI is based upon the process laid out in OAR 660-038-0060: Simplified Urban Growth Boundary (UGB) Method – Buildable Lands Inventory for Residential Land Within the UGB. The process is as follows:

- Step 1: Classify residential land within the UGB
 - Classify lands with a residential comprehensive plan designation as either “Low Density”, “Medium Density”, or “High Density.” Zoning designations of The Dalles fall neatly into these categories.
 - Classify lands as either Developed, Partially Developed, or Vacant.
 - Vacant:
 - Residential parcels at least 3,000 square feet with a real market improvement value of less than \$10,000 are considered vacant.
 - Tax lots with a property code of “Residential Vacant” based on assessor’s data were also classified as vacant.

- Partially Vacant:
 - For lots and parcels at least ½ acre in size that contain a single-family residence (based on assessor’s property classification), subtract ¼ acre for the residence and count the remainder of the parcel as vacant land.
 - For lots and parcels at least ½ acre in size that contain more than one single-family residence, multifamily residences, non-residential uses, or ancillary uses such as parking and recreational facilities, identify vacant areas using aerial imagery or other similar method. Publicly owned park land shall be considered developed. If vacant area is at least ¼ acre, consider that portion of the lot or parcel to be vacant.
 - Developed:
 - All land not considered vacant or partially vacant is considered developed.
 - Determine the amount and mapped location of low density, medium density, and high density vacant and partially vacant land within the city. (See the following maps and tables for the amount and location of vacant/partially vacant land within the city).
 - Determine the total amount of developed land within the city limits, and calculate the total number of existing dwelling units located on that land. Calculate net density of residential development on this land.
- Step 2: Adjust residential lands inventory to account for constrained lands
 - Identify the following physical constraints on land inventoried as vacant or partially vacant:
 - Floodways and water bodies
 - Special Flood Hazard Area
 - Contiguous lands of at least one acre with slopes greater than 25 percent.
 - For lands identified above, reduce estimated development capacity by the following factors
 - Floodways and water bodies: 100%
 - Special Flood Hazard Area: 100%
 - Slopes: 100% (applied only to the portion of the parcel containing steep slopes)
- Step 3: Review and revision
 - Staff and advisory committee members will review initial BLI results and provide comments concerning recent development or other issues that may reduce or limit capacity of specific properties.

Inputs

The following data sources were used in this analysis:

- The Dalles city limits and UGB polygons, provided by City of The Dalles
- The Dalles zoning and overlay zone data, provided by City of The Dalles
- The Dalles tax lot polygons, provided by City of The Dalles
- Assessor tax lot tables, provided by Wasco County
- 25% Slope polygons derived from LiDAR data by MIG
- Waterbodies and FEMA Flood Hazard Area, provided by City of The Dalles
- Aerial Imagery, provided by ESRI
- Wetland Inventory, provided by City of The Dalles

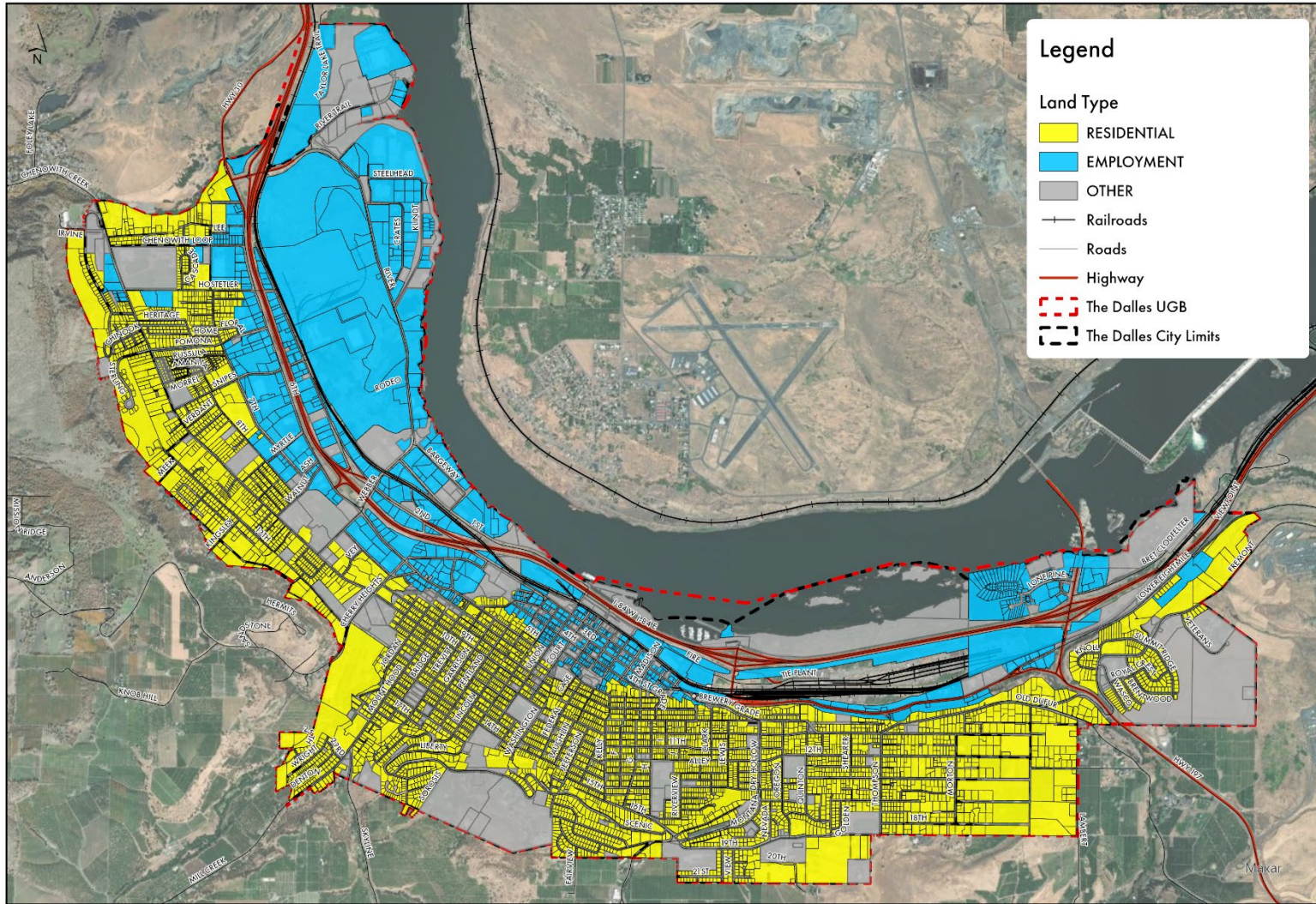
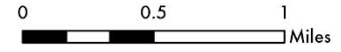
Preliminary Results

The initial results of the BLI are described in the maps and tables on the following pages. They show a total inventory of 330 acres of vacant or partially vacant residential land within the UGB, with approximately sixty percent of the acres located within the city limits (189.5 acres) and the remainder between the city limits and UGB (140.7 acres). About half of the acreage (156.6 acres) is found on vacant parcels, with the remainder on partially vacant properties.

Because the Streamlined UGB guidelines were used (see OAR Division 38), redevelopable properties were not included in the inventory. While vacant properties in the City's downtown commercial area where residential development is allowed on upper stories were included in the inventory, existing buildings in this and other commercial areas with the capacity for residential development were not included. However, there is potential additional residential capacity in these areas in the form of future mixed use development. This development could take the form of multifamily units on the second or third stories of existing or new buildings above first floor retail or commercial uses.

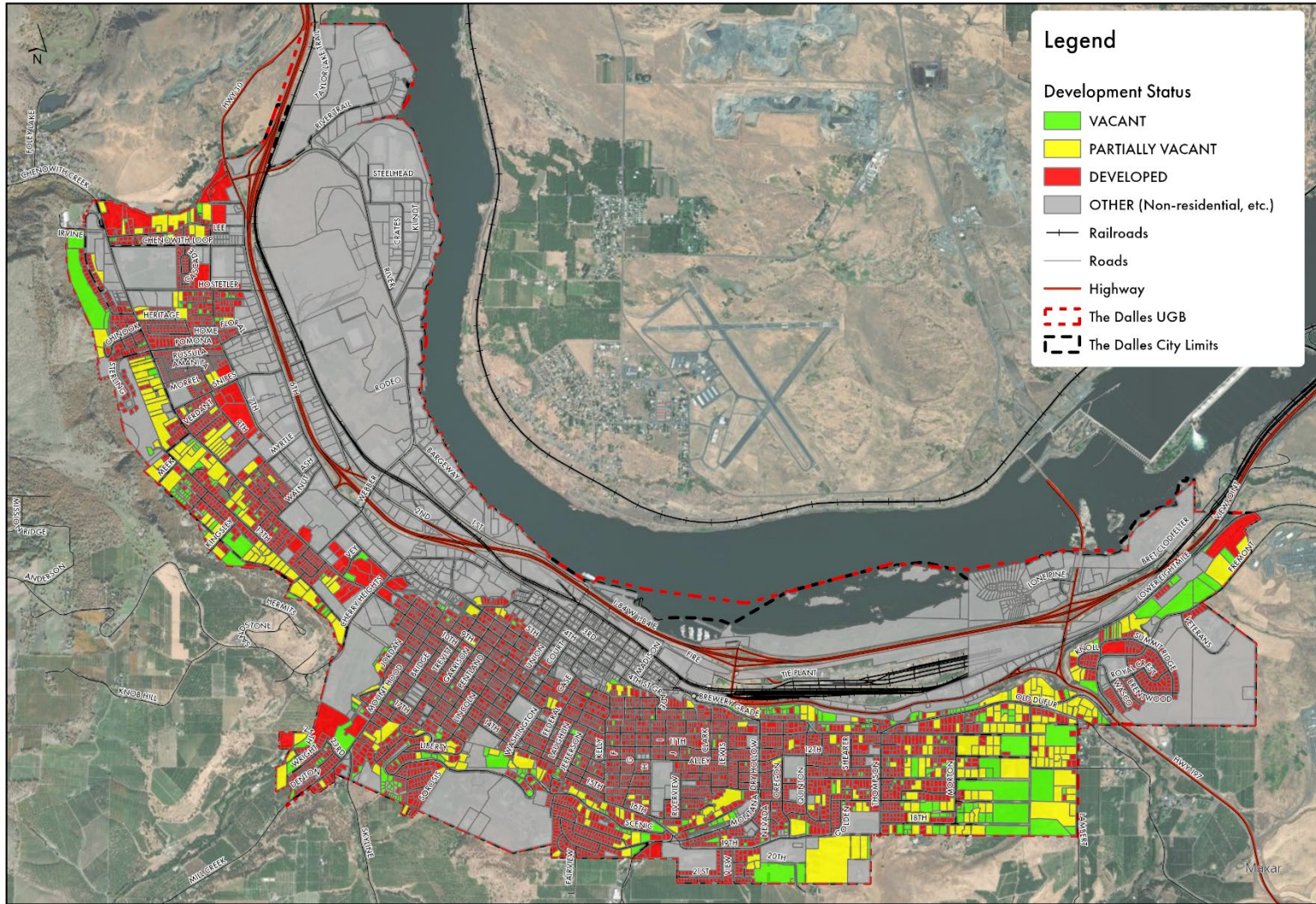
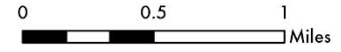


City of The Dalles Housing Needs Analysis Buildable Lands Inventory - Land Type





City of The Dalles Housing Needs Analysis Buildable Lands Inventory - Land Type





City of The Dalles Housing Needs Analysis Buildable Lands Inventory - Development Constraints

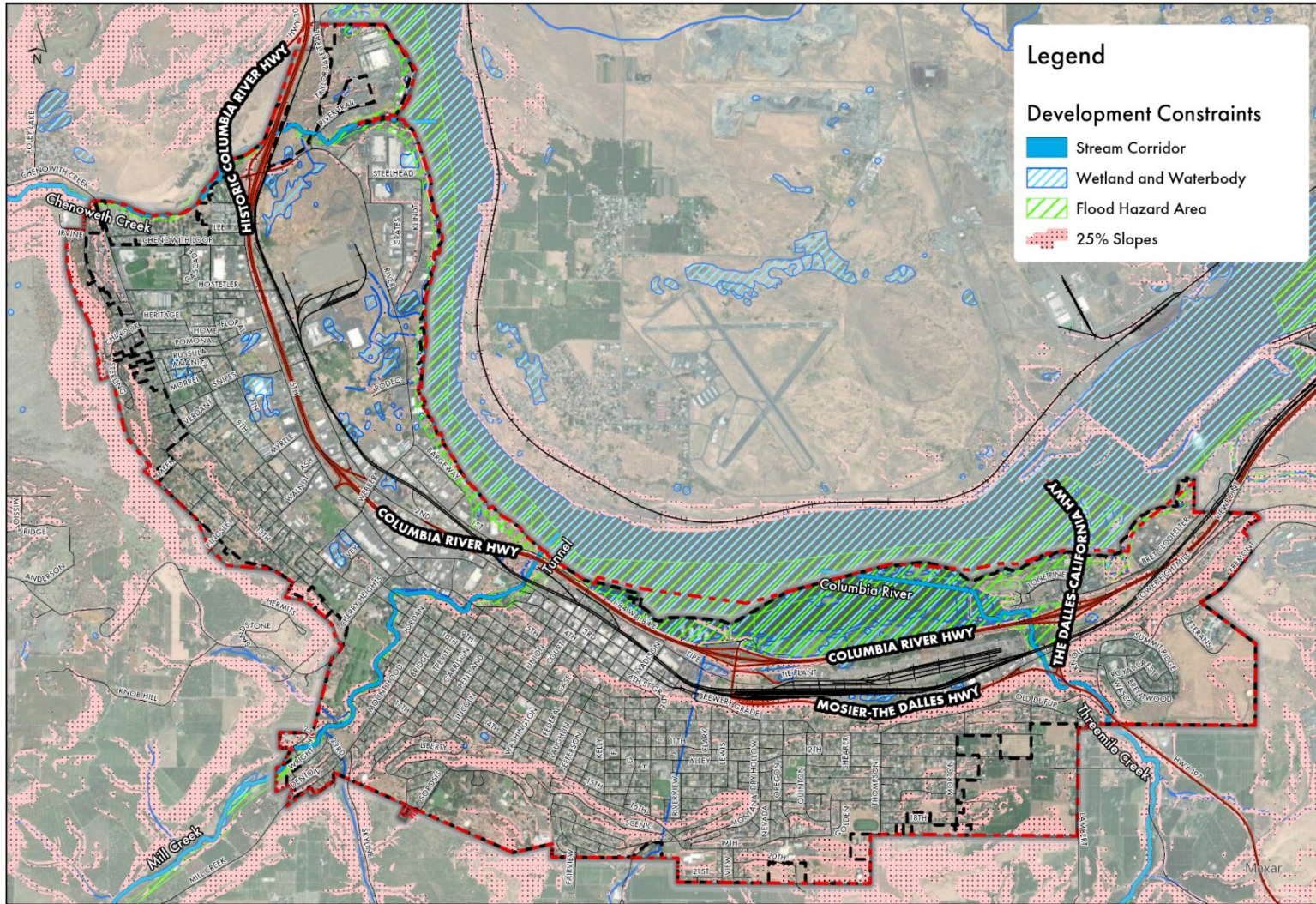
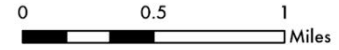


Table 1. Development Status and Vacant Acreage by Zone

Zones and Development Status	Parcels		Total Acres		Environmentally Constrained Acres		Gross Buildable Acres	
	Within City Limits	Outside City Limits	Within City Limits	Outside City Limits	Within City Limits	Outside City Limits	Within City Limits	Outside City Limits
RH	281	17	140.4	27.2	34.7	1.3	79.4	21.6
Vacant	185	1	51.3	3.9	16.2	0.4	34.9	3.5
Partially Vacant	96	16	89.2	23.3	18.5	0.9	44.5	18.1
RM	61	18	38.8	13.5	5.8	2.4	24.2	4.8
Vacant	35	9	11.0	1.6	2.7	0.1	7.5	1.1
Partially Vacant	26	9	27.9	12.0	3.1	2.3	16.7	3.6
RL	288	92	209.1	170.0	79.8	42.1	85.4	109.3
Vacant	179	35	75.9	86.3	29.7	23.4	41.7	62.3
Partially Vacant	109	57	133.1	83.6	50.2	18.6	43.7	47.0
(GMA)R-5*	0	2	0.0	17.3	0.0	12.3	0.0	5.0
Vacant	0	2	0.0	17.3	0.0	12.3	0.0	5.0
(GMA)R-1*	1	0	1.0	0.0	0.5	0.0	0.5	0.0
Vacant	1	0	1.0	0.0	0.5	0.0	0.5	0.0
Grand Total	631	129	389.3	228.0	120.9	58.1	189.5	140.7

* A small number of parcels met the definition of “Vacant” but appear to be subject to the Columbia River Gorge Scenic Area overlays for 1-acre and 5-acre residential uses. These have been included but have only a minimal development capacity.

** Vacant lands in the CBC zone were not included in the inventory. While residential uses are allowed in this area, they are not the primary use and residential capacity is not guaranteed in this area. However, some properties in this area (0.6 acres of buildable land can be considered as bonus residential capacity.

Using the totals for Vacant Acreage above, we have estimated the unit capacity of the land within the City by zone. Density assumptions and results are shown in Table 2.

Table 2. Projected Capacity on Vacant Acreage

Zone	Net Density (DU/AC)	Gross Density (25% set asides)	Inside City Limits		Outside City Limits		Total	
			Vacant Acreage	Units	Vacant Acreage	Units	Vacant Acreage	Units
RH	25	18.8	79.4	1,489	21.6	405	101.0	1,894
RM	16	12.0	24.2	290	4.8	58	29.0	348
RL	7.5	5.6	85.4	480	109.3	615	194.7	1,095
GMA R-5	0.2	0.2	0.0	0	5.0	0	5.0	0
GMA R-1	1	0.8	0.5	0	0.0	0	0.5	0
TOTAL	-		189.5	2,260	140.7	1,077	330.2	3,337

Table 3. Projected Capacity of Vacant Tax lots Only (“Partially Vacant” Tax lots not included)

Zone	Net Density (DU/AC)	Gross Density (25% set asides)	Inside City Limits		Outside City Limits		Total	
			Vacant Acreage	Units	Vacant Acreage	Units	Vacant Acreage	Units
RH	25	18.8	34.9	654	3.5	66	38.4	720
RM	16	12.0	7.5	90	1.1	13	8.6	103
RL	7.5	5.6	41.7	235	62.3	350	104.0	585
GMA R-5	0.2	0.2	0.0	0	5.0	0	5.0	0
GMA R-1	1	0.8	0.5	0	0.0	0	0.5	0
TOTAL	-		84.6	979	71.9	429	156.5	1,408



November 15, 2023

City of The Dalles Planning Commission
313 Court Street
The Dalles, OR 97058

RE: City of The Dalles Housing Needs Analysis Update (CPA 55-23)

Dear Commission Members:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians.

Both HLA and FHCO commend the City and support the adoption of CPA 55-23. A current and adopted Housing Needs Analysis will provide a solid basis of fact for future necessary changes to the City's development and zoning codes. Further, staff provided thorough and deeply informative Goal 10 findings which will be an excellent example for other cities to use in the future.

Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Samuel Goldberg", is written over a light blue horizontal line.

Samuel Goldberg
Education & Outreach Specialist
Fair Housing Council of Oregon

Cc: Ethan Stuckmayer, DLCD



CITY of THE DALLES
313 COURT STREET
THE DALLES, OREGON 97058

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

RESOLUTION NO. PC 620-23

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING
CITY COUNCIL APPROVAL OF ZONING ORDINANCE AMENDMENT
NO. 109-23 TO CHANGE SECTIONS OF THE DALLES MUNICIPAL CODE
CHAPTER 10.12 (*RECREATIONAL VEHICLE PARKS*)

WHEREAS, since 2016, the Community Development Department has approved four RV parks within the City’s planning jurisdiction, three of which were approved since 2022 and three of which are located within residential zoning districts;

WHEREAS, on January 5, 2023, following a series of robust and productive public hearings for the three most recent park approvals, the Planning Commission directed the Community Development Department to prepare amendments to TDMC Chapter 10.12 (*Recreational Vehicle Parks*) to revise RV park regulations;

WHEREAS, at its July 20, 2023, regular meeting, the Planning Commission conducted a noticed public hearing to take public testimony on the proposed Zoning Ordinance Amendment 109-23 and directed Staff to amend the City’s standards to restrict RVs from being dwellings and instead review them as a commercial use;

WHEREAS, at its November 16, 2023, regular meeting, the Planning Commission conducted another noticed public hearing to take public testimony on those proposed amendments to Zoning Ordinance Amendment 109-23; and

WHEREAS, the Planning Commission has considered the public testimony and reviewed the proposed amendments set forth in Zoning Ordinance Amendment 109-23 and, based upon the proposed findings of fact and conclusions of law in the staff report, testimony presented during the hearing (incorporated herein by this reference), and all other substantial evidence reflected in the record, the Planning Commission voted to recommend the amendments be forwarded to the City Council for its review and adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION AS FOLLOWS:

Section 1. The Planning Commission recommends the proposed Zoning Ordinance Amendment 109-23, attached to and made part of this Resolution as Exhibit “**B**”, be approved and forwarded to City Council for its review and adoption.

Section 2. This Resolution shall be effective upon its passage and approval.

Section 3. The Secretary of the Planning Commission shall certify to the adoption of the Resolution and transmit a copy of the Resolution to the Applicant.

APPROVED AND ADOPTED THIS 16TH DAY OF NOVEMBER, 2023.

DocuSigned by:
Cody Cornett
3E404169686E460... , Chair
Planning Commission

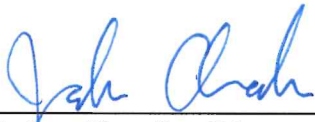
I, Joshua Chandler, Community Development Director for the City of The Dalles, hereby certify the foregoing was duly moved and adopted at a regular meeting of the Planning Commission held on the 16th day of November, 2023.

AYES: Cornett, Mascher, Peña, Portela

NAYS: _____

ABSENT: Case, Grant, Poppoff

ABSTAIN: _____

ATTEST: 
Joshua Chandler, Director
Community Development Department

GENERAL ORDINANCE NO. 23-1404

**AN ORDINANCE AMENDING THE DALLES
COMPREHENSIVE PLAN GOAL 10 (HOUSING) AND
ADOPTING THE HOUSING AND RESIDENTIAL LAND
NEEDS ASSESSMENT AND THE BUILDABLE HOUSING
NEEDS ANALYSIS UPDATE**

WHEREAS, beginning in Spring 2023, the City, with assistance from MIG and Johnson Economics, began a series of discussions on a regional Housing Needs Analysis (HNA) update as a critical tool for making informed decisions and developing strategies to address local housing issues more effectively;

WHEREAS, the City last completed an HNA in 2016 with assistance from the same expert consultants through a Technical Assistance Grant awarded by the Oregon Department of Land Conservation;

WHEREAS, for this year's update, the City formed a dedicated Advisory Committee comprising volunteers representing a spectrum of housing interests spanning from subsidized housing providers to market-rate developers;

WHEREAS, the Advisory Committee collaborated closely with the Planning Commission during the August 3 and August 17, 2023, Planning Commission meetings to deliberate on and supervise the HNA, the Buildable Lands Inventory (BLI), and associated Comprehensive Plan amendments;

WHEREAS, at the September 25, 2023, City Council meeting, staff (with input received from these various stakeholders) presented those documents for discussion and incorporated City Council comments to the final documents for Planning Commission's November 16, 2023, approval; and

WHEREAS, at its December 11, 2023, regular meeting, the City Council conducted another public hearing to consider the public testimony and review the proposed amendments set forth in CPA 55-23 and, based upon all evidence in the record (including the findings of fact and conclusions of law in the Staff Report and testimony presented during the hearing, all of which is incorporated herein by this reference), the City Council voted to approve the proposed amendments.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF THE DALLES
ORDAINS AS FOLLOWS:**

Section 1. The City Council hereby approves and adopts the findings of fact and conclusions of law connected with **Comprehensive Plan Amendment No. 55-23**, attached to and made part of this Ordinance as Exhibit "A", consistent with the Planning Commission's recommendation.

Section 2. The City Council hereby approves and adopts the proposed amendments detailed in **Comprehensive Plan Amendment No. 55-23**, attached to and made part of this Ordinance as Exhibit “**B**”, consistent with the Planning Commission’s recommendation.

Section 3. This Ordinance shall be effective 30 days after adoption.

PASSED AND ADOPTED THIS 11th DAY OF DECEMBER, 2023,

Voting Yes	Councilors:	_____
Voting No	Councilors:	_____
Abstaining	Councilors:	_____
Absent	Councilors:	_____

AND APPROVED BY THE MAYOR THIS 11TH DAY OF DECEMBER, 2023.

Richard A. Mays, Mayor

ATTEST:

Amie Ell, City Clerk

EXHIBIT A

Findings of Fact and Conclusions of Law for Comprehensive Plan Amendment 55-23

City of The Dalles Comprehensive Plan

Goal #1. Citizen Involvement. *To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

Policy 3. *The land-use planning process and policy framework shall include opportunity for citizen input as a part of the basis for all decisions and actions related to the use of land.*

FINDING #1: Pursuant to TDMC 10.3.020.060, a notice of public hearing was published in the Columbia Gorge News on November 20, 2023, more than ten days prior to the December 11, 2023, Council hearing. The agenda packet was sent to the Wasco County Planning Department and posted on the City’s website on December 1, 2023. All City Council and Planning Commission meetings are open to the public and allow the opportunity to provide testimony on all proposed amendments. Additionally, a notice of the proposed amendments was submitted to the Oregon Department of Land Conservation and Development on September 15, 2023, more than 35 days prior to the November 16, 2023 Planning Commission hearing. To date, one comment in support of the proposed Comprehensive Plan amendments was received. **Criterion met.**

Goal #2. Land Use Planning. *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Policy 3. *Assure an adequate factual base for decisions and actions.*

FINDING #2: The Housing Needs Analysis (HNA) and the Buildable Lands Inventory (BLI) utilize multiple data sources to forecast the projected population, growth, and buildable area in the city of The Dalles. These data sources are listed below:

- The U.S. Census
- Portland State University (PSU) Population Research Center
- Wasco County GIS
- City of The Dalles
- Clarita’s Inc. (third party company providing data on demographics and market segmentation)

The analysis reflects the population forecast from the Oregon Population Forecast Program, the Population Research Center (PRC) at Portland State University. In 2013, the Oregon State Legislature passed ORS 195.033 making the PRC responsible for generating the official population forecasts used for Goal 10 housing analyses outside of the Portland Metro area. The Wasco County population forecasts used in the HNA were those compiled in early 2020.

The data sources used to create the HNA and BLI provide for a factual base for The Dalles Comprehensive Plan (Comprehensive Plan) amendments included in this document.

Criterion met.

Policy 5. *Evaluate proposed Comprehensive Plan amendments according to the following criteria:*

- a. *Compliance with the Statewide land use goals and related administrative rules is demonstrated.*
- b. *Conformance with the Comprehensive Plan goals, policies and implementation measures is demonstrated.*
- c. *The change will not adversely affect the health, safety and welfare of the community.*
- d. *Adequate public facilities, services and transportation networks are in place, or are planned to be provided with the proposed change.*
- e. *Plan changes should be consistent with the current vision statement and action plan.*

FINDING #3: These criteria will be addressed in subsequent findings. **Criterion met.**

Policy 6. *Implement this Plan through appropriate ordinances and action...*

FINDING #4: The implementation process of the proposed amendments is consistent with the legislative action review procedures outlined in TDMC 10.3.020.060 *Legislative Actions* and the ordinance amendments procedures of TDMC 10.3.110.030 *Ordinance Amendments*.

Criterion met.

Goal #10. Housing. *To provide for the housing needs of citizens of the State.*

FINDING #5: The proposed amendments will be the most substantial modifications to Goal #10 of the Comprehensive Plan since the adoption of the 2006 Housing Needs Analysis. These amendments will reflect the current statistics and figures outlined in the 2023 HNA and BLI, and more accurately represent the existing housing needs of The Dalles. All proposed amendments are consistent with Statewide Planning Goals further addressed in subsequent findings. **Criterion met.**

Oregon Administrative Rules (OAR)

Statewide Planning Goals

OAR 660-015-0000(1): Goal 1. Citizen Involvement

FINDING #6: See Finding #1. **Criterion met.**

OAR 660-015-0000(2): Goal 2. Land Use Planning

FINDING #7: See Finding #2 and #4. **Criterion met.**

OAR 660-015-0000(10): Goal 10. Housing

Guidelines

A. Planning

1. *In addition to inventories of buildable lands, housing elements of a comprehensive plan should, at a minimum, include: (1) a comparison of the distribution of the existing population by income with the distribution of available housing units by cost; (2) a*

determination of vacancy rates, both overall and at varying rent ranges and cost levels;
(3) a determination of expected housing demand at varying rent ranges and cost levels;
(4) allowance for a variety of densities and types of residences in each community; and
(5) an inventory of sound housing in urban areas including units capable of being rehabilitated.

FINDING #8: The proposed amendments include the current statistics and figures outlined in the 2023 HNA and BLI. The HNA follows the methodology developed by Oregon Housing and Community Services and the Oregon Department of Land Conservation and Development (DLCD) as directed by Oregon House Bill 2003 in 2019. The methodology of the BLI is based upon the process laid out in OAR 660-038-0060: *Simplified Urban Growth Boundary (UGB) Method – Buildable Lands Inventory for Residential Land Within the UGB*. The proposed amendments include a section pertaining to Current Demographic and Housing Trends and Conditions, which include the findings, figures, and statistics gathered through the HNA and BLI process. This section includes a comparison and distribution of the existing population by income and available housing units by cost, projected housing by cost, rent ranges, vacancy rates at varying cost, and rent level. **Criterion met.**

2. *Plans should be developed in a manner that ensures the provision of appropriate types and amounts of land within urban growth boundaries. Such land should be necessary and suitable for housing that meets the housing needs of households of all income levels.*

FINDING #9: The BLI identifies the availability of residential lands that may be developed for housing within The Dalles Urban Growth Boundary (UGB) and City Limits. Available land is determined by removing all constrained lands, including flood hazard areas, water bodies, and steep slopes. Combined with the HNA information about housing affordability and need, this information describes the suitability of land for housing within the UGB. This information will be added to the Comprehensive Plan. **Criterion met.**

3. *Plans should provide for the appropriate type, location and phasing of public facilities and services sufficient to support housing development in areas presently developed or undergoing development or redevelopment.*

FINDING #10: The existing Comprehensive Plan includes Goal 10 Policy #13 which complies with Statewide Planning Goal 10 (A)(3). This policy includes provisions for ensuring that residential development coincides with the establishment of adequate streets, water access, sanitary sewer, and storm drainage facilities. **Criterion met.**

B. Implementation

1. *Plans should provide for a continuing review of housing need projections and should establish a process for accommodating needed revisions.*

FINDING #11: The proposed amendments include the addition of Goal 10 Policy #23 to “Regularly monitor, and periodically update an inventory of buildable residential land” within the City and UGB, as well as the addition of Goal 10 Implementation Measure #4 to “Regularly update the City’s buildable land inventory.” In addition, the proposed amendments include the addition of Goal 10 Implementation Measure #5 to “complete a Housing Production Strategy and regularly update the strategy to address community need and priorities.” These amendments establish the requirements of Oregon House Bill 2003 within the framework of the Comprehensive Plan, by encouraging continued monitoring of

housing needs, identification of modern tools, and programs the City may use to incentivize meaningful housing development in The Dalles. Beginning in winter 2024, the City, with funding assistance from the DLCD, will begin the process of developing a Housing Production Strategy. **Criterion met.**

2. *Plans should take into account the effects of utilizing financial incentives and resources to (a) stimulate the rehabilitation of substandard housing without regard to the financial capacity of the owner so long as benefits accrue to the occupants; and (b) bring into compliance with codes adopted to assure safe and sanitary housing the dwellings of individuals who cannot on their own afford to meet such codes.*

FINDING #12: The proposed amendments include the addition of Goal 10 Policy #24 to “*Encourage maintenance and rehabilitation of the existing housing stock and support local or regional programs that help provide funding for this purpose.*” The City, in partnership with the Mid-Columbia Housing Authority, has a long history of administering multiple Community Development Block Grant home repair grants, most recently in 2023, assisting eligible households throughout the Columbia Gorge Region. In addition, the proposed amendments include minor modifications to the existing Goal 10 Policy #16, which states: “*Support programs that would enable low and middle income people to obtain safe and sanitary housing through public and private for-profit or non-profit efforts.*” The proposed amendments also include the addition of Goal 10 Policy #21 to “*Continue to maintain and expand partnerships with non-profit housing developers and other affordable housing providers and agencies that preserve or provide new low- to moderate-income housing units, create opportunities for first-time homeownership, and help vulnerable homeowners stay in their homes.*” **Criterion met.**

3. *Ordinances and incentives should be used to increase population densities in urban areas taking into consideration (1) key facilities, (2) the economic, environmental, social and energy consequences of the proposed densities and (3) the optimal use of existing urban land particularly in sections containing significant amounts of unsound substandard structures.*

FINDING #13: The existing Comprehensive Plan includes multiple Goal 10 Housing Goals that comply with Statewide Planning Goal 10 (B)(4) including Goals #3, #4, #5, and #7. The proposed amendments aim to keep these goals intact, but with minor modifications to include clear and objective standards and modern terminology. In addition, the proposed amendments include modifications of existing Goal 10 Policies, including #3, #7, #8, and #11 which comply with Statewide Planning Goal 10 (B)(4), as well as the addition of Policy #20 to “*Encourage use of energy efficient building materials and practices in the design, construction, and remodeling of housing.*” The proposed amendments also include the addition of Goal 10 Implementation Measures #2 to “*Encourage a mix of residential, commercial and neighborhood-based service uses within neighborhood centers located within "Neighborhood Center" overlay districts that have been applied in the vicinity of existing commercial districts along the 10th/12th corridor at Garrison Street, Kelly Avenue, Dry Hollow Road, and Webber Street, as well as in other appropriate locations throughout the City identified in the future.*” These goals, policies, and implementation measures aim to encourage the development and strengthen neighborhood centers in residential neighborhoods throughout the City. These proposed amendments highlight energy conservation benefits by developing to allowable densities in each zone. **Criterion met.**

4. *Additional methods and devices for achieving this goal should, after consideration of the impact on lower income households, include, but not be limited to: (1) tax incentives and disincentives; (2) building and construction code revision; (3) zoning and land use controls; (4) subsidies and loans; (5) fee and less-than-fee acquisition techniques; (6) enforcement of local health and safety codes; and (7) coordination of the development of urban facilities and services to disperse low income housing throughout the planning area.*

FINDING #14: The proposed amendments include the addition of Goal 10 Implementation Measure #8 to “*Evaluate and potentially implement financial strategies such as tax abatements, tax increment financing, reduced fees, or other strategies to reduce housing costs and improve the financial feasibility of developing housing affordable to low- and moderate-income households.*” In addition, the proposed amendments include the addition of Goal 10 Policy #21 to “*Continue to maintain and expand partnerships with non-profit housing developers and other affordable housing providers and agencies that preserve or provide new low- to moderate-income housing units, create opportunities for first-time homeownership, and help vulnerable homeowners stay in their homes.*” These amendments recognize the need for the city to incentive affordable housing with development management tools and goals that benefit the development of affordable housing such as leveraging partnerships with affordable housing providers, tax incentives, and providing educational materials for renters and homebuyers. **Criterion met.**

OAR 660-038-0060: Simplified Urban Growth Boundary Method

A city must determine the supply and development capacity of lands within its UGB by conducting a buildable lands inventory (BLI) as provided in this rule.

FINDING #15: The methodology of the residential BLI is based upon the process laid out in OAR 660-038-0060: *Simplified Urban Growth Boundary (UGB) Method – Buildable Lands Inventory for Residential Land Within the UGB*. The BLI is a tool used to identify the remaining buildable land within each residential zoning district and UGB to assess The Dalles' capacity to meet projected housing demand and ensure capacity for a 20-year supply of future housing need. Results of the BLI show a total inventory of 330 acres of vacant or partially vacant residential land within the UGB, with approximately sixty percent of the acres located within the city limits (189.5 acres) and the remainder between the city limits and UGB (140.7 acres). About half of the acreage (156.6 acres) is found on vacant parcels, with the remainder on partially vacant properties. **Criterion met.**

Oregon Revised Statute (ORS)

(ORS) 197.175

FINDING #16: See Finding #4. **Criterion met.**

(ORS) 197.296

FINDING #17: See Findings #8 and #15. **Criterion met.**

Goal 10 - HOUSING

Background and Findings ¹

Having affordable, quality housing in safe neighborhoods with access to community services is essential for all Oregonians. Like other cities in Oregon, the City of The Dalles is responsible for helping to ensure that its residents have access to a variety of housing types that meet the housing needs of households and residents of all incomes, ages and specific needs. Towards that end, the City has undertaken and will continue to implement and update a variety of activities to meet current and future housing needs:

- Conduct and periodically update an analysis of current and future housing conditions and needs. The City most recently conducted this analysis in 2023. The results are summarized in this element of the Comprehensive Plan and described in more detail in a supporting Housing Needs Analysis Report.
- Conduct and periodically update an inventory of buildable residential land to ensure that the City has an adequate supply of land zoned for residential use to meet projected future needs. The City most recently conducted this analysis in 2023. The results are summarized in this element of the Comprehensive Plan and described in more detail in a supporting Buildable Lands Inventory Report.
- Adopt a set of amended housing-related Comprehensive Plan policies to address future housing needs and continue to update them, as needed.
- Regularly update and apply regulations in The Dalles Municipal Code to meet housing needs identified in the Comprehensive Plan and supporting documents.
- Implement additional strategies to address housing needs in partnership with state and county agencies and other housing organizations. Potential strategies are described in more detail in the City's Housing Strategies Report prepared as part of the Housing Needs Analysis in 2016-2018.

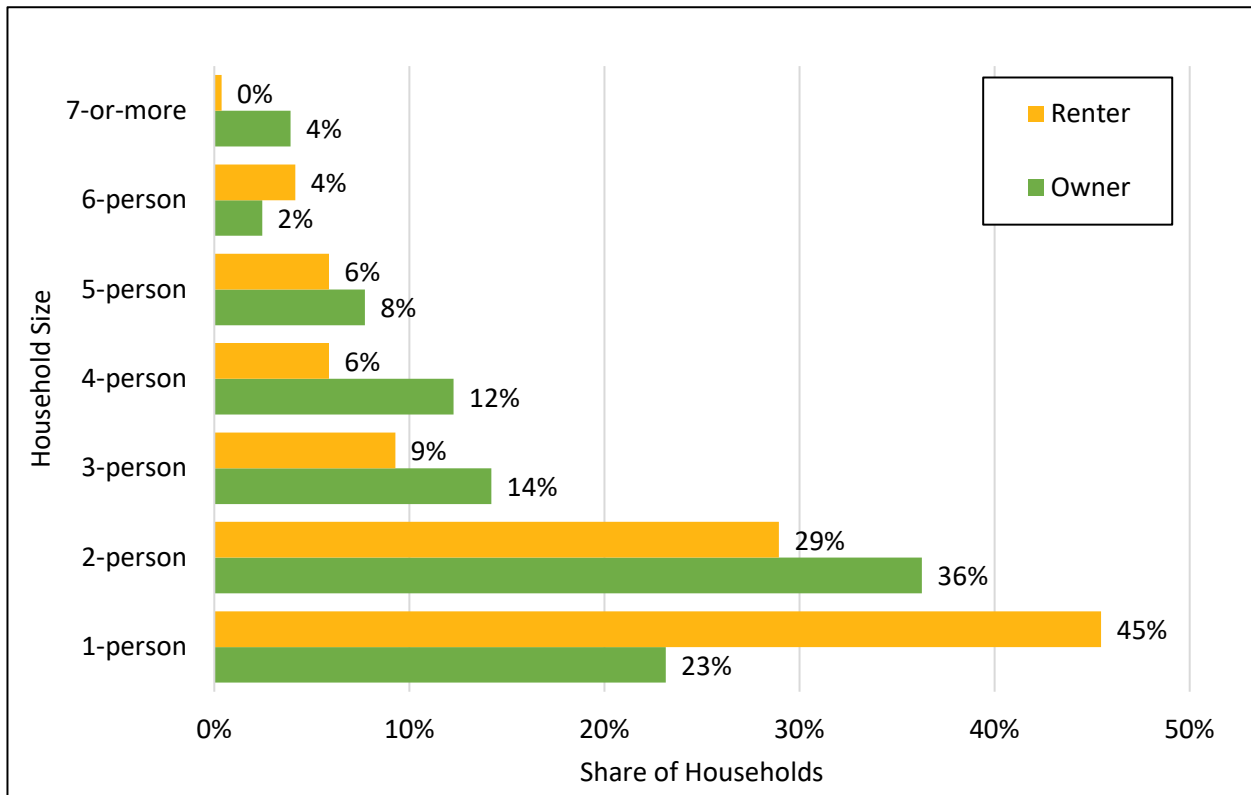
CURRENT DEMOGRAPHIC AND HOUSING TRENDS AND CONDITIONS

The population of The Dalles was just over 16,400 people (City), and over 17,550 people (UGB) in 2023. It is located in Wasco County in the Columbia River Gorge on the northern border of Oregon. Based on this population, The Dalles is the 38th largest city in the state by population, and the largest city in Wasco County. The Dalles experienced moderate growth between 2010 and 2023, growing 11% since 2010 within the UGB. In contrast, Wasco County and the state experienced population growth of 5.4% and 11.4% respectively during this same period.

As of 2021, 62% of households in The Dalles owned their homes, while 38% were renters. The average households size in The Dalles was 2.5 people during that same year. The following chart shows the breakdown of household size by these categories.

¹ Note: The Text in this section will replace all existing text in the corresponding section of the existing Comp Plan.

FIGURE XX: NUMBER OF PEOPLE PER HOUSEHOLD BY TENURE, CITY OF THE DALLES



SOURCE: US Census, JOHNSON ECONOMICS LLC
 Census Tables: B25009 (2021 ACS 5-yr Estimates)

Other demographic trends in The Dalles include the following (as of 2020):

- In general, the distribution of the population is shifting upwards in age as the Baby Boom generation is well into the retirement years (currently roughly 60 to 80 years of age). The cohorts which grew in share during this period were those aged 55 to 74 years. Still an estimated 81% of the population is under 65 years of age, and 21% of the population consists of children under the age of 15.
- The greatest growth was in the 55 to 64 age range, coinciding with the center of the Baby Boom cohort. This cohort grew from 9% to 12% of the population and 19% of the population is now 65 years or older.
- The Dalles is roughly 74% white with a smaller share of other racial groups.
- The Hispanic or Latino community has increased more significantly in The Dalles. From roughly 2,300 individuals in the 2010 Census, or 17% of the population, the Latino population grew by over 1,200 people by the 2020 Census, to roughly 3,560 people, or 22% of the population. This is higher than the 18% Latino population in Wasco County, and higher than the 14% share across the state.
- The Dalles’ estimated median household income was \$62,000 in 2023. This is roughly 7% higher than the Wasco County median of \$57,800. Median income grew by an estimated 49% between

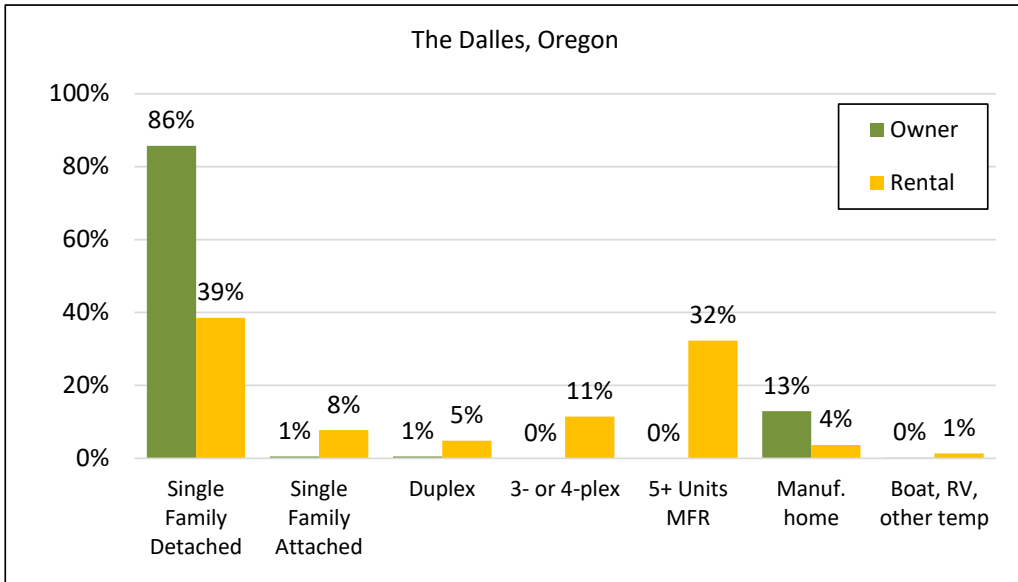
2010 and 2023, in real dollars. Inflation was an estimated 38% over this period, so the local median income has outpaced inflation.

- The Dalles poverty rate is low among most groups, but highest among children at 11%. The rate is 9% among those aged 18 to 64 years. The estimated rate for those 65 and older is 8%. For those with only a high school diploma, the poverty rate is 11%. For those with higher rates of education, that rate falls to 3%.

Between 2018 and 2023, an estimated 65% of new housing units were detached single family homes, while 35% were attached housing types. Attached housing includes most other types of housing, from duplexes and townhomes to larger multi-family apartment complexes. Detached homes are houses on their own lots, including manufactured homes. As of 2023, the city had an estimated housing stock of roughly 7,183 units for its 6,770 estimated households. This translates to an estimated vacancy rate of 4% (not including seasonal/vacation homes). The 4% vacancy rate for rental and for-sale housing indicates a tight housing supply in the community. Other current housing conditions trends in The Dalles include the following (as of 2020):

- Detached single-family homes represent an estimated 68% of housing units. Larger apartment complexes of five or more units represent 12% of units, and manufactured homes in parks represent 9.4%. Smaller attached units such as townhomes, and “plexes” represent a combined 10% of units.
- A large share of owner-occupied units (86%) are detached homes, or manufactured homes (13%). Renter-occupied units are much more distributed among a range of structure types. 42% of rented units are estimated to be detached homes or manufactured homes, while the remainder are some form of attached unit.
- In total, the US Census estimates that over 29% of The Dalles households pay more than 30% of income towards housing costs. As one would expect, households with lower incomes tend to spend more than 30% of their income on housing, while incrementally fewer of those in higher income groups spend more than 30% of their incomes on housing costs. Of those earning less than \$20,000, it is estimated that 76% of owner households spend more than 30% of income on housing costs and 93% of renters.
- An assessment of current housing conditions and needs shows that that there are few lower-value housing opportunities for many owner households, and potential support for some less expensive types of ownership housing. This may include more attached types of units such as townhomes, or smaller units such as condos or cottage clusters. There may be support for additional new rental units aimed at middle-income households, as well as additional need for subsidized affordable housing.

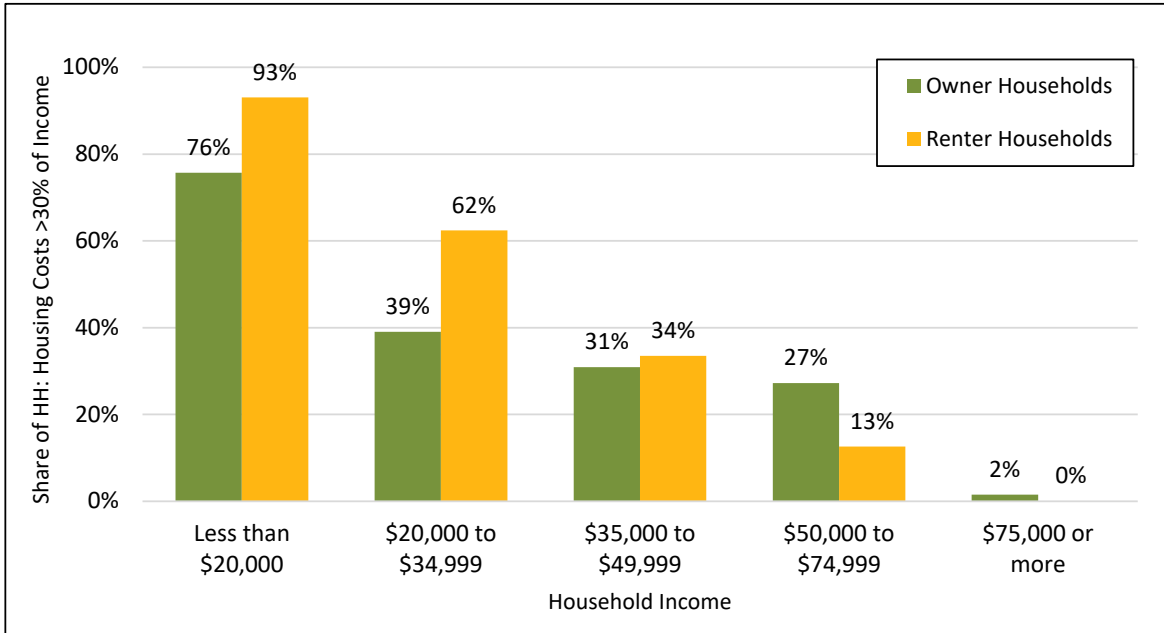
FIGURE XX: CURRENT INVENTORY BY UNIT TYPE, BY SHARE



Sources: US Census, JOHNSON ECONOMICS

Census Tables: B25004, B25032, B25063, B25075 (2021 ACS 5-yr Estimates)

FIGURE XX: SHARE OF HOUSEHOLDS SPENDING MORE THAN 30% ON HOUSING COSTS, BY INCOME GROUP



Sources: US Census, JOHNSON ECONOMICS

Census Table: B25106 (2021 ACS 5-yr Estimates)

FUTURE HOUSING NEEDS

The projected future (20-year) housing profile (Figure XX) in the study area was developed as part of the City’s most recent Housing Needs Analysis study, conducted in 2023. It is based on the current

housing profile, and the 2043 forecast of population within the UGB generated by the PSU Population Forecast program and was prepared by Johnson Economics, in collaboration with MIG, Inc. Summary findings from that analysis include the following. More detailed information about these findings can be found in the 2023 Housing Needs Analysis Report.

- The analysis projects growth in the number of non-group quarters households over 20 years of roughly 415 households, with accompanying population growth of 1,040 new residents. The results show a need for 505 new housing units by 2043.²
- Of the new units needed, roughly 55% are projected to be ownership units, while 45% are projected to be rental units. This represents more renters than the estimated tenure split, but it is projected that more rental units will need to be added to rebalance the disproportionate share of ownership units in the current inventory.
- There is some need for new ownership housing at the lower-middle portion of the pricing spectrum. But income trends suggest that the greatest demand will remain in the middle price ranges (\$250k to \$500k).
- The greatest need for rental units is found at the lowest and some higher price points. Market rents are currently clustered in the \$900 to \$1,800 range in current dollars. Therefore, most units are to be found in this range.
- 51% of the new units are projected to be single family detached homes, while 39% is projected to be some form of attached housing, and 9.5% are projected to be new manufactured homes.
- Single family attached units (townhomes on individual lots) are projected to meet over 8% of future need. These are defined as units on separate tax lots, attached by a wall but separately metered, the most common example being townhome units.
- Duplex through four-plex units are projected to represent 9.5% of the total need. Duplex units would include a detached single-family home with an accessory dwelling unit on the same lot, or with a separate unit in the home (for instance, a rental basement unit.) The City also permits detached duplexes – individual detached homes on the same lot.
- 21% of all needed units are projected to be multi-family in structures of 5+ attached units.
- 9.5% of new needed units are projected to be manufactured home units, including manufactured homes in parks; some of these homes meet the needs of some low-income households for both ownership and rental.
- Of ownership units, 89% are projected to be detached single-family homes or manufactured homes, and 11% projected to be attached forms.
- About 73% of new rental units are projected to be found in new attached buildings, with 42% projected in rental properties of 5 or more units, and 31% in other attached housing forms. 27% of new rental units are projected to be detached homes, including manufactured homes.
- There is a finding of some new need (about 100 new units) at the lowest end of the rental spectrum (\$700 and less).
- The projection of future ownership units finds that the supply at the lowest end of the spectrum is currently insufficient due to the prevalence of newer homes most of which are detached

² Group quarters housing refers to institutional housing units such as student housing, congregate care housing, or similar housing units managed by institutions and typically including shared dining and bathroom facilities.

houses. Ownership options and lower and middle price points are often manufactured homes, townhomes, condos, and small detached homes, often on smaller lots.

- There is existing and on-going need at these levels, based on income levels specified by Oregon Housing and Community Services for Wasco County. An estimated 45% of households qualify as at least “low income” or lower on the income scale, while 14% of household qualify as “extremely low income”.
- Typically, only rent-subsidized properties can accommodate these extremely-low-income households at “affordable” housing cost levels. As noted above, most in the “low income” and many in the “very low income” groups can be served by market-rate rental housing at current rent levels.

FIGURE XX: PROJECTED FUTURE NEED FOR NEW HOUSING UNITS (2043), THE DALLES

OWNERSHIP HOUSING									
Unit Type:	Single Family Detached	Single Family Attached	Multi-Family			Manuf. home	Boat, RV, other temp	Total Units	% of Units
			2-unit	3- or 4-plex	5+ Units MFR				
Totals:	210	18	2	0	11	37	0	278	55.0%
Percentage:	75.7%	6.6%	0.6%	0.0%	4.0%	13.2%	0.0%	100%	

RENTAL HOUSING									
Unit Type:	Single Family Detached	Single Family Attached	Multi-Family			Manuf. home	Boat, RV, other temp	Total Units	% of Units
			2-unit	3- or 4-plex	5+ Units MFR				
Totals:	49	24	16	31	96	12	0	227	45.0%
Percentage:	21.5%	10.8%	6.8%	13.5%	42.3%	5.1%	0.0%	100%	

TOTAL HOUSING UNITS									
Unit Type:	Single Family Detached	Single Family Attached	Multi-Family			Manuf. home	Boat, RV, other temp	Total Units	% of Units
			2-unit	3- or 4-plex	5+ Units MFR				
Totals:	259	43	17	31	107	48	0	505	100%
Percentage:	51.3%	8.5%	3.4%	6.1%	21.2%	9.5%	0.0%	100%	

Sources: PSU, City of The Dalles, Census, Environics Analytics, JOHNSON ECONOMICS

While cities typically do not directly provide housing, they can influence a number of factors that impact the availability of housing. These can include the supply of available residential land; the availability of public services; development regulations (density and design), and support for low- and moderate-income housing through funding or incentives. The City also can assist in providing information to non-profit and private developers about housing opportunity sites, state and federal funding opportunities and design and development practices that promote construction of accessible, sustainable, attractive and affordable housing.

Goals, Policies, and Recommended Action Measures

Goals, Policies, and Recommended Action Measures are intended to address the current and future housing needs identified in The Dalles. In addition to ensuring consistency with regional, state and federal requirements, they aim to support partnerships among housing providers and stakeholders in The Dalles and to promote opportunities for a wide range of housing choices, efficient land use, and development of housing affordable to people with low and moderate incomes.

HOUSING GOALS

In ~~considering these long-term issues~~ addressing future housing needs, the City of The Dalles intends to:

1. Promote and provide an adequate supply of safe, healthy and affordable housing for all members of the community in a variety of housing types recognizing the needs and desires of the community's residents.

~~Establish areas in the community where mobile homes and manufactured housing may provide housing of a less expensive nature for residents who would prefer this type of dwelling.~~

2. Promote the development of housing that ~~is complementary with~~ minimizes or avoids impacts the natural environment and ~~the~~ surrounding land uses.
 3. Provide and maintain adequate public facilities in all parts of the community and promote a logical and orderly development of those facilities. Require new housing developments to pay an equitable share of the cost of required capital improvements.
 4. Promote the efficient use of vacant land by encouraging infill development which is developed at a scale that is sensitive to allowed in existing neighborhoods, and by encouraging new development which achieves the density allowed by the comprehensive plan.
 5. Strengthen existing and promote new neighborhood centers as focal points for neighborhood services and activities.
 6. Encourage affordable homeownership opportunities, including multiple family condominiums, row houses, duplexes and other middle housing types, single family residential.
 7. Adopt standards and incentives to increase residential land use efficiency.
- ~~Adopt standards to protect stream corridors and wetlands and to encourage density transfer in Low Density Residential areas.~~
8. Continue to provide opportunities for a full range of rental housing ~~in manufactured dwelling parks, as well as single and multiple family residential areas.~~

GOAL 10 POLICIES

1. Plan for ~~more~~ a full range of housing types, including multi-family and affordable home ownership opportunities, single family residential, duplexes and other middle housing types, townhomes, cottage cluster housing, accessory dwelling units, and manufactured housing development consistent with findings of the City's Housing Needs Analysis.
- ~~2. Plan for the more efficient use of vacant land by encouraging infill development which is sensitive to existing neighborhoods and by encouraging new development which achieves the density allowed by the comprehensive plan.~~
- ~~3. These two objectives can be met while respecting the strong land use pattern already found in the older areas of The Dalles. The land use concepts which form the basic structure for the land use plan are:~~
 - ~~a~~2. Encourage a Build on the pattern of concentrating higher residential densities near downtown, along arterial and collector streets, and neighborhood centers where services and activity are nearby. The 2026 UGB includes a new multi-family area west of the new Highway 30 commercial center.
 3. Encourage the creation of new "neighborhood centers" along the 10th/12th corridor. These centers may be commercial districts like those at Garrison Street, Kelly Avenue, Dry Hollow Road, and Webber Street or be a focus of neighborhood activity such as schools, churches or other community-based uses. New neighborhood centers can be encouraged at Snipes Street, Thompson Street, Richmond Street, along Chenowith Loop Road, near downtown, and at the hospital area.
 - ~~d~~4. Provide incentives for neighborhood residential development and infill opportunities, particularly on under-developed lands. Focus incentives near the downtown and neighborhood centers.
 - ~~b.~~ Continue the pattern of a transition of residential densities from higher density near commercial area and major streets, to lower densities at higher elevations along the gorge bluff and stream corridors.
 - ~~c.~~ Create new "neighborhood centers" along the 10th/12th corridor. These centers may be commercial districts like those at Garrison Street, Kelly Avenue and Dry Hollow Road, or be a focus of neighborhood activity such as schools, churches or other community based uses. New neighborhood centers can be encouraged at Snipes Street, Weber Road, Thompson Street, near downtown, and at the hospital area.
45. Protect identified steeply sloped ravines, wetlands and stream corridors for their natural resource values and benefits shown on the Buildable Lands Inventory as open space while allowing for or encouraging density transfer to adjacent buildable areas.
56. Adopt Continue to implement and refine as needed standards to ensure that residential development occurs within planned density ranges within each residential district.
67. Encourage energy conservation by increasing residential densities in mixed use centers, along major linear streets that may one day serve as future transit corridors, and near commercial and employment centers.
78. Develop and/or provide incentives should be used to encourage development that meets maximum allowable density for all types of residential development.

89. Maintain flexibility in implementing ordinances is needed to accommodate infill and to foster a variety of development scenarios and housing options, while ensuring that development standards are clear and objective.
910. Provide for development of a wide range of housing types which may include single-family detached and attached housing, duplexes and other middle housing types, townhouses, apartments and condominiums, and manufactured housing. Allow for and encourage development of housing types shall allow for a variety of price ranges to meet the needs of people with a full range of low, medium, and high incomes groups.
10. ~~The City shall monitor building permit activity and present an annual report to the Planning Commission describing how target ratios are being met.~~
11. ~~Areas for low density residential development shall be at higher elevations along the Gorge bluff, in steeply sloped areas, along protected stream corridors, and where streets and other public facilities have limited capacity.~~
11. High density residential areas shall be located near commercial and employment areas, along major streets, and where streets and other public facilities have adequate capacity.
13. ~~Residential manufactured housing shall be allowed in individual lots on par with site-built single-family homes, subject to design standards authorized by state statute. Manufactured dwelling parks shall be allowed in the Medium-Density Residential district, subject to specific siting requirements.~~
1412. Residential development shall occur, to the greatest extent possible, on designated buildable lands free from flood hazard, severe soil limitations, or other natural or man-made hazards such as stream corridors and wetlands.
1513. Residential development shall coincide with the provision of adequate streets, water and sanitary sewerage and storm drainage facilities. These facilities shall be:
- capable of adequately serving all potentially benefiting properties as well as the proposed development and,
 - designed to meet City standards.
1614. ~~Development standards in all density residential and mixed use areas shall be revised in order to permit more~~ provide for flexibility in site planning and development. ~~New~~ Standards shall consider flexibility for lot sizes, setbacks, accessory residential uses on the same lot, parking, alleyways and other development features.
1715. Clear and objective ~~D~~development ~~compatibility~~ standards shall be implemented for all density areas. ~~Compatibility standards are intended to ensure that new development is compatible with its surroundings and enhances the character it is located within. New standards shall consider landscape, building setback, building height and bulk, main entrance, parking, building design and additional standards applicable in historic districts.~~
18. ~~Development on buildable but sub-standard sized lots existing prior to this Plan shall be permitted when setback requirements can be met commensurate with the surrounding area.~~
19. ~~A program of incentives and standards shall be prepared to encourage residential developments which achieve at least the lower end of the density range specified in the plan designation listed in Policy #26 below. Incentives may include "targeted" public improvements, density transfer or bonuses and other methods as appropriate. Standards are found in the base zoning district.~~
20. ~~A "Neighborhood-Center" overlay district has been applied in the vicinity of existing~~

~~commercial districts along the 10th/12th corridor at Garrison Street, Kelly Avenue and Dry Hollow Road and shall be applied at other locations shown on the Land Use Plan Map. A mix of residential, commercial and neighborhood-based service uses shall be encouraged within these neighborhood centers.~~

- ~~2116. The City will Support programs that would enable low and middle income people to obtain safe and sanitary housing through public and private for-profit or non-profit efforts.~~
- ~~2217. To provide variety and flexibility in site design and densities, residential lands shall be divided into the following land use planning residential districts with the following prescribed density ranges for each district:~~
- ~~a. Low Density Residential 3-8.712 units/acre~~
 - ~~b. Medium Density Residential 7-21.78 units/acre~~
 - ~~c. High Density Residential 10-29.04 units/acre~~
- ~~Duplex development is exempt from meeting these density ranges, per Oregon Administrative Rules (OAR 660-046).~~
- ~~2318. All future residential development and design standards shall strive to create a "streetscape" that is aesthetic, functional, and beneficial to the neighborhood and community.~~
- ~~a. Streetscape refers to the aesthetic quality of the public and semi-public space. The public space includes the improved right-of-way, with streets, curbs, sidewalks, street trees, street furniture, and utilities.~~
 - ~~b. The semi-public space is the front yard of adjacent property, and is named due to its visual access, connection, and influence on the quality of the streetscape.~~
- ~~2419. To ensure duplex development is allowed wherever single-family detached homes are allowed in residential zones, per Oregon Administrative Rules (OAR 660-046). Duplex development shall be subject to development standards and procedures that are no more restrictive than those for single-family development in the same residential zone.~~
20. Encourage use of energy efficient building materials and practices in the design, construction, and remodeling of housing.
21. Continue to maintain and expand partnerships with non-profit housing developers and other affordable housing providers and agencies that preserve or provide new low- to moderate-income housing units, create opportunities for first-time homeownership, and help vulnerable homeowners stay in their homes.
22. Employ strategies that support the Fair Housing Act and affirmatively further fair housing.
23. Regularly monitor, and periodically update an inventory of buildable residential land.
24. Encourage maintenance and rehabilitation of the existing housing stock and support local or regional programs that help provide funding for this purpose.

GOAL 10 IMPLEMENTING MEASURES

The following implementing measures are intended to allow the City to undertake specific strategies or actions to provide for the range of housing types and densities in The Dalles identified in the Residential Land Needs Report (Volume II, Section XX of The Dalles CLUP). Appendix A to this plan also includes standards that apply to applications to amend comprehensive plan and zoning maps. They represent a menu of options to help meet these needs and objectives and are consistent with strategies identified in the City's adopted 2017 Housing Strategies Report. The ability to implement these actions will depend on the availability of adequate staffing and financial resources, as well as further guidance from and support by the Planning Commission and City Council, as well as other members of the community.

[Note: We recommend eliminating virtually all of the following existing measures shown with ~~strikethrough~~ text. They appear to be either outdated, unnecessary, overly specific, and/or duplicative of or potentially conflicting with standards in the City's Development Code. We recommend replacing them with the list of actions included at the end of this section with are generally consistent with strategies identified in the City's 2017 Housing Strategies Report.]

~~1.1 SINGLE FAMILY RESIDENTIAL MEASURES~~

- ~~• Variable lot dimensions can be used to allow flexibility in platting irregular blocks. A wide lot of 55 to 70 foot width can present the illusion of a larger house where lot depth may be 70 to 80 feet. Alternating narrow and wide lots can be used to accommodate different housing plans and appeal to target markets.~~
- ~~• Rental additions can be made to existing single family neighborhoods with reasonable design guidelines. A new, generally small rental or "studio" unit can be created by converting a garage, building over garages, dormer additions on second stories, or basement apartment conversions.~~
- ~~• Cluster housing can increase the standard single family densities of 6 units per acre to anywhere from 8 to 14 units by clustering homes together and sharing open spaces.~~
- ~~• Townhouses or row houses are the same, a single family attached dwelling with a common wall shared with other units. Typically these units are narrow (22' to 32' wide) arranged in clusters or rows of 2 to 10 units, producing densities of from 10 to 16 units per acre. Each townhouse and townhouse lot (2,000 to 3,500 square feet) is individually owned and may be sold or rented, appealing to many markets.~~
- ~~• Duplexes are allowed on any lot or parcel that permits single family dwellings in residential zones.~~

~~1.2 MULTIPLE FAMILY RESIDENTIAL MEASURES~~

- ~~• Garden Apartments or Condominiums are typically two to three stories, contain 10 or more rental units within a single building, but do not have an elevator. This is the most~~

common type of apartment construction, yielding 15 to 20 units per acre. Individual units can also be individually owned, with a condominium association owning exterior and common elements of the building, and the site and parking area. Condominium ownership can be built into a new project, or an existing apartment building can be converted to condominium ownership.

- Mid-rise Apartments typically range from 4 to 8 stories in height and require service by an elevator, and may be constructed to densities of 20 to 50 units per acre.

~~1.3 MIXED USE RESIDENTIAL MEASURES~~

- Mixed-Use (Commercial and Residential) developments can take many forms, including retail space on the ground floor with office space above, rental apartments above ground floor retail space, and structures combining offices and hotels or hotels and private residential units.
- These mixed uses are often targeted in downtowns and neighborhood commercial areas where "around the clock" pedestrian activities are desired. These developments are difficult to finance and often cannot be made profitable for one developer to undertake. There are few such projects in Oregon, and The Dalles should not rely on any significant movement toward this type of real estate product over the planning period. It is likely, however, that "Mom and Pop" type of store fronts and small retail operations can develop in homes designated for mixed use as an affordable small business opportunity. Mixed uses could also take the form of adjacent commercial and residential uses in separate buildings within a neighborhood center.
- Home Occupations can provide low overhead cost and assist in business start ups by allowing them to be operated from the home. These small scale businesses are typically allowed in residential zones, but require that the primary use of the premises remain residential. Careful regulation is needed to protect the residential character of neighborhoods while allowing reasonable business starts. Criteria generally focus on a list of allowable uses and conditions, or may be performance based (i.e., related to traffic and other impacts). In all cases, the home business is expected to move to a business zone when it outgrows the permit perimeters.

~~1.4 PLANNED DEVELOPMENT~~

- Planned development shall be located within areas designated Residential and Commercial on the Comprehensive Plan map. Such developments are intended to allow greater flexibility and creativity in construction, layout, and use.
- Planned developments for commercial uses shall be a minimum of 10 acres; development for residential uses shall be a minimum of 1 acre.
- Development shall be in keeping with the established character and general objectives of the designated area.
- Land area shall be dedicated as usable open space or dedicated as an environmental buffer from contiguous land uses. Areas of semi-public or public uses, such as recreation centers and laundry rooms, may be included as open space.
- Land structures not dedicated to the public but reserved for the common use of the owners or tenants shall be subject to control by an association of owners or tenants created to form a non-profit corporation subject to the laws of the State of Oregon.
- All utility lines shall be placed underground.

- ~~Property line setbacks, building heights, parking requirements, street access, and other developmental requirements shall conform to those established for similar development in the base or underlying zone. Variances from the standard requirements shall be considered when it can be demonstrated that the design and use of the development satisfied the intent for planned developments to provide innovative solutions that benefit the property, neighborhood, or community.~~
 - ~~An impact statement shall be required of the proponent containing an analysis of the social, environmental and economic impact of the proposed development upon the City of The Dalles.~~
 - ~~The density of planned developments shall fall within the density range specified in the underlying zoning district.~~
1. Prepare and implement a program of incentives and standards to encourage residential developments which achieve the types and densities of housing identified as needed in the Comprehensive Plan and HNA. Incentives may include "targeted" public improvements, density transfer or bonuses and other methods as appropriate.
 2. Encourage a mix of residential, commercial and neighborhood-based service uses within neighborhood centers located within "Neighborhood Center" overlay districts that have been applied in the vicinity of existing commercial districts along the 10th/12th corridor at Garrison Street, Kelly Avenue, Dry Hollow Road, and Webber Street, as well as in other appropriate locations throughout the City identified in the future.
 3. Monitor building permit activity and present an annual report to the Planning Commission describing how target ratios are being met.
 4. Regularly update the City's buildable land inventory.
 5. Complete a Housing Production Strategy and regularly update the strategy to address community need and priorities.
 6. Review the City's System Development Charges (SDC) and other fees and consider implementing tiered fees based on home size and affordability targets.
 7. Continue to expand the range of housing options that can be developed in residential areas throughout the City.
 8. Evaluate and potentially implement financial strategies such as tax abatements, tax increment financing, reduced fees, or other strategies to reduce housing costs and improve the financial feasibility of developing housing affordable to low- and moderate-income households.
 9. Provide information and education to homebuyers, renters, developers, and builders about strategies and opportunities to reduce and/or mitigate the cost of developing and/or obtaining needed housing.

10. Coordinate with the Mid-Columbia Housing Authority and Columbia Cascade Housing Corporation, private non-profit housing providers, including community land trusts, and other federal, state, and regional agencies for the provision of affordable housing programs.
11. Encourage the development of affordable housing when opportunities arise to redevelop publicly owned properties.
12. Explore opportunities for and investigate and address potential regulatory or other barriers to development of alternative forms of housing such as single-room-occupancy housing, co-housing, or similar forms of housing.
13. Evaluate the potential impact of short-term rental housing on long-term rental housing costs and availability and consider requirements related to the registration of or limitations on short-term rental housing, if warranted by that analysis.
14. Work with the Mid-Columbia Housing Authority, Columbia Cascade Housing Corporation, Mid-Columbia Action Council, Wasco County, and other local organizations to reduce and address houselessness and its impacts in The Dalles.



AGENDA STAFF REPORT

AGENDA LOCATION: Item # 10A

MEETING DATE: December 11, 2023

TO: Honorable Mayor and City Council

FROM: Jonathan Kara, City Attorney

ISSUE: Adopting General Ordinance No. 23-1403, an ordinance amending The Dalles Municipal Code Title 3 (*Utilities*) by creating Chapter 3.30 (*Small Wireless Facilities*)

BACKGROUND: In 2017, the Federal Communications Commission (**FCC**) established an advisory committee tasked with making recommendations to the FCC on ways to accelerate the deployment of broadband by reducing or removing regulatory barriers to infrastructure investment throughout the United States. In reliance on that committee, and in 2018, the FCC released a *Declaratory Ruling and Third Report and Order* (FCC 18-133, **FCC Order**) significantly limiting local authority over small wireless infrastructure deployment and fees for use of public rights-of-way. The FCC Order became effective in 2019. “Small wireless facilities” are also known as “small cells”.

One of the FCC Order’s key features is the imposition of an accelerated timeline for approval of right-of-way applications associated with the deployment of small cells in local jurisdictions (i.e., the “shot-clock”). Although many Oregon jurisdictions have historically handled wireless facility (including small cells) siting through their respective land use and development codes, the FCC Order effectively prohibits those procedures – Oregon law requires (at least) one public hearing on a land use decision (either in the initial determination or as an appeal if the initial determination is made without a hearing). Those hearings necessarily require advance public notice, which can add between 10 and 20 days to the review process.

The shot-clock provisions of the FCC Order is 60 days for small wireless facilities on existing structures and 90 days for small wireless facilities on new structures – those

timelines also encompass all possible appeals relating to a submitted small cell application. Further, the FCC allows for “batched applications” with multiple requests for authorization filed at the same time. Consequently, the City’s Land Use and Development Ordinance (**LUDO**) is not equipped to process such applications within the FCC Order’s mandatory and rapid timelines. According to the League of Oregon Cities (**LOC**), it is simply not practicable to comply with both Oregon’s land use requirements and the FCC Order – LOC therefore recommends best practices include placing new regulations for small cells located within the public right-of-way in the City’s utility code.

In coordination with LOC, representatives from Verizon, AT&T, and T-Mobile met from January 2019 to May 2020 to discuss and craft a model code and model design standards relating to small wireless facilities while litigation pended on the FCC Order. The proposed Ordinance is modeled after that example code but the LOC itself recognized each jurisdiction has varying needs – in recognition of those individual needs for the City, staff contracted with RFM, LLC, an Oregon company with significant experience navigating small cell implementation, to tailor LOC’s example ordinance and design standards to the City, which resulted in the attached Ordinance.

The Ordinance is not intended to replace the City’s regulations for public right-of-way franchising and licensing: in most cases, a small wireless facility provider will need both a permit to construct the small wireless facility and a franchise or license to use the public right-of-way for the provision of communication services. However, certain aspects of the FCC’s Order will impact the City here – for example, the FCC restricts the annual recurring fees for a small wireless facility provider’s access to the City’s public right-of-way.

As of today’s date, U.S. Cellular has been the only entity who has contacted the City with inquiries on the adoption of this Ordinance with the intent to implement small wireless facilities within our public rights-of-way. I provided U.S. Cellular a copy of the proposed Ordinance after it was made publicly available on November 27 and encouraged its representatives to contact my Office with comment and attend tonight’s City Council meeting.

BUDGET IMPLICATIONS: The City expects modest revenue generated from the adoption and use of this proposed Ordinance. Most fees authorized by the Ordinance are restricted by the FCC Order. The permit application fee is \$500.00 for the first 5 proposed small wireless facilities in the same permit application and each additional facility beyond those 5 adds an additional \$100.00 for collocation on existing utility poles. The permit application fee is \$1,000.00 for each proposed small wireless facility on a new wireless support structure. Annual fees are \$270.00 for each small wireless facility installed within the City’s public right-of-way.

COUNCIL ALTERNATIVES:

1. **Staff recommendation:** *Move to adopt General Ordinance No. 23-1403, an ordinance amending The Dalles Municipal Code Title 3 (Utilities) by creating Chapter 3.30 (Small Wireless Facilities), by title only, as presented.*
2. Make modifications to then move to adopt an amended General Ordinance No.

23-1403, an ordinance amending The Dalles Municipal Code Title 3 (*Utilities*) by creating Chapter 3.30 (*Small Wireless Facilities*), by title only, after reading any substantive changes aloud.

3. Decline formal action and provide Staff additional direction.

GENERAL ORDINANCE NO. 23-1403

**AN ORDINANCE AMENDING THE DALLES MUNICIPAL CODE
TITLE 3 (UTILITIES) BY CREATING
CHAPTER 3.30 (SMALL WIRELESS FACILITIES)**

WHEREAS, small wireless facilities (also known as small cells) are wireless transmitters and receivers designed to provide network coverage to a targeted area and complement and enhance existing wireless infrastructure by densifying the network;

WHEREAS, on September 27, 2018, the Federal Communications Commission (FCC) promulgated that certain *Declaratory Ruling and Third Report and Order* (FCC 18-133) significantly limiting local authority over small wireless infrastructure deployment and fees for the use of public rights-of-way;

WHEREAS, the City recognizes the wireless industry needs small wireless facilities deployed in the public right-of-way and desires to accommodate wireless infrastructure investment by providing a standardized and predictable process for the deployment of small wireless facilities while enabling the City to promote management of the public rights-of-way consistent with the overall interests of the public health, safety and welfare; and

WHEREAS, the City Council finds adopting the standards below to promote the public welfare and ensure the City’s consistency with federal law.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF THE DALLES
ORDAINS AS FOLLOWS:**

Section 1. The Dalles Municipal Code (TDMC) Title 3 (*Utilities*) shall be amended by adding a new Chapter 3.30 (*Small Wireless Facilities*), which shall read as follows:

Sections:

- 3.30.01 Purpose and Scope.**
- 3.30.02 Definitions.**
- 3.30.03 Permitted Use and Permit Applications.**
- 3.30.04 Routine Maintenance and Replacement.**
- 3.30.05 Removal, Relocation, and Modifications.**
- 3.30.06 Temporary Power.**
- 3.30.07 Interference.**
- 3.30.08 Annual Recurring Fees.**
- 3.30.09 Insurance.**
- 3.30.10 Indemnity and Limited Liability.**
- 3.30.11 Condition of City Structures.**
- 3.30.12 Severability.**
- 3.30.13 Administration.**

Chapter 3.30
SMALL WIRELESS FACILITIES

3.30.01 Purpose and Scope.

- A. Purpose. The purpose of this Chapter is to establish reasonable and nondiscriminatory policies and procedures for the placement of small wireless facilities in rights-of-way within the City's jurisdiction, which will provide public benefit consistent with the preservation of the integrity, safe usage, and reasonable aesthetic qualities of the City rights-of-way and the City as a whole.
- B. Scope. By adopting this Chapter, the City is establishing uniform standards consistent with federal law to address the placement of small wireless facilities and associated poles in the public right-of-way, including managing the City's public rights-of-way to:
1. prevent interference with the use of streets, sidewalks, alleys, parkways, and other public ways and places;
 2. prevent the creation of obstructions and other conditions hazardous to vehicular and pedestrian traffic;
 3. prevent interference with facilities and operations of facilities lawfully located in the public right-of-way or public property;
 4. protect against environmental damage, including damage to trees;
 5. preserve the character of the community, historic districts, and other areas with decorative poles; and
 6. facilitate technological advancements, such as deployment of small wireless facilities, to provide the benefits of wireless services to the community.

3.30.02 Definitions.

- A. Specific Terms. As used in this Chapter, except where the context clearly indicates otherwise, the following terms and both their singular and plural and noun and verb forms, as applicable, mean the following:
1. *Antenna* has the meaning given that term by 47 C.F.R. § 1.6002(b), as may be amended or superseded. The term includes an apparatus designed for the purpose of emitting radio frequencies to be operated or operating from a fixed location pursuant to Federal Communications Commission authorization for the provision of personal wireless service and any commingled information services. For purposes of this definition, the term antenna does not include an unintentional radiator, mobile station, or device authorized under 47 C.F.R. Part 15.

2. *Antenna equipment* has the meaning given that term by 47 C.F.R. § 1.6002(c), as may be amended or superseded, which defines it to mean equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with an antenna, located at the same fixed location as the antenna, and (when collocated on a structure) is mounted or installed at the same time as such antenna.
3. *Antenna facility* has the meaning given that term by 47 C.F.R. § 1.6002(d), as may be amended or superseded, which defines it to mean an antenna and associated antenna equipment.
4. *Applicable codes* means uniform building, fire, safety, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or state or local amendments to those codes that are of general application and consistent with state and federal law.
5. *Applicant* means any person who submits an application as or on behalf of a wireless provider.
6. *Application* means requests submitted by an applicant (a) for permission to collocate small wireless facilities or (b) to approve the installation, modification, or replacement of a structure on which to collocate a small wireless facility in the public rights-of-way, where required.
7. *City structure* means a structure located in the public rights-of-way within the City's jurisdictional boundaries and is owned, managed, or operated by the City or any subdivision or instrumentality thereof. A *structure* means streetlights, traffic signals, utility poles, banner poles, and buildings.
8. *Collocate* has the meaning given that term by 47 C.F.R. § 1.6002(g), as may be amended or superseded, which defines it to mean (a) mounting or installing an antenna facility on a preexisting structure and/or (b) modifying a structure for the purpose of mounting or installing an antenna facility on that structure.
9. *Day* means calendar day. For purposes of the FCC shot clock, a terminal day falling on a holiday or weekend shall be deemed to be the next immediate business day.
10. *Decorative pole* means a City structure specially designed and placed for aesthetic purposes.
11. *Design standards* means the City's administrative regulations for small wireless facilities, as may be amended or superseded, found on the Public Works Department's webpage on the City's official website.
12. *FCC* means Federal Communications Commission.

13. *Historic district* means a group of buildings, properties, or sites that are either (a) listed in the National Register of Historic Places or formally determined eligible for listing by the Keeper of the National Register in accordance with Section VI.D.1a.i-v of the Nationwide Programmatic Agreement codified at 47 C.F.R. Part 1, Appendix C or (b) a locally designated historic district as of the effective date of this Chapter or in a locally designated historic district existing when an application is submitted.
14. *Permissions* means all permits required for small wireless facilities.
15. *Person* means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including the City, and includes successors.
16. *Permit* means a small wireless facilities permit duly issued by the City.
17. *Permittee* means a person holding a duly issued permit.
18. *Pole* means a type of structure in the public rights-of-way that is or may be used in whole or in part by or for wireline communications, electric distribution, lighting, traffic control, signage, or similar function, or for collocation of small wireless facilities; provided, however, it does not include a tower, building, or electric transmission structures.
19. *Right(s)-of-way, public right(s)-of-way, or ROW* means and includes the space in, upon, above, along, across, over, or under the public streets, roads, highways, lanes, courts, ways, alleys, boulevards, bridges, trails, paths, sidewalks, bicycle lanes, public utility easements, and all other public ways or areas, including the subsurface under and air space over these areas, but does not include parks, parkland, or other City property not generally open to the public for travel.
20. *Routine maintenance* means inspections, testing, repair, and modifications (subject to Section 6409(a) of the Spectrum Act of 2012) maintaining the functional capacity, aesthetic, and structural integrity of a small wireless facility and/or the associated pole or structure. The term does not include any act resulting in substantially changing the physical dimensions of a small wireless facility and/or the associated pole or structure.
21. *ROW permit* means any City-issued permission to occupy, use, close, construct in, or improve a public right-of-way.
22. *Shot clock or shot clock period* means the presumptively reasonable period of time plus any applicable tolling periods (determined consistent with 47 C.F.R. § 1.6003, as may be amended or superseded) for the City to act on applications submitted pursuant to this Chapter.

23. *Small wireless facility* or *facility* means a facility meeting each of the following conditions and consistent with 47 C.F.R § 1.6002(1), as may be amended or superseded:
- a. The facilities:
 - (1) are mounted on structures 50 feet or less in height, including the antennas;
 - (2) are mounted on structures no more than 10 percent taller than other adjacent structures; or
 - (3) do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater;
 - b. Each antenna associated with the deployment (excluding associated antenna equipment) is no more than three cubic feet in volume.
 - c. All other wireless equipment associated with the structure (including wireless equipment associated with the antenna and any pre-existing associated equipment on the structure) is no more than 28 cubic feet in volume.
 - d. The facilities do not require antenna structure registration under 47 C.F.R. Part 17.
 - e. The facilities are not located on Tribal lands, as defined under 36 C.F.R. § 800.16(x).
 - f. The facilities do not result in human exposure to radio frequency in excess of the applicable safety standards specified in 47 C.F.R. § 1.1307(b).
24. *Structure* has the meaning given that term by 47 C.F.R. § 1.6002(m), as may be amended or superseded, which defines it as a pole, tower, or base station (irrespective of whether it has an existing antenna facility) used or to be used for the provision of personal wireless service (whether on its own or comingled with other types of service).
25. *Wireless infrastructure provider* means any person, including a person authorized to provide communications service in the state, that builds or installs wireless communication transmission equipment or wireless facilities but that is not a wireless services provider.
26. *Wireless provider* means a wireless infrastructure provider or a wireless services provider.
27. *Wireless services provider* means a person who provides personal wireless services (irrespective of whether it is comingled with other services).

3.30.03 Permitted Use and Permit Applications.

- A. Permitted Use. The following uses within the public right-of-way shall be allowed outright if administratively approved as in compliance with the design standards:
1. Collocation of a small wireless facility.
 2. Placement of a new, modified, or replacement pole to be used for collocation of a small wireless facility.
- B. Prohibited Use. Except as otherwise provided in this Chapter, no person shall place any small wireless facility in the public right-of-way without first filing an application for the facility and obtaining a permit duly issued pursuant to this Section.
- C. Permits.
1. Permits Required. Any person intending to install or replace a small wireless facility must apply for and be issued a permit; provided, however, a permit is not required for routine maintenance or repairs (including like-for-like replacement) or emergency access.
 2. Collocation. An Applicant may collocate facilities on existing utility poles, City structures, or construct new or replace existing poles for the purpose of collocation of such facilities, if in compliance with all permits and applicable laws and the City approves an Applicant-submitted structural analysis of that collocation on any impacted poles.
 3. Replacement Poles. An Applicant may, at their sole cost and expense, replace an existing pole if a structural or engineering analysis concludes the pole's replacement is necessary to support Applicant's small wireless facilities. Upon installation of the replacement pole, the City may either elect to take title to and ownership of such pole without the need for a bill of sale or require its removal at no expense or cost to the City. If the City takes title to and ownership of a pole, the City shall thereafter be responsible for the maintenance and repair of such replacement pole (along with the operation of any City equipment attached) and any corresponding costs. In no event shall the City be obligated to operate or own any facilities.
 4. Batching. An Applicant may file a consolidated application and receive a single permit for batch collocation of up to twenty-five (25) facilities so long as the collocations each involve substantially the same type of facilities and substantially the same type of structures. The City may issue separate permits for each or any collocation approved through a batched application. If an application includes multiple facilities, the City may remove facility collocations from the application and treat them separately as individual facility collocations if the application:

- a. fails to provide sufficient or complete information for the City's review;
 - b. attempts to collocate facilities not qualifying for consolidated treatment; or
 - c. attempts to collocate denied facilities.
5. ROW Permits. An Applicant shall secure all required ROW permits from the City prior to any work within the public rights-of-way and for activities impacting traffic patterns or requiring lane or sidewalk closures.

D. Permit Applications.

1. Permit Application Requirements. For each small wireless facility, an Applicant shall submit a completed permit application including the following information:
 - a. Basic Information. The Applicant's name, mail address, telephone number, and email address;
 - b. Agent Information. The names, mailing addresses, telephone numbers, and email addresses of all duly authorized representatives and consultants, if any, acting on Applicant's behalf with respect to the filing and processing of the permit application;
 - c. Compliance. A statement or other demonstration that the small wireless facility shall comply with all applicable codes, regulations, and standards, including applicable FCC regulations for human exposure to radio frequency emissions.
 - d. Analyses. Site-specific structural analyses conducted and stamped by a structural engineer licensed in the State of Oregon;
 - e. Locations. The location where each proposed small wireless facility or utility pole would be installed, along with photographs of the proposed location and its immediate surroundings depicting the utility poles or structures on which each proposed small wireless facility would be mounted or the location where utility poles or structures would be installed;
 - f. Specifications. Specifications and drawings for each proposed facility covered by the Application as they are proposed to be installed;
 - g. Equipment. The equipment type and model numbers for the antennas and all other wireless equipment associated with the small wireless facility;
 - h. Schedule. A proposed schedule for the installation and completion of each facility covered by the Application, if approved; and
 - i. Fee. The Application fee due.

2. Amendments. Any amendment to non-material information contained in a permit application shall be submitted in writing to the City within 30 days of the change. The City may require an Applicant seeking to make material changes to a submitted permit application to submit a new permit application.

E. Permit Application Fees.

1. Collocation Fees. Applicants shall pay a permit application fee of \$500.00 for the first 5 proposed small wireless facilities in the same permit application (with an additional \$100.00 for each small wireless facility beyond 5 in the same permit application) to collocate a small wireless facility on an existing utility pole or wireless support structure.
2. New Wireless Support Structure Fees. Applicants shall pay a permit application fee of \$1,000.00 for each proposed small wireless facility on a new wireless support structure.
3. No Exceptions. Notwithstanding any contrary provision of this Chapter or any applicable laws, the City is not required to process any permit application unless it is accompanied by the fees described in this Section.

F. Permit Application Review.

1. Completeness. The City shall review each permit application for completeness pursuant to this Section before determining whether it satisfies this Chapter's substantive requirements.
 - a. Complete Permit Applications. A submitted permit application shall be deemed complete only when it provides the City with all the information listed on the permit application and all information required by this Chapter for the City to begin to examine the impacted locations.
 - b. Incomplete Permit Applications. If an Applicant submits an incomplete permit application, the City shall (within 10 days from the date the City actually received the incomplete permit application) provide the Applicant a list of the specific information missing from the permit application but nonetheless required to be submitted. If the Applicant resubmits the permit application and the City finds the resubmitted permit application is still incomplete, the City shall (within 5 days from the date the City actually received the resubmitted permit application) provide the Applicant another list of the specific information missing from the resubmitted application yet nonetheless required to be submitted. The City may deny any permit application not found complete by the City within 30 days of its original submittal, subject to applicable law.

- c. Denied Permit Applications. The City shall process all permit applications on a nondiscriminatory basis and may deny a permit application if the proposed small wireless facility or new, modified, or replaced pole:
 - (1) materially or demonstrably interferes with the safe operation of traffic control equipment;
 - (2) materially or demonstrably interferes with sight lines or clear zones for transportation or pedestrians;
 - (3) materially fails to comply with the Americans with Disabilities Act or similar federal, state, or local laws, standards, or regulations regarding pedestrian access or movement;
 - (4) fails to comply with applicable codes, standards, and regulations including the City's design standards; or
 - (5) fails to comply with the provisions of this Chapter.
- d. Notice of Denial. The City shall provide an Applicant with written notice of denial if their application is denied; the City's written notice of denial shall include the reasons for denial (with reference to specific code provisions, application instructions, or otherwise publicly-stated procedures on which the denial was based) and be sent to the Applicant within 5 days from the sooner of the date of the City's denial or the shot clock expires.
- e. Maximum Size of Permitted Use. Any wireless provider seeking to install, modify, or replace facilities on a pole in the rights-of-way that exceeds the height limits contained in Section 3.30.02(A)(23) shall be subject to additional applicable design standards.
- f. Decorative Poles. Subject to the provisions of this Chapter and applicable design standards, a wireless provider is permitted to replace current decorative poles with identical replicas designed to conceal or stealth its facilities.
- g. Historic Districts. Small wireless facilities or poles to support collocation of small wireless facilities located in Historic Districts shall be designed to have a similar appearance, including coloring and design elements, if technically feasible, of other poles in the rights-of-way within 500 feet of the proposed installation. Any such design or concealment measures may not be considered part of the small wireless facility for purpose of the size restrictions in the definition of small wireless facility.
- h. Undergrounding Districts. If technically feasible, Permittees shall underground all small wireless facilities and components thereof.

G. Permit Issuance.

1. Notice of Completeness. The City shall notify an Applicant of its receipt of a complete permit application within ten (10) days from the date the City actually receives the submitted and complete permit application.
2. Notice of Decision – Collocation. The City shall have sixty (60) days from the time of submission to either approve or deny a collocated small wireless facility by issuing a notice of decision. If the City denies a permit, it shall do so in writing and provide an explanation of the reasons the permit was denied.
3. Notice of Decision – Small Wireless Facility on New Wireless Support Structure. The City shall have ninety (90) days from the time of submission to either approve or deny a small wireless facility on a new wireless support structure by issuing a notice of decision for each facility. If the City denies a Permit, it shall do so in writing and provide an explanation of the reasons the Permit was denied.
4. Applicant Coordination. The City may discuss any issues relating to a pending permit application with the Applicant during the permit application review period.
5. Permit Duration. A permit granted pursuant to this Chapter shall be valid for a period of 365 days from the date the City issues its notice of decision unless the City, in its sole discretion, grants an extension for good cause.
6. Termination. The installed facility is subject to applicable relocation requirements, termination for material non-compliance with this Chapter after notice and a reasonable opportunity to cure, and an applicant's right to terminate a permit at any time.
7. Effect of Termination. An Applicant may terminate their individual permit upon written notice to the City and shall have no further obligations or liability with regard to the terminated site, including no obligation for payment of recurring annual fees pertaining to the specific site.
8. Authority Granted. A permit from the City authorizes an Applicant to undertake only certain activities in accordance with this Chapter and does not create a property right or grant authority to the Applicant to impinge upon the rights of others who may already have an interest in the City's public rights-of-way.

3.30.04 Routine Maintenance and Replacement.

- A. No Permit Application Required. The City shall not require a permit application for:
1. routine maintenance; or

2. the replacement of permitted small wireless equipment with other small wireless equipment of the same, substantially similar, or smaller size, weight, and height.

B. Right-of-Way Permits. The City may require ROW permits for work within the public rights-of-way, even for routine maintenance or replacement; provided, however, such ROW permits shall be issued to the Applicant on a non-discriminatory basis upon terms and conditions applied to any other person performing similar activities, regardless of technology, in the public right-of-way.

3.30.05 Removal, Relocation, or Modification.

A. Notice. Whenever the City determines removal, relocation, change, or alteration of small wireless facilities is reasonably necessary for the construction, repair, maintenance, or installation of any City improvement in or upon, or the operations of the City in or upon, the public rights-of-way, the City shall provide the Permittee reasonable advance written notice of no less than 60 days. Following written notice from the City, the Permittee shall, at its sole cost and expense, protect, support, temporarily or permanently disconnect, remove, relocate, change, or alter the position of any small wireless facilities within the public rights-of-way.

B. Emergency Removal or Relocation of Small Wireless Facilities. The City retains the right and privilege to cut or move any small wireless facility located within its public rights-of-way in the event of an emergency, defined as imminent danger to public health, safety, or property. If circumstances permit, the City shall notify the wireless provider and provide the wireless provider an opportunity to move its own facilities prior to cutting or removing a facility and shall notify the wireless provider promptly after cutting or removing a small wireless facility.

C. Abandonment of Facilities. The Permittee shall remove its equipment, conduits, fixtures, and all other personal property, and restore the premises to its original or better condition if the facility is abandoned for a period greater than 6 months. Removal and restoration shall occur within 120 days of the end of the 6-month period.

D. Damage and Repair. The City may require a wireless provider to repair all damage to the public rights-of-way (including sidewalks) caused by the activities of the wireless provider and return the public rights-of-way (including sidewalks) to its original or better condition before the damage. If the wireless provider fails to make the repairs within 120 days after written notice, the City may repair or contract for those repairs and charge the applicable party for its actual costs.

3.30.06 Temporary Power.

During the permit term, upon the occurrence of a power interruption at the premises, a Permittee shall be allowed to install, maintain, and provide access to and use of (as necessary) a temporary power source, and all related equipment and appurtenances within the Premises, or elsewhere within the right-of-way in such locations as reasonably approved by the City. A Permittee may

connect the temporary power source to its equipment on the Premises in areas and in a manner approved by the City.

3.30.07 Interference.

- A. Operational Interference. A Permittee's operation of the facilities shall not interfere with the frequencies used by public agencies.
- B. Installed Facilities. No person shall install facilities of the type and frequency that will cause unacceptable interference with a public safety agency's communications equipment. Unacceptable interference will be determined by and measured in accordance with industry standards and FCC regulations addressing unacceptable interference to public safety spectrum or any other spectrum licensed by a public safety agency.
- C. Abating Interference. If a facility causes interference with the frequencies used by a public agency, and the responsible person has been given written notice of the interference by the public safety agency, Applicant (at its sole cost and expense) shall take all steps necessary to correct and eliminate the interference, including (without limitation) powering down the facility and later powering up the facility for intermittent testing.
- D. Permit Revocation. The City may revoke a facility's approved permit based on its interference if the Applicant is not making a good faith effort to remedy the problem in a manner consistent with FCC's abatement and resolution procedures for interference with a public safety spectrum, including 47 CFR 22.970 through 47 CFR 22.973 and 47 CFR 90.672 through 47 CFR 90.675.

3.30.08 Annual Recurring Fees.

- A. Annual Permit Fees. A Permittee shall pay an annual permit fee of \$270.00 for each small wireless facility installed within the public right-of-way, due not later than January 1 of each year of the facility's occupancy of the public right-of-way. A Permittee shall pay the initial permit fee upon issuance of each approved permit, prorated to December 31 of the same year.
- B. Payment Obligation Upon or After Facility Removal. A wireless provider may remove one or more of its small wireless facilities at any time from the public right-of-way and City structures in the ROW with the required permits. Effective upon the date of removal, the wireless provider will cease owing the City compensation under this Chapter for such removed facilities.

3.30.09 Insurance.

- A. Coverages. All Permittees are required to carry and maintain, at their own and sole respective costs and expenses, the following insurance coverages:

1. *Commercial Workers' Compensation Insurance* in the amount of \$1,000,000;
 2. *Commercial General Liability Insurance* in the amount of \$5,000,000 and covering personal injury and property damage, completed operations, independent licensees, and contractual liability (which may be provided in any combination of primary and excess coverage);
 3. *Employer's Liability Insurance* in the amount of \$1,000,000; and
 4. *Commercial Automobile Liability Insurance* for any motor vehicle and mobile equipment and covering bodily injury and property damage with a minimum combined single limit of \$2,000,000.
- B. Certificates. All Permittees shall provide the City with certificates of insurance naming the City of The Dalles, its employees, officials, and agents as additional insureds prior to any use of the public right-of-way pursuant to this Chapter.
- C. Subcontractor Insurance. All subcontractors performing any work for a Permittee pursuant to this Chapter shall be subject to the requirements listed in the provisions of this Section.

3.30.10 Indemnity and Limited Liability.

- A. Indemnity. Each Permittee shall indemnify, defend, and hold harmless the City, including its officers, agents, and employees, from and against all liability, loss, and costs arising from actions, suits, or demands for Permittee's (including Permittee's officers, agents, employees, and subcontractors) acts or omissions in the use of their permit or the City's public rights-of-way; provided, however, in no event shall Permittee indemnify against the City's sole negligence.
- B. Limitation of Liability. The City shall not be liable to any person for consequential, indirect, special, or punitive damages, including (without limitation) lost revenue, loss of equipment, interruption or loss of service, or loss of data connected with any person's use of the public right-of-way.

3.30.11 Condition of City Structures.

- A. Covenant. The City shall keep City structures in good repair as required by all federal, Oregon, and local law. If the City fails to make such repairs or maintenance to City structures within 90 days of any notification to the City by a Permittee, that Permittee shall have the right to cease annual recurring fees for the affected City structure until it is repaired to a state of good repair or, alternatively, terminate the specific permit for the location and remove its facilities.
- B. Make-Ready. All rates, fees, terms, and conditions for the make-ready work to collocate a small wireless facility on a pole owned or controlled by the City shall be

nondiscriminatory, competitively neutral, reasonable, comply with the provisions of this Chapter, and be subject to the following:

1. The City (or any person owning, managing, or controlling the poles owned by the City) shall provide a good faith estimate for any make-ready work reasonably necessary to make a specific City pole suitable for attachment of the requested small wireless facility (including necessary pole replacement) within 60 days after receipt of a completed request. Make-ready work (including any pole replacement) shall be completed within 60 days of a Permittee's written acceptance of the good faith estimate.
2. The City (or any person owning, managing, or controlling the poles owned by the City) shall not require more make-ready work than required to meet applicable codes or may be reasonably necessary to avoid interference with other attachments on a pole. Fees for make-ready work shall not include costs related to pre-existing or prior damage and noncompliance. Fees for make-ready work (including any pole replacement) shall not exceed actual and direct costs or the amount charged to others for similar work and shall not include any revenue- or contingency-based consultant fees or expenses.

3.30.12 Severability.

The provisions of this Chapter are severable. Any provision of this Chapter deemed invalid by a court of competent jurisdiction shall not impact any other provision.

3.30.13 Administration.

The provisions of this Chapter shall be administered by the Public Works Department in conjunction with the Community Development Department.

Section 2. To the maximum extent allowed by law, all ordinances or part of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

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Section 3. This Ordinance shall be effective 30 after adoption.

PASSED AND ADOPTED THIS 11TH DAY OF DECEMBER, 2023,

Voting Yes	Councilors:	_____
Voting No	Councilors:	_____
Abstaining	Councilors:	_____
Absent	Councilors:	_____

AND APPROVED BY THE MAYOR THIS 11TH DAY OF DECEMBER, 2023.

Richard A. Mays, Mayor

ATTEST:

Amie Ell, City Clerk



AGENDA STAFF REPORT

AGENDA LOCATION: Action Item #10B

MEETING DATE: December 11, 2023

TO: Honorable Mayor and City Council

FROM: Matthew Klebes, City Manager

ISSUE: Consideration of Existing IGA between the City of The Dalles, Wasco County, and the Wasco County District Attorney's Office

BACKGROUND: At its May 13, 2019, regular meeting, the City Council adopted Resolution No. 19-010 to authorize the transfer of jurisdiction for certain criminal misdemeanor offenses from the City's municipal court to Wasco County Circuit Court. The City retained, and continues to provide, services related to traffic infractions.

Resolution No. 19-010 also authorized the execution of an Intergovernmental Agreement (**IGA**) between the City of The Dalles, Wasco County, and the Wasco County District Attorney's Office for the provision of criminal prosecution services. This IGA was executed in June 2019.

This IGA initially committed the City of The Dalles to provide an annual payment to Wasco County starting in FY 19/20 of \$80,000.00. This amount increases 3% annually resulting in the most recent payment of \$92,743.26 in FY 23/24. These funds were provided, "to assist the County with the additional costs of prosecution of misdemeanor criminal charges with the Wasco County Circuit Court" and mitigate the impact of transitioning services from municipal court to the Wasco County District Attorney's Office.

Per Oregon law and as detailed in the IGA, district attorneys have the responsibility and prosecutorial discretion for prosecution of misdemeanor cases. ORS 8.660 requires the district attorney of each Oregon county to both (1) attend the terms of all courts (including municipal courts) having jurisdiction of public offenses within the district attorney's county and (2) conduct all prosecutions for such offenses on behalf of the State of Oregon.

Over the past 5 years, the City has provided a total of \$424,730 in funds to Wasco County to mitigate court transition impacts and to assist in the additional costs of prosecution of misdemeanor criminal charges. However, long-term, Oregon law indicates the provision of these services is already the responsibility and duty of the District Attorney and the City is not required to provide such funding.

Staff conducted outreach and research of jurisdictions in Oregon to identify other cities that provide funds to assist the work of their relevant district attorney's office. Staff was unable to identify **any** other Oregon city that provides similar funding to their relevant District Attorney's office.

Considering 1) it has been 5 years since the City ended full municipal court services, 2) the City has provided funding each of those years to assist with the prosecution of local misdemeanor criminal charges, and 3) the City is not required to provide such funding (and appears to be the only city in Oregon to do so) staff is seeking City Council direction on whether or not this IGA should remain in force.

If the City Council elects to terminate this IGA, the City must provide written notice of intent at least one hundred eighty (180) days prior to June 30th of each year (i.e January 1, 2024). If the City does not provide said notice by then, the IGA will remain in effect until June 30, 2025.

BUDGET IMPLICATIONS: The initial payment under the IGA was \$80,000 with a 3% annual increase. Below is a summary of all payments made to date:

• FY 19/20:	\$80,000.00
• FY 20/21:	\$82,400.00
• FY 21/22:	\$84,872.00
• FY 22/23:	\$87,418.16
• <u>FY 23/24</u>	<u>\$90,040.70</u>
Total:	\$424,730.86

If Council elects to terminate the IGA, the City's General Fund will no longer have to provide an annual payment and will not be budgeted. These resources can then be used by various Departments funded by the General Fund.

If Council elects to allow the IGA to remain in effect, the payment for FY24/25 will be \$92,741.93 and is further subject to additional 3% increase each year the IGA remains in effect.

COUNCIL ALTERNATIVES:

1. **Staff recommendation: Move to direct the City Manager to provide a notice of intent to terminate pursuant to Section 4 of the IGA between the City of The Dalles, Wasco County, and the Wasco County District Attorney's Office for the Provision of Criminal Prosecution Services.**
2. Decline formal action and provide additional direction to staff.

RESOLUTION NO. 19-010

**A RESOLUTION AUTHORIZING TRANSFER OF JURISDICTION FOR
CERTAIN CRIMINAL MISDEMEANOR
OFFENSES FROM MUNICIPAL COURT TO WASCO COUNTY
CIRCUIT COURT AND AUTHORIZING EXECUTION OF AN
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF THE
DALLES AND WASCO COUNTY FOR PROVISION OF
CRIMINAL PROSECUTION SERVICES BY THE WASCO
COUNTY DISTRICT ATTORNEY'S OFFICE**

WHEREAS, pursuant to Chapter V, Section 23(7) of the City Charter, the City Council has the authority to transfer certain functions associated with criminal misdemeanor cases in the Municipal Court, to the Wasco County Circuit Court; and

WHEREAS, representatives from the City of The Dalles, Wasco County, the Wasco County District Attorney's Office, and the Wasco County Circuit Court have met to discuss a proposal to transfer certain criminal misdemeanor cases from the Municipal Court to the Wasco County Circuit Court; and

WHEREAS, as part of the above-referenced discussions, representatives from the City of The Dalles, Wasco County and the District Attorney's Office have negotiated the provisions of an Intergovernmental Agreement between the City, Wasco County, and the Wasco County District Attorney's Office, whereby the City will agree to pay annual compensation to the County to provide funding for prosecution services to be provided by the Wasco County District Attorney's officer for prosecution of certain criminal misdemeanor cases which have been prosecuted previously in the Municipal Court of the City of The Dalles; and

WHEREAS, the City Council has reviewed the terms and conditions of the proposed Intergovernmental Agreement between the City, the County, and the Wasco County District Attorney's Office, and finds that approval of the Agreement will result in efficiency, economy, and consistency for local law enforcement and for the local judicial system in Wasco County;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF THE DALLES RESOLVES AS FOLLOWS:

Section 1. **Transfer of jurisdiction.** Effective July 1, 2019, jurisdiction for all criminal misdemeanor cases, excepting those which were filed in or pending in the Municipal Court prior to July 1, 2019, and excepting those criminal misdemeanor cases which result from a violation of a City Ordinance, shall be transferred to the Wasco County Circuit Court.

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF THE DALLES, WASCO COUNTY, AND
THE WASCO COUNTY DISTRICT ATTORNEY'S OFFICE
FOR THE PROVISION OF CRIMINAL PROSECUTION SERVICES**

This Agreement is made this 5th day of June, 2019, by and between the City of The Dalles, a municipal corporation of the State of Oregon, hereinafter referred to as the "CITY", and Wasco County, a political subdivision of the State of Oregon formed under the Oregon Constitution and ORS Chapter 203, hereinafter referred to as the "COUNTY"; and the Wasco County District Attorney, hereinafter referred to as "DISTRICT ATTORNEY".

WHEREAS, the State of Oregon has declared it to be a matter of statewide concern to promote intergovernmental cooperation for the purpose of furthering economy and efficiency in local government; and

WHEREAS, the legislature has given general authority for intergovernmental agreements by units of local government pursuant to the provisions of ORS 190.101 et. seq; and

WHEREAS, pursuant to Chapter V, Section 23(7) of the City Charter, the City Council adopted Resolution No. 19-010 on the 13th day of May, 2019, transferring certain functions associated with misdemeanor criminal cases in the Municipal Court to the Wasco County Circuit Court; and

WHEREAS, the DISTRICT ATTORNEY has responsibility for prosecution of misdemeanor cases filed in the Wasco County Circuit Court; and

WHEREAS, the CITY has presented a proposal to Wasco County to provide compensation to assist the COUNTY with the additional costs of prosecution of misdemeanor criminal charges in the Wasco County Circuit Court by the DISTRICT ATTORNEY, as a result of the adoption by the CITY of Resolution No. 19-010; and

WHEREAS, the City has reflected evidence of its good faith intent to consider this Agreement to be long term in nature by including a line item in the City's proposed 2019-2020 budget for compensation to be paid pursuant to this Agreement; and

WHEREAS, the DISTRICT ATTORNEY acknowledges the intent of this Agreement is to have the DISTRICT ATTORNEY assume prosecution of the criminal misdemeanor cases to be transferred from the Municipal Court to the Wasco County Circuit Court, subject to the DISTRICT ATTORNEY'S exercise of prosecutorial discretion;

NOW, THEREFORE, IN CONSIDERATION OF THE RECITALS ABOVE, THE PARTIES AGREE AS FOLLOWS:

Section 1. County and District Attorney Duties. In consideration of the compensation to be paid to the COUNTY under Section 2, the COUNTY agrees to provide funding for prosecution services to be provided by the DISTRICT ATTORNEY's office of misdemeanor criminal offenses which have been prosecuted previously in the CITY Municipal Court. CITY,

COUNTY and DISTRICT ATTORNEY understand and agree the COUNTY shall have the discretion to determine how the funds provided by CITY under Section 2 shall be expended in accordance with COUNTY budget procedures, and that the DISTRICT ATTORNEY shall have prosecutorial discretion to determine what cases are prosecuted by the DISTRICT ATTORNEY'S Office.

Section 2. City's Duties. Beginning on July 1, 2019, CITY shall pay COUNTY the sum of eighty thousand and no/dollars (\$80,000). Said sum shall be paid annually each year that this Agreement remains in effect.

Section 3. Increase in Compensation. Beginning with the term which commences on July 1, 2020, the amount of compensation paid by the CITY pursuant to Section 2 of this Agreement shall be increased by three percent (3%). This additional increase in compensation shall continue to apply during any renewal term of this Agreement.

Section 4. Term. The initial term of this Agreement shall commence upon July 1, 2019, and shall continue until June 30, 2020. Thereafter, this Agreement will be renewed on an annual basis with the term that begins on July 1, 2020, unless any one of the parties provides written notice of intent to terminate this Agreement at least one hundred eighty days (180) days prior to June 30th of each year thereafter. This Agreement may also be terminated at any time by mutual agreement of all the parties.

Section 5. Status as Independent Contractor. In the performance of the work duties and obligations required of the DISTRICT ATTORNEY'S Office under this Agreement, it is mutually understood and agreed that said office is at all times acting and performing as an independent contractor. No relationship of employer/employee is created by this Agreement. The CITY shall neither have, nor exercise, any control over the methods by which the DISTRICT ATTORNEY'S Office shall perform its work and functions. The sole interest and responsibility of the CITY is to assure the services covered by this Agreement shall be performed and rendered in a competent, efficient, and satisfactory manner. The COUNTY and DISTRICT ATTORNEY'S Office shall not have any claims under this Agreement against the CITY for vacation pay, sick leave, retirement benefits, Social Security benefits, worker's compensation benefits, unemployment or other employee benefits of any kind.

Section 6. Non-appropriation. The obligation of each party to perform their duties under this Agreement is conditioned upon the party receiving funding, appropriations, limitation, allotment, or other expenditure authority sufficient to allow the party, in the exercise of its reasonable administrative discretion, to meet its obligations under this Agreement.

Section 7. Notices. Any notice required to be given under this Agreement or required by law shall be in writing and delivered to the parties at the following addresses:

CITY OF THE DALLES
City Manager
313 Court Street
The Dalles, OR 97058

WASCO COUNTY
Administrative Officer
511 Washington Street
The Dalles, OR 97058

DISTRICT ATTORNEY
Wasco County District Attorney
511 Washington Street
The Dalles, OR 97058

Section 8. Applicable Laws. The law of the State of Oregon shall be used in construing this Agreement and enforcing the rights and remedies of the parties.

Section 9. Merger. There are no other undertakings, promises or Agreements, either oral or in writing, other than that which is contained in this Agreement. Any amendments to this Agreement shall be in writing and executed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement on the respective dates shown below.

CITY OF THE DALLES

WASCO COUNTY

By: 
Julie Krueger, City Manager

By: 
Steven D. Kramer, Commission Chair


Date: 6-6-19

Date: June 5, 2019

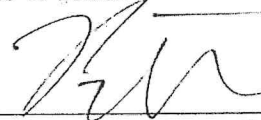
ATTEST:


Izetta Grossman, CMC City Clerk

Approved as to form:



Gene E. Parker, City Attorney
Date: 6-6-19

Approved as to form:


Bradley V. Timmons, Wasco County
Counsel

Date: June 5, 2019

WASCO COUNTY DISTRICT ATTORNEY


Eric Nisley, District Attorney

Date: 6-5-19