

AGENDA

City of Aurora
PLANNING COMMISSION MEETING
Tuesday, December 03, 2013, 7:00 p.m.
Council Chambers
21420 Main Street N.E., Aurora, Oregon

1. **Call to Order of Planning Commission Meeting:**
2. **City Recorder Calls Roll**

Chairman, Schaefer
Commissioner, Willman,
Commissioner, Gibson
Commissioner, Graham,
Commissioner, Fawcett,
Commissioner, Weidman
Commissioner, TBA

3. **Consent Agenda**

All matters listed within the Consent Agenda have been distributed to each member of the Aurora Planning Commission for reading and study, are considered to be routine, and will be enacted by one motion of the Commission with no separate discussion. If separate discussion is desired, that item may be removed from the consent Agenda and placed on the Regular Agenda by request.

Minutes

- I. Aurora Planning Commission Meeting –November 5, 2013
- II. City Council Minutes – October, 2013
- III. Historic Review Board Minutes –

Correspondence

- I. **Email Information on Comprehensive Plan Amendments**

4. **Visitor**

Anyone wishing to address the Planning Commission concerning items not already on the meeting agenda may do so in this section. No decision or action will be made, but the Council could look into the matter and provide some response in the future.

5. **New Business**

- A. **Discussion and or Action on Language for Parking Standards and Accessory Structures.**
- B. **Discussion and or Action on Housing Standards per Housing Authority**

6. Old Business

- A. Discussion and or Action on View Corridor's**
- B. Discussion and or Action on Traffic Impact Per Business Use/Change**
- C. Discussion and or Action on Proposed Text Amendment for Food Carts Associated with Existing Food Businesses**

7. Commission Action/Discussion

- A. City Planning Activity (not in Your Packets) Status of Development Projects within the City.**

8. Adjourn,

Minutes

Aurora Planning Commission Meeting
Tuesday, November 05, 2013 at 7:00 P.M.
Aurora Commons Room, Aurora City Hall
21420 Main St. NE, Aurora, OR 97002

STAFF PRESENT: Kelly Richardson, City Recorder
Renata Wakeley, City Planner

STAFF ABSENT:

VISITORS PRESENT: Kris Sallee, Aurora City Council Liaison

1. Call to Order of Planning Commission Meeting

The meeting was called to order by Planning Chair Joseph Schaefer at 7:07 p.m.

2. City Recorder Did Roll Call

Chairman, Schaefer -	Present
Commissioner, Willman	Present
Commissioner, Gibson	Present
Commissioner, Graham	Present
Commissioner, Fawcett	Present
Commissioner, Wiedman	Present

3. Consent Agenda

Minutes

- I.** Aurora Planning Commission Meeting –October 01, 2013
- II.** City Council Minutes – September, 2013
- III.** Historic Review Board Minutes –

No comments....

A motion is made by Commissioner Gibson to approve the consent agenda as presented and seconded by Commissioner Graham. Motion Approved.

Correspondence

- I.** Resignation letter from Kris Sallee

4. Visitor

Anyone wishing to address the Planning Commission concerning items not already on the meeting agenda may do so in this section. No decision or action will be made, but the Planning Commission could look into the matter and provide some response in the future.

No one spoke.

5. New Business

A. NA

6. Old Business

A. Discussion and or Action on View Corridor’s, Examples from the City of Portland were handed out, my (Schaefer) view on this is similar but my focus is on the right away verse private property because of where the view is located in Aurora. **SAMPLE TEXT AS DISCUSSED;**

A. View Corridors. All development and vegetation with a view corridor designation in the *Scenic Resources Protection Plan* are subject to the regulations of this Subsection.

1. Purpose. The intent of the view corridor designation is to establish maximum heights within view corridors to protect significant views from specific **view points**.
2. Standard. All development within the designated view corridors are subject to the height limits of the base zone, except when a more restrictive height limit is established by the view corridor. In those instances, the view corridor

height limit applies to both development and vegetation. Public safety facilities are exempt from this standard.

Looking at the Map, for example in this instance the views are from particular places and it shows the corridor area, I assume Mt. Hood but it may be Mt. Tabor.

My question is do we want a narrow corridor or do we broaden that view, Commissioner Gibson I think looking here towards Mt. Hood off of Ehlen we broaden it. Commissioner Willman I am for protecting as much as we can I am for the view, Commissioner Graham likes the wider shot as well.

Chair Schaefer will work on sketches for the next meeting.

B. Discussion and or Action on Traffic Impact Per Business Use/Change , Chairman Schaefer hands out proposed language for discussion, As inserted.

CURRENT

5. Any new development, change of occupancy, or commercial or industrial remodel, that will intensify the use of the property by increasing the vehicle traffic to the site, or on-site parking in accordance with Chapter 16.42 by more than ten (10) percent. Applicant shall be required to submit to the Planning Director information demonstrating the development, change, or remodel shall not intensify the use of the property by more than ten (10) percent and is subject to Planning Director review and approval, Chapter 16.42, and the Institute of Transportation Engineers (ITE) Trip Generation Manual (latest edition);

PROPOSED

5. Any new development, change of occupancy, or commercial or industrial remodel, that will intensify the use of the property by increasing the vehicle traffic to the site, or on-site parking in accordance with Chapter 16.42 by more than twenty-five (25) percent above the most traffic intensive use approved for the property, as measured by the Institute of Transportation Engineers (ITE) Trip Generation Manual (latest edition). Applicant shall submit to the Planning Director information demonstrating the development, change, or remodel shall not intensify the use of the property by more than twenty-five (25) percent and is subject to Planning Director review and approval, Chapter 16.42.

REDLINE

5. Any new development, change of occupancy, or commercial or industrial remodel, that will intensify the use of the property by increasing the vehicle traffic to the site, or on-site parking in accordance with Chapter 16.42 by more than ten (10) percent. Applicant shall be required to submit to the Planning Director information demonstrating the development, change, or remodel shall not intensify the use of the property by more than twenty-five (25) percent above the most traffic intensive use approved for the property, as measured by the Institute of Transportation Engineers (ITE) Trip Generation Manual (latest edition). Applicant shall submit to the Planning Director information demonstrating the development, change, or remodel shall not intensify the use of the property by more than twenty-five (25) percent and is subject to Planning Director review and approval, Chapter 16.42, and the Institute of Transportation Engineers (ITE) Trip Generation Manual (latest edition);

Discussion from Commissioners in attendance.

- First page of handout 16.58.060 by the ITE trip Manual. (which is not available for public)
- If someone is not happy with that (the manual) then higher and engineer to develop the trips.
- It is very specific to businesses
- Discussion is per our small town our opinion may differ however a standard has been adopted.
- Wakeley Questions,
 - Base line, development that was approved 10 years ago, so what was approved 10 years ago has changed verses what was approved a year ago so I see problems with approval at a base line.
 - I agree in a practical sense but in a legal sense if they were approved in 80's how can we say no in 2013 not approved.
 - Richardson agrees with Wakeley that putting the oweness on the city to provide the information would be difficult because city records are incomplete.
 - How are we to figure out what the trips were in 80's verses today conceivably the applicant would have to provide that info.
 - Wakeley if you want to keep it to most intensive use we would use the most current data, if you meet the 25% you need to go through site review at the cost of \$750 dollars.

- Commissioner Fawcett, does the book take into consideration same or like businesses such as the coffee shops since we have 4 of them in town.
- Baseline would be the concern Wakeley, again this is the most intensive use and I think we can say do your best.
- Councilor Sallee, asks about parking and are we looking at trips, Schaefer I think what you're going towards is a minimum and what would that be,
- Willman likes the concept,
 - Add trips per day vehicle traffic and I like the minimum on it and Schaefer is thinking 40 Wakeley, 30 looks to be the minimum. So if you increase 30 or more you go through site review.

C. Discussion and or Action on Proposed Text Amendment for Food Carts Associated with Existing Food Businesses, as per our last meeting here is some sample text language for discussion;

Current

16.22.030 Conditional uses.

The following uses and their accessory uses may be permitted when authorized by the planning commission in accordance with the requirements of Chapter 16.60, a certificate of appropriateness approved by the historic review board, other relevant sections of this title and any conditions imposed by the planning commission:

16.22.040 Development standards.

J. Open Inventory display.

a. All business, service, repair, storage or merchandise displays shall be conducted wholly within an enclosed building except the following:

4. Outdoor seating in relation to a permitted eating or drinking establishment subject to 16.34.060.D and Historic Review Board review and approval.

PROPOSED

16.22.030 Conditional uses.

The following uses and their accessory uses may be permitted when authorized by the Planning Commission in accordance with the requirements of Chapter 16.60, and authorized by the Historic Review Board in accordance with Title 17.

C. Food carts located on the same property and accessory to an indoor eating and drinking establishment

16.22.040 Development standards.

J. Open Inventory display.

a. All business, service, repair, storage or merchandise displays shall be conducted wholly within an enclosed building except the following:

4. Outdoor seating in relation to a permitted eating or drinking establishment, including an accessory food cart, subject to 16.34.060.D and Historic Review Board app

REDLINE

16.22.030 Conditional uses.

The following uses and their accessory uses may be permitted when authorized by the planning commission Planning Commission in accordance with the requirements of Chapter 16.60, a certificate of appropriateness approved and authorized by the historic review board, other relevant sections of this title and any conditions imposed by the Historic Review Board in accordance with Title 17.

C. Food carts located on the same property and accessory to an indoor eating and drinking establishment

16.22.040 Development standards.

J. Open Inventory display.

a. All business, service, repair, storage or merchandise displays shall be conducted wholly within an enclosed building except the following:

4. Outdoor seating in relation to a permitted eating or drinking establishment, including an accessory food cart, subject to 16.34.060.D and Historic Review Board review and approval

Food cart conditional use in short they would be evaluated on a case by case bases we can have restrictions vary.

Conditional use

Historic commercial overlay, Commissioner Fawcett I am not against city limits being a deciding factor. Commissioner Willman limited to downtown is my choice. Commissioner Weidman leaning towards downtown as well along with Commissioner Gibson, and it must be accessory to brick and mortar store.

Do we need to define food cart it remains on wheels and can be moved and mobil at all times. (seasonal)

What about restrooms that is why I said accessory to main business. That has a restroom.

- Could be separate owners they could lease
- Signage held to property owners sign limits would apply and show proof from property owner that this condition is met.
- Hours of operation, same as primary
- Concrete verses gravel? On concrete
- Not within setbacks and they can use parking site.
- Serving beer and wine, no
- Health Dept approval
- Not to exceed 20 foot in length
- Self propelled by motor.

Were some of the itmes discussed as well.

7. Commission Action/Discussion

A. City Planning Activity (in Your Packets)
Status of Development Projects within the City.

- City Planner Wakeley had no discussion items in addition to what has been previously discussed.

8. Adjourn

Chairman Schaefer adjourned the meeting at 8:38 pm

Chairman, Schaefer

ATTEST:

Kelly Richardson, City Recorder

From: Hallyburton, Rob [rob.hallyburton@state.or.us]
Sent: Friday, November 22, 2013 8:24 AM
To: Hallyburton, Rob
Subject: Notices of comprehensive plan amendments

To Oregon cities and counties:

The Land Conservation and Development Commission has amended administrative rules regarding required notices of plan amendments to DLCD in order to enable electronic submittals. The new rules are in effect.

The rules formerly required that a notice of a proposed change and the notice of adoption be submitted on paper. With the rule amendments, DLCD now accepts submittals via e-mail or FTP upload. Paper submittals are still accepted. (But why would you want to?)

The submittal forms have been updated to reflect the rule changes. The instructions on each form have been updated with current information regarding submittal requirements and advice. The forms are available here:

<http://www.oregon.gov/LCD/Pages/forms.aspx>. If you need any assistance filling out a form, or have suggestions for improvements to the templates, please contact your DLCD regional representative (<http://www.oregon.gov/lcd/pages/repstlist.aspx>) or Plan Amendment Specialist Angela Houck (angela.houck@state.or.us).

This is a step in our transition to true online submittal of notices, which we plan to have operational in the coming months. In the meantime, please dispose of copies of old forms. We encourage you to use the paperless option for DLCD notices. Please forward this message to those in your organization who prepare notice forms if I've sent this to the wrong person.

Rob Hallyburton | Community Services Division Manager
Oregon Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Office: (503) 934-0018 | Cell: (503) 931-7823 | Main: (503) 373-0050
rob.hallyburton@state.or.us | www.oregon.gov/LCD

I. Impervious surfaces shall not cover more than sixty (60) percent of the lot or parcel.

J. Parking requirements shall be in accordance with Chapter 16.42. Parking requirements for residential units, including manufactured homes, require the construction of a garage or carport. Manufactured dwellings located in manufactured dwelling parks are required to install either a garage or carport.

K. Landscaping requirements shall be in accordance with Chapter 16.38.

L. All properties located outside the designated historic commercial overlay and the historic residential overlay and adjacent to Highway 99 or Ehlen Road shall be collectively referenced as "gateway properties." The standards of Chapter 16.56 shall apply to all aspects of the site including, but not limited to, structural facade, yard and landscaping that are immediately adjacent to and visible from Highway 99 or Ehlen Road.

M. Additional requirements shall include any applicable section of this title. (Ord. 419 §§ 3, 4, 2002; Ord. 415 § 7.50.040, 2002)

* FROM RM zone (16.12)

FAX: 503-632-3049

4 pages total

TO: STAWN

FROM: RENATA

If the applicants want a garage or carport larger than 200 square feet, it must match the primary dwelling. If they want a carport smaller than 200 square feet - it does not need to match. Please note they must provide at least 2 parking spaces but they can stack them.

Chapter 16.13

ACCESSORY BUILDINGS

Sections:

- 16.13.010 Purpose**
- 16.13.020 Applicability and administration.**
- 16.13.030 Application submittal requirements.**
- 16.13.040 Approval standards.**

16.13.010 Purpose

Accessory buildings are permitted in certain situations to:

- A. Allow for the more efficient use of yards
- B. Allow for additional storage space

16.13.020 Applicability and administration.

A. Accessory buildings may be added to any single-family detached dwelling or manufactured home in any residential (R) zoning district.

B. Approvals for accessory buildings shall be approved administratively pursuant to Chapter 16.78, except for accessory buildings of two hundred (200) square feet or less and/or accessory buildings located in the historic residential overlay which shall require approval by the historic review board pursuant to Chapters 17.16 and 17.24 prior to administrative approval (Ord. 415 § 7.112.020, 2002)

16.13.030 Application submittal requirements.

All applications for accessory buildings shall be made on forms provided by the city and shall be accompanied by:

A. A site plan drawn to standard engineering scale showing the location of the accessory dwelling unit, the entrance and exits from the site, and areas to be designated for parking;

B. A completed building permit application, if applicable. Accessory buildings not subject to building permits requirements are still subject to other requirements of Chapter 16.13.

16.13.040 Approval standards.

A. Standards for creating accessory buildings address the following purposes:

1. Ensure that accessory buildings are compatible with the desired character and livability of Aurora's residential zones; and
2. Ensure that accessory buildings units are smaller in size than principal dwelling units.

B. Design standards

1. Maximum height for an accessory building shall be eighteen (18) feet or seventy-five (75) percent of the height of the principal structure, whichever is greater. Accessory dwelling units constructed above accessory buildings shall not exceed the height of the principal structure.

2. The maximum square footage for an accessory building shall be five hundred (500) square feet in the R-2 zone and seven hundred (700) square feet in the R-1 zone, except the maximum square footage for an accessory building on a lot or parcel greater than fifteen thousand (15,000) square feet shall be one thousand (1,000) square feet. Accessory buildings size may be interpolated between seven hundred and fifty (750) square feet and one thousand (1,000) square feet when lot size is

between seventy five hundred (7,500) and fifteen thousand (15,000) square feet.

3. Only one accessory building exceeding two hundred (200) square feet is allowed per lot. No more than two accessory buildings two hundred (200) square feet or less allowed.

4. Accessory buildings greater than two hundred (200) square feet shall utilize at least two of the following design features to provide visual relief along the street frontage:

1. Dormers;
2. Recessed entries;
3. Cupolas;
4. Bay or bow windows;
5. Gables;
6. Covered porch entries;
7. Pillars or posts;
8. Eaves (minimum six inches projection); or

9. Off-sets on building face or roof (minimum sixteen (16) inches).

C. Accessory buildings must meet the following:

1. Accessory buildings two hundred (200) square feet or less shall not exceed a height of ten (10) feet as measured from the finished floor level, to the average height of the roof surface. All setback requirements applicable to the base residential zone shall apply to accessory buildings, except for accessory buildings two hundred (200) square feet or less may be setback five (5) feet from rear or side lot lines.

2. A five (5) foot minimum separation is required between principal structure and accessory buildings.

3. The exterior finish material must be the same or visually match in type, size and placement, the exterior finish material of the existing single-family

detached dwelling or manufactured home, except for accessory buildings two hundred (200) square feet or less.

4. Accessory buildings greater than two hundred (200) square feet shall have a minimum nominal roof pitch of at least three (3) feet in height for each twelve (12) feet in width, as measured from the ridge line.

5. Accessory buildings cannot connect to the primary building via a breezeway in order to be considered as one building unless the breezeway is enclosed and contains architectural elements such as windows, doors, trim, and roof lines compatible with the main structure. Breezeways shall be subject to building code requirements.

D. All properties located outside the designated historic commercial overlay and the historic residential overlay and adjacent to Highway 99 or Ehlen Road shall be collectively referenced as "gateway properties." The standards of Chapter 16.56 shall apply to all aspects of the site including, but not limited to, structural facade, yard and landscaping, and accessory buildings that are immediately adjacent to and visible from Highway 99 or Ehlen Road.

Use	Gross Sq. Ft.	Minimum Loading Spaces
Industrial	25,001--60,000	2
Public utilities	60,001--100,000	3
Restaurants	Over 100,000	3+ 1 space per 60,000 sq. ft.
Hotel, motels	5,000--30,000	1
Institutions	30,001--70,000	2
Office buildings	70,001--130,000	3
Hospitals, schools	Over 130,000	3+1 space per 100,000 sq. ft.
Manufacturing	5,000--40,000	1
Wholesale storage	40,001--100,000	2
	100,001--160,000	3
	Over 160,000	3+ 1 per 80,000 sq. ft.

B. A loading berth shall contain space twelve (12) feet wide, thirty-five (35) feet long and have a height clearance of fourteen (14) feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased.

C. If loading space has been provided in connection with an existing use such space shall not be eliminated if elimination would result in nonconformance with the above standards.

D. Off-street parking areas used to fulfill the requirements of this title shall not be used for loading and unloading operations except during periods of the day when not required to take care of parking needs.

E. Loading berths shall not be required in areas subject to Chapter 16.28. (Ord. 415 § 7.100.020, 2002)

16.42.030 Off-street parking.

Off-street parking spaces shall be provided and maintained as set forth in this section for all uses in all zones. The following required spaces shall be available for parking, and not used for storage, sale, repair or servicing of vehicles, except property resident. Nothing in this title shall be interpreted to prevent the occasional use of parking areas for community events, special sales, public gatherings and similar activities not otherwise prohibited.

Use	Standard
A. Residential Uses/Day Care/Institutional/Hospital.	
1. Single- and two-family	2 spaces per dwelling unit *
2. Multifamily dwelling	1 space per studio or one bedroom dwelling unit, 2 spaces per dwelling unit with two or more bedrooms plus one

From: Wakeley, Renata [renatac@mwvcog.org]
Sent: Wednesday, November 27, 2013 11:02 AM
To: Amy Willman; Bud Fawcett; Jonathan Gibson; Joseph Schaefer; recorder; Robert Graham; Wakeley, Renata
Subject: Fair Housing standards
Attachments: AFFH Checklist Final Draft October 2013.doc

All,

See attached land use information from the Fair Housing Council of Oregon. I have highlighted what I think are relevant sections to Aurora's code. In summary, licensed residential facilities must be a permitted use in any zone where multifamily housing is a permitted use [ORS 197.667] and licensed residential facilities must be a permitted or conditional use in any zone where multifamily housing is a conditional use. [ORS 197.667]

Both your R1 and R2 zones permit multifamily housing. While your R1 (low density residential) zone does list residential care homes as permitted uses along with multifamily housing, your R2 (moderate density residential) zone does not. I believe a code amendment will be required. Further interpretations of this new information may be needed but I wanted to provide you all with a "heads up" on this potential code amendment.

Have a nice Thanksgiving.

Renata Wakeley, Senior Planner
Mid-Willamette Valley Council of Governments
100 High Street SE, Suite 200, Salem, OR 97301
503 540 1618 direct
503 588 6177 reception
503 588 6094 fax

CONFIDENTIALITY NOTICE: This message is intended solely for the use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable state and federal laws. If you are not the addressee, or are not authorized to receive information for the intended addressee, you are hereby notified that you may not use, copy, distribute, or disclose to anyone this message or the information contained herein. If you have received this message in error, please advise the sender immediately by reply email and delete this message. Thank you

Examining Local Land Use with a Fair Housing Lens:

An Evaluation Tool for Planners, Policy Makers, and Other Practitioners

Produced by the
Fair Housing Council of Oregon

www.FHCO.org

Draft for Stakeholder Feedback

Send comments to: acudmore@fhco.org by 12/2/13

How Fair-Housing Friendly Are Your Plans, Codes, and Practices?

Many planners may not be aware of the fair housing implications of land use plans and implementing codes and how they can play an important role in promoting fair access to decent housing—a human necessity and a pathway to accessing other opportunities—for all. Federal fair housing law, first enacted by Congress as Title VIII of the Civil Rights Act of 1968, prohibits discrimination in housing based on race, color, religion, national origin, sex, disability or familial status (the presence of children in the household)-the seven federal protected classes. (Oregon law also prohibits discrimination based on source of income, marital status, sexual orientation, gender identity, and having a history of being a survivor of domestic violence.) The law applies to public entities, private businesses, nonprofits and individuals, and it covers both intentional acts of discrimination and also policies and practices which, on the surface, may not appear discriminatory but, in fact or in practice, have a disparate impact on one or more protected classes. A disparate impact occurs when a policy or action has a negative effect on a higher proportion of members of a protected class than those not in a protected class. Fair housing issues that develop from land use plans, codes and practices most often fall into the category of “disparate impact.”

How to Use This Guide

This checklist is intended to serve as an informational and educational tool for land use planners in Oregon’s cities and counties. It provides a guide to use in auditing your land use plans and implementing codes, including zoning maps, development regulations, building codes and the like. It also suggests clear and straightforward actions that jurisdictions can take to both comply with fair housing law and affirmatively further fair housing through adopting best practices. Jurisdictions that receive federal funds, either directly from the US Department of Housing and Urban Development or other federal agencies, or through the State of Oregon, are required to affirmatively further fair housing.

The items below preceded by the term “Best Practices” indicate actions that your jurisdiction may choose to take to affirmatively further fair housing. Some are likely to be effective in only certain types of communities; these are designated “Best Practices in Appropriate Contexts.” The other actions (ones that are not labeled Best Practices or Best Practices in Appropriate Contexts) are considered essential for every community; they are either required by state law or represent actions that are essential to providing for fair housing choice. Because the law and case history are complex, addressing all of the items on this list does not shield your jurisdiction from all potential fair housing claims or lawsuits, but it does help demonstrate a good faith effort to support fair housing.

A Note on Fair Housing, Affordable Housing and Needed Housing

Fair housing and affordable housing are related, but distinct, concepts. Generally, housing is considered to be affordable when low income households (those whose incomes are at or below 60% of area median income, adjusted for family size, as determined by HUD) spend no more than 30% of their gross income on housing costs, including rent and essential utilities. Many, but by no means all, individuals who are members of protected classes need affordable housing. The degree to which there is an overlap between the population needing access to affordable housing and those who are protected by fair housing law varies from jurisdiction to jurisdiction. While this guide primarily focuses

on ways land use plans and implementing codes can support fair housing, it also contains suggestions relevant to supporting the development of affordable housing.

Fair housing and affordable housing also relate to a concept familiar to planners in Oregon: needed housing, defined in ORS 197.303 as “housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels,” including specified housing types, such as attached and detached single-family housing and multiple family housing for both owner and renter occupancy, government-assisted housing, mobile home parks, manufactured homes on individual lots and housing for farmworkers. The buildable lands provision (ORS 197.286) addresses requirements pertaining to land supply for needed housing. Oregon land use law thus helps ensure that comprehensive plans and implementing codes do not preclude the development of affordable housing (exclusionary zoning), but it does not ensure that affordable housing will actually get built. Some of the topics covered in the second section of this checklist suggest ways that local codes can include additional provisions to support the development of affordable housing.

The needed housing analysis required of Oregon municipalities provides an opportunity to affirmatively further fair housing. Jurisdictions may elect to define certain housing types (e.g., group homes) as needed housing. ORS 197.307 requires that, once a need for a particular housing type has been established, that housing type must be a permitted use in one or more zoning districts with sufficient buildable land to satisfy that need, and that only clear and objective standards, conditions and procedures that do not discourage development of the housing through unreasonable cost or delay may be applied.

Looking for More Information?

This guide is intended to serve as a starting point; we hope it provokes questions about specific provisions in your codes or statements in your plans. The Fair Housing Council of Oregon welcomes your questions. We are available to provide confidential technical assistance to assist jurisdictions with making their codes fair-housing friendly. We encourage you to contact us at (503) 223-8197 or acudmore@fhco.org

Check if you've got this covered or it is not applicable	Topic	Protected Class	Requirements or Best Practices
Provisions specific to protected classes and fair housing			
Code Definitions			
	Definition of <i>disability</i>	Disabilities	If <i>disability</i> is defined in your code, it, at a minimum, must include all those included in the definition in the Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended). Persons with disabilities are defined as individuals with mental or physical impairments which substantially limit one or more major life activities. (This definition is a much broader interpretation of disability than is generally used on other applications.) [http://www.justice.gov/crt/about/hce/final8_1.php]
	Definition of <i>family</i>	Disabilities, national origin, color, race, familial status	A local government may restrict the ability of groups of unrelated persons to live together as long as the restrictions are imposed on all such groups. One way to do this is through defining the term <i>family</i> . However, if <i>family</i> is defined in local code, it must not have the effect of discriminating against unrelated individuals with disabilities residing together in a group living arrangement [http://www.justice.gov/crt/about/hce/final8_1.php] or larger extended families who wish to reside together. Because this definition is typically central to other topics covered in your code, we suggest that you contact the Fair Housing Council of Oregon if you have any questions or concerns about this definition or how it plays out throughout your code.
	Definitions of <i>Special Residences</i>	Disabilities	Definitions of “group homes” and “treatment facilities” (or other similar terms) must, at a minimum, comply with the definitions of <i>Residential Homes and Facilities</i> found in Special Residence provisions of ORS 197. <i>Residential homes</i> include: <ul style="list-style-type: none"> • <i>Residential treatment homes</i>, which are facilities that provide residential care and treatment for five or fewer individuals with mental, emotional or behavioral disturbances or alcohol or drug dependence. [ORS 443.400] They are licensed by the Oregon Health Authority. [ORS 443.410] • <i>Residential training homes</i>, which are facilities that provide residential care

Check if you've got this covered or it is not applicable	Topic	Protected Class	Requirements or Best Practices
			<p>and training for five or fewer individuals with mental retardation or other developmental disabilities. They are licensed by Oregon Department of Human Services.[ORS 443.400]</p> <ul style="list-style-type: none"> • <i>Adult foster homes</i>, which are family homes or facilities in which residential care is provided in a homelike environment for five or fewer adults who are not related to the provider by blood or marriage. They are licensed by either Oregon Department of Human Services or the Oregon Health Authority [ORS 443.705] <p><i>Residential facilities include:</i></p> <ul style="list-style-type: none"> • <i>Residential care facilities</i>, which are facilities that provide residential care in one or more buildings on contiguous properties for six or more socially dependent individuals or individuals with physical disabilities. [ORS 443.400] Licensed by Department of Human Services. [ORS 443.410] • <i>Residential training facilities</i>, which are facilities that provide residential care and training in one or more buildings on contiguous properties for six or more individuals with mental retardation or other developmental disabilities.[ORS 443.400] Licensed by Department of Human Services. [ORS 443.410] • <i>Residential treatment facilities</i>, which are facilities that provide residential care and treatment in one or more buildings on contiguous properties for six or more individuals with mental, emotional or behavioral disturbances or alcohol or drug dependence. [ORS 443.400] Licensed by Oregon Health Authority. [ORS 443.410]
Code and Mapping Allowances			
	Zoning for licensed residential facilities	Disabilities	Licensed residential facilities (see above Definitions of Special Residences--your code may have a different name for this use) must be a permitted use in any zone where multifamily housing is a permitted use [ORS 197.667] and licensed residential facilities must be a permitted or conditional use in any zone where multifamily housing is a conditional use. [ORS 197.667]

Check if you've got this covered or it is not applicable	Topic	Protected Class	Requirements or Best Practices
			<ul style="list-style-type: none"> • Your code must not impose use restrictions on residential facilities that are not imposed on multifamily housing. • Your code must not impose notice criteria on residential facilities that are not required for multifamily housing. • Your code must not impose restrictions or standards on residential facilities based on the degree to which the residents are disabled. • Your code must not impose design requirements on residential facilities that it does not impose on other multifamily housing. • Your code must not impose siting criteria (e.g., no residential facilities within 1000 feet of each other) that it does not impose on other multifamily housing. Note: This may be permissible if there is a current and real concern that residential facilities are segregated in a certain area, separate from the general population AND there is no other way to achieve integration. • Your code must not impose impact or permit fees on residential facilities that it does not impose on other multifamily housing.
	Zoning for licensed residential facilities	Disabilities	<p>Licensed residential facilities (see above Definitions of Special Residences--your code may have a different name for this use) must be a permitted use in any zone where multifamily housing is a permitted use [ORS 197.667] and licensed residential facilities must be a permitted or conditional use in any zone where multifamily housing is a conditional use. [ORS 197.667]</p> <ul style="list-style-type: none"> • Your code must not impose use restrictions on residential facilities that are not imposed on multifamily housing. • Your code must not impose notice criteria on residential facilities that are not required for multifamily housing. • Your code must not impose restrictions or standards on residential facilities based on the degree to which the residents are disabled. • Your code must not impose design requirements on residential facilities that it does not impose on other multifamily housing. • Your code must not impose siting criteria (e.g., no residential facilities within

Check if you've got this covered or it is not applicable	Topic	Protected Class	Requirements or Best Practices
			<p>1000 feet of each other) that it does not impose on other multifamily housing. Note: This may be permissible if there is a current and real concern that residential facilities are segregated in a certain area, separate from the general population AND there is no other way to achieve integration.</p> <ul style="list-style-type: none"> Your code must not impose impact fees on residential facilities that it does not impose on other multifamily housing.
	Zoning for unlicensed group homes, group living, shared living quarters, or community service uses	Disabilities, national origin	There are many different types of and names for groups of unrelated individuals voluntarily living together, with or without services and with or without third-party involvement in their lives, such as Oxford Houses for recovering addicts and group homes for adults with disabilities. This use can be a “hot button” issue for neighbors and neighborhood associations and thus become a highly-charged planning issue. However, this use, and how it is treated in codes, is also a grey area with significant potential fair housing ramifications. The case law is evolving and can be context-specific. If this is a concern in your area, we suggest that you contact the Fair Housing Council of Oregon for technical assistance.
	Zoning for onsite services	Disabilities	A licensed residential facility with onsite services available to both residents and nonresidents of the facility should be a permitted use in commercial zones or mixed use zones that allow commercial uses. There must be sufficient developable land or available sites to accommodate this use.
	Parking requirements for Special Residences or housing typically occupied by persons with disabilities	Disabilities	<p>[Best Practice] Your code should have clear and objective standards defining when parking standards may be adjusted based on the proximity of the development to transit or the likelihood that residents will not own personal vehicles.</p> <ul style="list-style-type: none"> If special residences are determined to be needed housing, then clear and objective standards must be provided in the code. If a variance/adjustment is required, the cost and review process should not have the effect of discouraging applications. <ul style="list-style-type: none"> If a variance/adjustment is required, the cost or review process involved should not be significantly greater than clear and objective review (e.g., fees, engineering study, and extent of discretionary

Check if you've got this covered or it is not applicable	Topic	Protected Class	Requirements or Best Practices
			<p>review).</p> <ul style="list-style-type: none"> ○ The additional information obtained from the applicant should be of sufficient benefit to warrant this additional step.
	Accessibility code standards for multi-family dwellings	Disabilities	<p>During plan review, planning or building staff must review plans to ensure compliance with accessibility requirements pertaining to accessible entrances, accessible routes and accessible common and public use areas in multifamily dwellings containing four or more units that were built after March 13, 1991. [Note: building staff must also inspect for usable doors, location of controls, accessible routes into and through units, reinforced bathroom walls, and usable kitchens and bathrooms.]</p> <p>Your codes must include provisions that mirror those in state building code that address the seven Fair Housing safe harbor accessible design and construction standards for multifamily dwellings containing four or more units that were built after March 13, 1991. [The standards can be found at Fair Housing First: http://www.fairhousingfirst.org/fairhousing/requirements.html]</p>
	Occupancy standards	National origin, color, race, familial status	Your code may not contain occupancy standards (residents per bedroom, square footage requirements per resident) that exceed the minimum life and safety standards established by fire or other applicable codes.
	Reasonable accommodation	Disabilities	<p>Your code should enable applicants developing housing for persons with disabilities to request a reasonable accommodation to existing code requirements to better serve that population. The cost associated with making that request, if any, should not have the effect of discouraging it. Examples of potential requests include:</p> <ul style="list-style-type: none"> • Adjustments to maximum parking restrictions to accommodate parking for caregivers • Adjustments to design standards requiring balconies or outside spaces for each individual unit when that feature is detrimental to the wellbeing of the residents (e.g., certain groups of people with mental health disabilities)

Check if you've got this covered or it is not applicable	Topic	Protected Class	Requirements or Best Practices
			<ul style="list-style-type: none"> Adjustments to requirements for cooking facilities in each unit when that feature is detrimental to the wellbeing of the residents (e.g., people with dementia)
Fair Housing Knowledge/Training			
	Staff training	All protected classes	<p>[Best practice] Planning, permitting, and building staff should be informed about fair housing.</p> <ul style="list-style-type: none"> They should know where to refer clients for further information about applicable Fair Housing laws, regulations and best practices. They should know where to refer individuals for assistance who believe that they may have experienced discrimination. Contact the Fair Housing Council of Oregon for training information
Availability of Planning Services			
	Planning services	Persons with disabilities, national origin	<p>Planning services must be fully available to all without respect to ability/disability and national origin. Either the facility where development and permit facilities are usually provided must be accessible, or the jurisdiction must have an alternative location where those services can be delivered, should the need arise.</p> <ul style="list-style-type: none"> Planning services must be available to those with mobility, auditory, vision or other disabilities. Planning services must be available in other languages, if necessary.
Provisions that may benefit all protected classes if, in your jurisdiction, most households who are members of specific protected classes also require affordable housing.			
Adequate Developable Land Supply			
	Continuing review of needed housing	All protected classes	<p>You continually review your housing needs analysis and track how developable residential land is being built out, to ensure that sufficient housing is being built that meets the needs of the full range of current and future residents and that sufficient and appropriately-zoned land is available for needed housing. [Goal 10, OAR 660.015, ORS 197.303]</p>
	Minimum lot size and affordability	All protected classes	<p>Your code must not impose a minimum lot size that has the effect of pricing-out lower-cost housing. Your minimum lot size should not unnecessarily constrain the</p>

Check if you've got this covered or it is not applicable	Topic	Protected Class	Requirements or Best Practices
			number of housing units that can be constructed on buildable land.
	Setbacks and affordability	All protected classes	Your code must not impose setback requirements that either have the effect of pricing-out lower-cost housing or otherwise constrain the supply of housing that can be used for the development of lower-cost housing.
	Minimum parking requirements and affordability	All protected classes	Minimum parking requirements per dwelling unit of attached and/or multifamily housing should not be greater than those required of detached single family housing, thereby increasing financial burden on affordable housing types.
	Manufactured housing and mobile homes standards	All protected classes	<p>Your code must allow manufactured housing as follows:</p> <ul style="list-style-type: none"> Your code must allow manufactured housing that meets certain standards for minimum size, appearance and energy efficiency as permitted uses in single family zones (with the exception of historic districts and lots adjacent to historic districts). [ORS 197.312 through ORS 197.314] Your code must allow manufactured housing subdivisions in single family zones. <p>Your code must allow mobile or manufactured dwelling parks in zoning districts that allow 6 to 12 dwelling units per acre. Your code must establish only clear and objective standards for the manufactured dwelling parks. Your code may not establish a minimum lot size of less than one acre for the manufactured dwelling park. [ORS 197.303, 197.314 and 197.475 through ORS 197.492]</p>
	Duplexes and affordability	All protected classes	[Best practice in appropriate contexts] Your jurisdiction might consider allowing duplexes on corner lots in single family zones as a means to encourage the development of affordable housing.
	Small lot development and affordable land supply	All protected classes	[Best practice in appropriate contexts] Your code could allow for the development of existing substandard lots (lots of record) as a means to increase the supply of affordable land available for residential development.
	Flag lots and affordable land	All protected classes	[Best practice in appropriate contexts] Your code could allow development on flag lots as a means to increase the supply of land available for residential development.

Check if you've got this covered or it is not applicable	Topic	Protected Class	Requirements or Best Practices
	supply		
	Alley-accessed lots and affordable land supply	All protected classes	[Best practices in appropriate contexts] Your code could allow the development of housing units that are accessed solely from alleys as a means to increase the supply of land available for residential development.
	Row houses & attached houses and affordability	All protected classes	[Best practice in appropriate contexts] Your code could allow for the development of row houses and/or attached townhouses in single family zones as a means to encourage the development of affordable housing.
	Single-room occupancy units and affordability	All protected classes	[Best practice in appropriate contexts] Your code could allow for single room occupancy units, residential hotels or rooming houses as a way to increase the supply of smaller affordable housing units. <ul style="list-style-type: none"> Existing hotels/motels could be allowed to be converted to single room occupancy units.
	Accessory dwelling units and affordability	All protected classes	[Best practice in appropriate contexts] Your code could allow the development of accessory dwelling units on single family lots as a means to increase the supply of affordable housing.
	Minimum density requirement in multifamily zones	All protected classes	[Best practice in appropriate contexts] Your code could include minimum density requirements in multifamily zones as a way to increase the supply of affordable housing.
	Homeless camping provisions	All protected classes	[Best practice in appropriate contexts] Your code may accommodate homeless camping on up to two parcels [ORS 446.265], on land owned by faith-based organizations [US Religious Land Use and Institutionalized Persons Act of 2000] or as homeless overnight street parking in appropriate places, such as industrial zones.
Zoning and Financial Incentives			
	Density bonus for affordable housing	All protected classes	[Best practice in appropriate contexts] Your jurisdiction could have a density bonus for affordable housing in single family zones as a means to encourage the development of affordable housing. <ul style="list-style-type: none"> Provision could address the number of allowed units, additional floor area ratio, site arrangement /set back standards, and/or height increase.

Check if you've got this covered or it is not applicable	Topic	Protected Class	Requirements or Best Practices
	Planned unit developments, cluster subdivisions	All protected classes	[Best practice in appropriate contexts] Your code could include provisions that permit planned unit developments and/or cluster subdivisions as a means to encourage the development of affordable housing.
	Skinny streets and affordability	All protected classes	[Best practice in appropriate contexts] Your code could allow for the use of skinny streets or other alternative, lower-cost street standards as a way to reduce overall development costs.
	Urban Renewal District affordable housing incentives	All protected classes	[Best practice in appropriate contexts] If your jurisdiction has urban renewal districts, you could have standards regarding the share of affordable and/or accessible housing that must be provided for a private project to access public incentives.
	Using surplus public land for affordable housing	All protected classes	[Best practice] Your jurisdiction could have policies and practices in place to identify surplus public land or tax-foreclosed property and convey it to nonprofit organizations for affordable housing development.
	CCRs and protection of affordable housing	All protected classes	[Best practice] Your code could prohibit CCRs that impact the availability of affordable housing, such as CCRs that prohibit the leasing of a unit once it is built.
Permitting and Fees			
	Expedited Review for affordable housing	All protected classes	[Best practice] Your jurisdiction could have processes for expediting the development review of affordable housing.
	Financing system development charges & fees for affordable housing	All protected classes	<p>[Best practice] Your jurisdiction could have a method of financing the cost of system development charges (SDCs) and/or permit fees for affordable housing.</p> <ul style="list-style-type: none"> • If your jurisdiction demands that its lien be in first position, this may render this option unfeasible for publicly subsidized housing units.
	Demolition permits and encouraging relocation of structures for affordable housing	All protected classes	[Best practice in appropriate contexts] Your code may require that property owners applying for demolition permits be notified that nonprofit organizations may be willing to accept donations of the improvement as an alternative to demolition.

Sources

- John VanLandingham. *Removal of Regulatory Barriers*. Fair Housing Council of Oregon website: <http://www.fhco.org/regbarriers.htm>
- Westchester County Settlement. (2009). HUD website: <http://www.hud.gov/content/releases/settlement-westchester.pdf>
- PSU Graduate Students Suvi Wesa, Samantha Petty, Cassandra Hill and Allison Moe. *Fair Housing Choice*. Included in Washington County Fair Housing Plan, Appendix C: <http://www.co.washington.or.us/CommunityDevelopment/Planning/fair-housing-plan.cfm>

Acknowledgements

This Guide was prepared for the Fair Housing Council of Oregon by Andrée Tremoulet, Ph.D., of Commonworks Consulting, in collaboration with Deb Meihoff, AICP, of Communitas LLC, in July 2013. For further information, contact andree@commonworksconsulting.com

The Fair Housing Council of Oregon would also like to express our gratitude for the generous assistance provided by these additional contributors. This work would not have been possible without their expertise, counsel, and wisdom.

Lisa Bates, Professor, Portland State University Urban Studies Department

Bill Carpenter, Chief Information Officer, Oregon Housing and Community Services

Karen Clearwater, Regional Advisor to the Dept., Oregon Housing and Community Services

Tom Cusack, Oregon Housing Blog publisher

Gordon Howard, Urban Planning Specialist, Oregon Dept. of Land Conservation and Development

Ellen Johnson, Attorney, Oregon Law Center and Housing Land Advocates member

Beth Kaye, land use policy expert

Leon Laptook, Affordable housing advocate

Sue Lind, Housing developer

Jenny Logan, Community Alliance and Tenants and Housing Land Advocates member

Nancy Murray, FHCO board member and community development lawyer

Bob Rindy, Senior Policy Analyst, Oregon Dept. of Land Conservation and Development

Yesenia Sanchez, Housing Developer, Community Action Team (serving Columbia, Tillamook, and Clatsop Counties)

Ed Sullivan, Land use attorney, Garvey Schubert Barer, and Housing Land Advocates member

Jim Tierney, Executive Director, Community Action Team (serving Columbia, Tillamook, and Clatsop Counties)

Kim Travis, Regional Advisor to the Dept., Oregon Housing and Community Services

John VanLandingham, FHCO board member, attorney, Legal Aid Services of Lane County attorney, and land use expert

Gloria Zacharias, CDBG Program and Policy Coordinator, Oregon Business Development - Infrastructure Finance Authority

- A. View Corridors.** All development and vegetation with a view corridor designation in the *Scenic Resources Protection Plan* are subject to the regulations of this Subsection.
1. Purpose. The intent of the view corridor designation is to establish maximum heights within view corridors to protect significant views from specific viewpoints.
 2. Standard. All development within the designated view corridors are subject to the height limits of the base zone, except when a more restrictive height limit is established by the view corridor. In those instances, the view corridor height limit applies to both development and vegetation. Public safety facilities are exempt from this standard.
- B. Scenic Corridors.** All development and vegetation with a scenic corridor designation in the *Scenic Resources Protection Plan* are subject to the regulations of this Subsection.
1. Purpose. The scenic corridor designation is intended to preserve and enhance the scenic character along corridors, and where possible, scenic vistas from corridors. This is accomplished by limiting the length of buildings, preserving existing trees, providing additional landscaping, preventing development in side setbacks, screening mechanical equipment, and restricting signs.
 2. Standards.
 - a. Limiting blank facades. Long, blank facades create uninteresting elements along a scenic corridor. This standard applies to all portions of buildings within 100 feet of the designated resource. Residential structures are exempt from this standard. Blank facades must be mitigated for in at least one of the following ways:
 - (1) The maximum length of any building facade is 100 feet.
 - (2) Two rows of trees, one deciduous and one evergreen, must be planted on 30-foot centers along the length of the building between the structure and the protected resource.
 - (3) Facades facing the scenic corridor must have a minimum of 40 percent of surface area in glass. Mirrored glass with a reflectance greater than 20 percent is prohibited.
 - b. Street setbacks. The entire required street setback must be landscaped to at least the L1 level unless the more stringent standards below or in other chapters of this Title apply. Up to 25 percent of the entire area of the street setback may be used for vehicle and pedestrian areas except that each lot is allowed at least a 9-foot wide driveway or parking area and a 6-foot wide pedestrian area. For shared driveways serving more than one unit, the base zone standards apply, and landscaping at the L1 standard must be provided adjacent to the identified resource. Where the base zone does not require a street setback, a setback of 20 feet is established by the Scenic Resource zone on street lot lines that abut the Scenic Corridor identified in the *Scenic Resources Protection Plan*. The required landscaping in the setback must be provided at the time of development, except as allowed in B.2.b(1) below.

CURRENT

5. Any new development, change of occupancy, or commercial or industrial remodel, that will intensify the use of the property by increasing the vehicle traffic to the site, or on-site parking in accordance with Chapter 16.42 by more than ten (10) percent. Applicant shall be required to submit to the Planning Director information demonstrating the development, change, or remodel shall not intensify the use of the property by more than ten (10) percent and is subject to Planning Director review and approval, Chapter 16.42, and the Institute of Transportation Engineers (ITE) Trip Generation Manual (latest edition);

PROPOSED

5. Any new development, change of occupancy, or commercial or industrial remodel, that will intensify the use of the property by increasing the vehicle traffic to the site, or on-site parking in accordance with Chapter 16.42 by more than twenty-five (25) percent above the most traffic intensive use approved for the property, as measured by the Institute of Transportation Engineers (ITE) Trip Generation Manual (latest edition). Applicant shall submit to the Planning Director information demonstrating the development, change, or remodel shall not intensify the use of the property by more than twenty-five (25) percent and is subject to Planning Director review and approval, Chapter 16.42.

REDLINE

5. Any new development, change of occupancy, or commercial or industrial remodel, that will intensify the use of the property by increasing the vehicle traffic to the site, or on-site parking in accordance with Chapter 16.42 by more than ~~ten (10) percent~~. Applicant shall be required to twenty-five (25) percent above the most traffic intensive use approved for the property, as measured by the Institute of Transportation Engineers (ITE) Trip Generation Manual (latest edition). Applicant shall submit to the Planning Director information demonstrating the development, change, or remodel shall not intensify the use of the property by more than ~~ten (10) percent~~ twenty-five (25) percent and is subject to Planning Director review and approval, Chapter 16.42, and the Institute of Transportation Engineers (ITE) Trip Generation Manual (latest edition);

CURRENT

16.22.030 Conditional uses.

The following uses and their accessory uses may be permitted when authorized by the planning commission in accordance with the requirements of Chapter 16.60, a certificate of appropriateness approved by the historic review board, other relevant sections of this title and any conditions imposed by the planning commission:

16.22.040 Development standards.

J. Open Inventory display.

a. All business, service, repair, storage or merchandise displays shall be conducted wholly within an enclosed building except the following:

4. Outdoor seating in relation to a permitted eating or drinking establishment subject to 16.34.060.D and Historic Review Board review and approval.

PROPOSED

16.22.030 Conditional uses.

The following uses and their accessory uses may be permitted when authorized by the Planning Commission in accordance with the requirements of Chapter 16.60, and authorized by the Historic Review Board in accordance with Title 17.

C. Food carts located on the same property and accessory to an indoor eating and drinking establishment

16.22.040 Development standards.

J. Open Inventory display.

a. All business, service, repair, storage or merchandise displays shall be conducted wholly within an enclosed building except the following:

4. Outdoor seating in relation to a permitted eating or drinking establishment, including an accessory food cart, subject to 16.34.060.D and Historic Review Board approval.

REDLINE

16.22.030 Conditional uses.

The following uses and their accessory uses may be permitted when authorized by the ~~planning commission~~Planning Commission in accordance with the requirements of Chapter 16.60, a ~~certificate of appropriateness approved and authorized by the historic review board, other relevant sections of this title and any conditions imposed by the planning commission;~~Historic Review Board in accordance with Title 17.

C. Food carts located on the same property and accessory to an indoor eating and drinking establishment

16.22.040 Development standards.

J. Open Inventory display.

a. All business, service, repair, storage or merchandise displays shall be conducted wholly within an enclosed building except the following:

4. Outdoor seating in relation to a permitted eating or drinking establishment, including an accessory food cart, subject to 16.34.060.D and Historic Review Board~~review and approval.~~