



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

AMENDED NOTICE OF ADOPTED AMENDMENT

September 21, 2007



TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Hood River Plan Amendment
DLCD File Number 004-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: October 4, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Gary Fish, DLCD Regional Representative
Jessica Kinder, City of Hood River

<paa> ya/

FORM 2

DLCD

Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
 PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

☐ In person ☐ electronic ☐ mailed

DEPT OF

SEP 17 2007

**LAND CONSERVATION
AND DEVELOPMENT**

DATE
STAMP

For DLCD Use Only

Jurisdiction: **City of Hood River**

Local file number: **2007-10**

Date of Adoption: **9/10/2007**

Date Mailed: **9/13/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **3/2/2007**

☐ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☒ Land Use Regulation Amendment

☐ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

To increase the setback in the C-1 zone for non-residential. The change will make the C-1 setbacks for non-residential the same as the R-3 zone, as it is now for residential projects.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **na**

to: **na**

Zone Map Changed from: **na**

to: **na**

Location: **All C-1 zones**

Acres Involved: **0**

Specify Density: Previous: **na**

New: **na**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD #004-07(15924)

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

City of Hood River

Local Contact: **Jessica Kinder**

Phone: **(541) 387-5210** Extension:

Address: **P.O. Box 27**

Fax Number: **541-387-5289**

City: **Hood River**

Zip: **97031-**

E-mail Address: **jessica@ci.hood-river.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 1933

(An ordinance amending 17.03.040 Office/Residential Zone (C-1) Setback Requirements of the Hood River Municipal Code)

WHEREAS, the City undertook a visioning process that involved a written survey and town hall meetings;

WHEREAS, the following amendments to Title 17 respond to issues raised during the visioning process;

WHEREAS, the following amendments are consistent with the City's Comprehensive Plan as set forth in the attached Findings of Fact and Conclusions of Law, which are approved and hereby incorporated by reference;

NOW, THEREFORE, THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

* * *

17.03.040 Office/Residential Zone (C-1)

A. Permitted Uses.

1. Single-family dwellings and accessory structures
2. Duplexes and triplexes
3. Rooming and boarding houses
4. Manufactured homes
5. Home occupation
6. Bed and breakfast facilities
7. Family day care
8. Residential care facility
9. Group residential, if less than fifteen (15) persons
10. Transportation facilities pursuant to 17.20.050(A)

B. Permitted Uses Subject to Site Plan Review.

1. Professional offices
2. Change of use
3. Parking lots of four (4) or more spaces, new or expanded, and or the equivalent of paving equal to four (4) or more parking spaces
4. Multi-family dwellings
5. Group residential, if fifteen (15) or more persons
6. Transportation facilities pursuant to 17.20.050(B)

C. Conditional Uses.

1. Hospitals, sanitariums, rest homes, nursing or convalescent homes
2. Schools and child care centers
3. Public parks, playgrounds and related facilities
4. Utility or pumping substations

5. Churches
6. Planned unit developments
7. Public facilities and uses
8. Hostels
9. Townhouse projects

D. Site Development Requirements.

1. Minimum Lot Area: Per dwelling unit or duplex, a minimum of 5,000 square feet. Each unit thereafter shall require an additional 1,500 square feet.
2. Minimum Townhouse Lot Area: A minimum of 5,000 square feet for the first two (2) residential units and 1,500 square feet each for any additional residential units.
3. Minimum Frontage:
 - a. Fifty (50) feet on a dedicated public street or
 - b. Thirty (30) feet on a public dedicated cul-de-sac.

E. Setback Requirements.

1. Professional offices: The standards outlined in the C-2 R-3 zone apply.
2. Residential uses or a combination of professional offices and residential uses: The standards outlined in the R-3 zone apply.

F. Maximum Building Height.

Thirty-five (35) feet.

G. Parking Regulations.

1. Professional Offices:
 - a. One (1) off-street parking space shall be provided on the building site or adjacent to the site for each employee. In addition, adequate off-street parking shall be provided on or adjacent to the building site to meet the needs of anticipated clientele.
 - b. In no case shall there be less than two (2) off-street parking spaces.
 - c. The Central Business District, the Heights Business District and the Waterfront are exempt from this requirement but shall pay a fee in-lieu of parking in accordance with Chapter 17.23.
 - d. Parking in the Central Business District, Heights Business District and Waterfront may be satisfied by substituting all or some of the parking requirement at adjacent or nearby off-site off-street locations and/or by adjacent or nearby shared parking if the substitute parking reasonably satisfies the parking requirements of this section. If no off-street or off-site parking reasonably satisfies the parking requirements of this section, the fee in-lieu of parking shall be paid in accordance with Chapter 17.23. If less than all required parking is provided, the fee in lieu of parking shall be paid in accordance with Chapter 17.23, except that a credit shall be given for the number of spaces provided.
2. Residential Uses:
 - a. All individual dwelling units, duplexes, and triplexes shall be provided with two (2) parking spaces for each unit on the building site, one (1) of which may be within the required front yard setback area.

- b. Multi-family dwellings shall be required to furnish one and one-half (1½) off-street parking spaces per dwelling unit on or adjacent to the building site.
 - c. Required setback areas may be utilized for off-street parking for multi-family dwellings.
 - d. Parking spaces utilizing access from a public dedicated alley may be located within the setback areas.
3. All parking areas and driveways shall be hard surfaced prior to occupancy, under the following circumstances:
- a. New construction
 - b. Change of use
 - c. New parking area
4. Bicycle parking as required by 17.20.040.

H. Lighting.

Artificial lighting shall be subdued and shall not shine, cause glare, or be unnecessarily bright on surrounding properties. Both interior and exterior lighting shall take into consideration the view shed and shall be dimmed as much as possible after closing without compromising safety and security. Flood lights on poles higher than fifteen (15) feet shall not be permitted.

I. Signs.

All signs shall be in conformance with the sign regulations of this title.

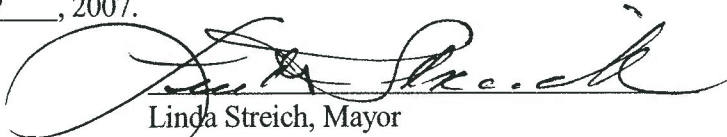
J. Landscaping.

All landscaping shall be in conformance with the landscape standards in this title.

Read for the first time: September 10, 2007.

Read for the second time and passed: September 10, 2007, to become effective thirty (30) days hence.

Signed September 13, 2007.


Linda Streich, Mayor

ATTEST:


Jill Rommel, City Recorder

Mayor:
Linda Streich

Councilors:
Arthur Babitz
Paul Blackburn
Paul Cummings
Ann Frodel
Carrie Nelson
Laurent Picard



301 OAK STREET
P.O. BOX 27
HOOD RIVER, OREGON 97031

(541) 386-1488

September 13, 2007

NOTICE OF CITY COUNCIL DECISION

Subject: Amendments to certain sections of Title 17 of the City of Hood River Municipal Code (HRMC)
Applicant: City of Hood River; File No. 2007-10

Ordinance Notice: Pursuant to City of Hood River Comprehensive Plan, HRMC, and Oregon Revised Statutes.

Proposal Description: Amend 17.03.040 Office/Residential Zone (C-1) Setback Requirements, of the Hood River Municipal Code (Ordinance No. 1933).

Description of Action: The Planning Commission held meetings on February 21, 2007, April 30, 2007 and May 21, 2007 and they recommended approval. A public hearing was held before the City Council on September 10, 2007 and City Council recommended approval of amendments to Title 17 as presented. On September 10, 2007 Ordinance No. 1933 was read for the 1st and 2nd time by title only and passed by a unanimous vote.

A copy of the findings of fact, as well as a copy of all documents and evidence in the record on which the decision is based, are available for inspection at no cost and copies will be provided at the cost of \$.33 per page at the City Planning Department, 301 Oak Street, between the hours of 8 a.m. and 5 p.m. Monday through Friday.

Appeal: The decision of the City Council shall be final unless the decision is appealed to the Land Use Board of Appeals in accordance with the appeal procedures in ORS 197.830 to 197.869 within 21 days from the date of this decision.

If you have questions, please call Planning Director Cindy Walbridge (541) 387-5217.