



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

October 9, 2006

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 004-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: October 23, 2006

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 DATE SPECIFIED ABOVE.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Gary Fish, DLCD Regional Representative
Steve Oulman, Dlcd Transportation Planner
Cindy Walbridge, City of Hood River

<paa> ya/



FORM 2

D L C D NOTICE OF ADOPTION DEPT OF

This form **must be mailed** to DLCD **within 5 working days after the final decision** **OCT 03 2006**
per ORS 197.610, OAR Chapter 660 - Division 18

(See second page for submittal requirements)

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: City of Hood River

Local File No.: 2006-42
(If no number, use none)

Date of Adoption: September 25, 2006
(Must be filled in)

Date Mailed: September 29, 2006
(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD:

- | | |
|---|---|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input checked="" type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input type="checkbox"/> Other: |

(Please Specify Type of Action)

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

→ ~~Adopted from 1903~~ Accessory Dwelling Units

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same". If you did not give notice for the proposed amendment, write "N/A".

Plan Map Changed from: N/A

to:

Zone Map Changed from: N/A

to:

Location: N/A

Acres Involved:

Specify Density: Previous:

New:

Applicable Statewide Planning Goals: Goal 10

Was an Exception Adopted? Yes: No:

Does Adopted Amendment affect the areas in unincorporated Hood River County where the

Zoning Code applies? Yes No

DLCD File No.: 004-06 (15061)

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: *Cindy Walbridge, P.D.* Area Code + Phone Number: *541 387-5217*

Address: *P.O. Boyd #7* City: *HR*

Zip Code+4: *97031*

Email Address: *cindy@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 (2) Copies 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. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
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 ANotice of Adoption is sent to DLCD.
6. In addition to sending the ANotice 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 copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to Larry.French@state.or.us - **ATTENTION: PLAN AMENDMENT SPECIALIST.**

ORDINANCE NO. 1912

(An ordinance amending adding Chapter 17.23 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 to include provisions for affordable housing;

WHEREAS, The purposes of this chapter are to: Create new housing units while respecting the look and scale of single family dwelling development; Increase the housing stock and density of existing neighborhoods in a manner that is less intense than alternatives; Allow more efficient use of housing stock and infrastructure; Provide a mix of housing that responds to changing family needs and smaller households; Provides a means for residents, particularly seniors, single parents and families with grown children, to remain in their homes and neighborhoods and obtain extra income, security, companionship and services; Provide a means for affordable housing

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:

**Section 17.01.060—Definitions is amended to read as follows:
[only the portion being amended is reproduced here; deletions shown in strike-out and additions shown in underline]**

ACCESSORY DWELLING UNIT means a separate dwelling unit contained within or detached from a single-family dwelling on a single lot, containing 800 square feet or less, excluding any garage area or accessory buildings, and sharing a driveway with the primary dwelling unless from an alley. A recreational vehicle is not and cannot be used as an accessory dwelling unit.

**Chapter 17.03 LAND USE ZONES is amended to read as follows:
[only those portions being amended are reproduced here; deletions shown in strike-out and additions shown in underline]**

17.03.010 Urban Low Density Residential Zone (R-1)

A. Permitted Uses.

1. Single family dwellings and accessory structures
2. Home Occupations
3. Manufactured homes
4. Mobile home parks
5. Family day care
6. Residential care facilities
7. Transportation facilities pursuant to 17.20.050(A)
8. Public parks, playgrounds, and related facilities in an approved subdivision, subject to site plan review
9. Accessory dwelling units

17.03.020 Urban Standard Density Residential Zone (R-2)

A. Permitted Uses.

1. Single-family dwellings and accessory structures
2. Duplexes
3. Townhouses
4. Home occupations
5. Manufactured homes
6. Bed and breakfast facilities
7. Mobile home parks
8. Family day care
9. Residential care facilities
10. Group residential, if less than fifteen (15) persons
11. Transportation facilities pursuant to 17.20.050(A)
12. Public parks, playgrounds, and related facilities in an approved subdivision, subject to site plan review
13. Accessory dwelling units

17.03.030 Urban High Density Residential Zone (R-3)

A. Permitted Uses.

1. Single-family dwellings and accessory structures
2. Duplexes and triplexes
3. Townhouses
4. Multi-family dwellings, subject to site plan review
5. Rooming and boarding houses
6. Manufactured homes
7. Home occupations
8. Bed and breakfast facilities
9. Mobile home parks
10. Family day care
11. Residential care facilities

12. Group residential, if fifteen (15) or more persons, subject to site plan review
13. Transportation facilities pursuant to 17.20.050(A)
14. Public parks, playgrounds, and related facilities in an approved subdivision, subject to site plan review
15. Accessory dwelling units

17.03.040 Office/Residential Zone (C-1)

A. Permitted Uses.

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

17.03.050 General Commercial Zone (C-2)

A. Permitted Uses.

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

Chapter 17.23—ACCESSORY DWELLING UNITS (ADU) is added as follows:

17.23.010 General Requirements

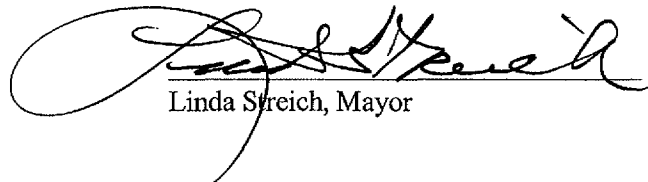
- A. An ADU may be created within, or detached from, any single-family dwelling, whether existing or new, as a subordinate use, where permitted by this chapter in the R-1, R-2, R-3, C-1 and C-2 Zones.
- B. Only one ADU may be created per parcel or ownership accessory to a single-family dwelling (no townhouse or duplex).
- C. An application for an ADU shall be processed as a ministerial decision.
- D. Only the property owner, which includes title holders and contract purchasers, may apply for an ADU. The property owner must occupy the primary dwelling or the ADU as their principal residence for at least six months out of the year (case by case basis for exceptions). A primary residence shall be the residence where the owner is registered to vote, used as the primary residence for tax purposes or other proof that the residence is primary. The owner shall sign an affidavit before a notary affirming that the owner occupies either the main dwelling or the ADU and shall show proof of a 12 month lease for the ADU occupant.
- E. The ADU occupant shall provide proof that at least one occupant is locally employed (Gorge – Hood River, Wasco, Skamania, and Klickitat counties), a relative or on a local assistance program for the rent.
- F. One off-street parking space shall be provided in addition to the off-street parking that is required for the primary dwelling pursuant to this Title. If the existing dwelling does not currently have the two required spaces, only the one for the ADU will be required. In no case shall the residential parking requirement be diminished to provide the ADU parking.
- G. ADU's shall contain 800 square feet or less.
- H. All other applicable standards including, but not limited to, setbacks must be met.

- I. Upon sale of the property, a new owner shall be required to reregister the ADU, paying a reauthorization fee set by resolution of City Council.
- J. If a garage or detached building does not currently meet setbacks, it may not be converted to an ADU.
- K. All applicable standards in the City's building, plumbing, electrical, fire and other applicable codes for dwelling units must be met.
- L. The owner of the property shall accept full responsibility for sewer and water bills.
- M. An ADU may not be used as a short-term, vacation rental.
- N. The application and permit fee for an ADU shall be 1% of the building permit fee plus an amount to be set by resolution of the City Council.
- O. Beginning January 1st of each year the City will undertake an annual review of ADU permits to ensure compliance.

Read for the first time: September 25, 2006

Read for the second time and passed: September 25, 2006, to become effective thirty (30) days hence.

Signed September 27, 2006.



Linda Streich, Mayor

ATTEST:



Jill Rommel, City Recorder