



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

September 14, 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 007-06 & 013-06



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: September 27, 2006

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
Cindy Walbridge, City of Hood River

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FORM 2

DEPT OF

DLCD NOTICE OF ADOPTION

SEP 07 2006

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

LAND CONSERVATION
AND DEVELOPMENT

(See reverse side for submittal requirements)

Jurisdiction: City of Hood River Local File No.: #2006-42
(If no number, use none)

Date of Adoption: August 28, 2006 Date Mailed: 9/06/06
(Must be filed in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 8/22/06

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

① Maximum Lot Coverage in residential zones

② Parking requirement for bed & breakfast

③ Townhouse's shall be processed as conditional use permits.

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."

None

Plan Map Changed from : _____ to _____

Zone Map Changed from: _____ to _____

Location: _____ Acres Involved: _____

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: Goal 10

Was an Exception Adopted? Yes: _____ No:

DLCD File No.: 007-06 (15233)
013-06 (15242)

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 Area Code + Phone Number: 541 387 5217
Address: P.O. Box 27 City: Hood River
Zip Code+4: 97031 Email Address: Cindy@DLCD
Cindy @ Cl. 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 "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 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 Mara.Ulloa@state.or.us - **ATTENTION: PLAN AMENDMENT SPECIALIST.**

ORDINANCE NO. 1903

(An ordinance amending Chapter 17.03—Land Use Zones, Chapter 17.04—Supplementary Provisions, and Section 17.19.010—Townhouses 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:

Chapter 17.03 of the Hood River Municipal Code is amended to read as follows (additions shown in underline and deletions shown in strike out):

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)

B. Conditional Uses.

In the R-1 zone the following uses are allowed subject to the provisions of Chapter 17.06:

1. Planned unit developments
2. Schools and child care centers
3. Public parks, playgrounds, and related facilities
4. Utility or pumping substations
5. Churches

C. Site Development Requirements.

1. Minimum Lot Size: The minimum lot or parcel size shall be 7,000 square feet.
2. The minimum requirements for building sites are as follows:

- a. Per dwelling, unit a minimum of 7,000 square feet.
 - b. A minimum frontage of fifty (50) feet on a dedicated public street.
 - c. A minimum frontage of thirty (30) feet on a public dedicated cul-de-sac.
3. Lot Coverage: Pursuant to 17.04.120

[the remainder of this section is unchanged]

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)

B. Conditional Uses.

1. Planned unit developments
2. Schools and child care centers
3. Public parks, playgrounds, and related facilities
4. Utility or pumping substations
5. Churches
6. Townhouse projects

C. Site Development Standards.

The minimum lot or parcel size shall be 5,000 square feet. The minimum requirements for building sites are as follows:

1. Per dwelling unit or duplex, a minimum of 5,000 square feet.
2. Per townhouse building, a minimum of 2,100 square feet.
3. A minimum frontage of fifty (50) feet on a dedicated public street.
4. A minimum frontage of thirty (30) feet on a dedicated public cul-de-sac.
5. Lot Coverage: Pursuant to 17.04.120

[the remainder of this section is unchanged]

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)

B. Conditional Uses.

1. Hospitals, sanitariums, rest homes, nursing or convalescent home
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. Professional offices
8. Hostels
9. Townhouse projects

C. Site Development Requirements.

1. Minimum Lot Size: Per dwelling unit or duplex, a minimum of 5,000 square feet. Each unit thereafter shall require an additional 1,500 square feet.
2. The minimum requirements for building sites are as follows:
 - a. Per dwelling unit or duplex: A minimum area of 5,000 square feet.
 - b. Per townhouse building: 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.
 - c. A minimum frontage of fifty (50) feet on a dedicated public street.
 - d. A minimum frontage of thirty (30) feet on a dedicated public cul-de-sac.
3. Lot coverage: Pursuant to 17.04.120

[the remainder of this section is unchanged]

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)

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

[the remainder of this section is unchanged]

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)

B. Permitted Uses Subject to Site Plan Review.

1. Commercial uses
2. Industrial uses incidental and essential to an on-site commercial use (Refer to the section below, "K")
3. Change of use
4. 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
5. Multi-family dwellings
6. Group residential, if fifteen (15) or more persons
7. Transportation facilities pursuant to 17.20.050(B)

C. Conditional Uses.

1. Hospitals, sanitariums, rest homes, nursing or convalescent home
2. Schools and day care facilities
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

[the remainder of this section is unchanged]

Chapter 17.04 of the Hood River Municipal Code is amended to read as follows [additions are shown in underline]:

17.04.110 Bed and Breakfast Facilities

Bed and Breakfast facilities are permitted in the Urban Standard Density Residential (R-2), Urban High Density Residential Zone (R-3), Office/Residential Zone (C-1), and General Commercial Zone (C-2).

A. Review Procedures.

1. Applications: Applications for Bed and Breakfasts Permits shall be accompanied by a plot plan drawn to scale indicating the location of existing or proposed structures, number of guests or bedrooms, and location of the required off-street vehicle parking.
2. Review: Where permitted, Bed and Breakfast facilities are permitted outright as accessory uses, and as such shall be processed as

administrative actions, per the Administrative Actions provisions (Section 17.09.030), and approved, approved with conditions, or denied by the Director.

B. Approval Standards.

1. The structure shall retain the characteristics of a single-family dwelling.
2. The number of guestrooms shall be limited to five (5). The number of guests shall be limited to ten (10).
3. In addition to required off-street parking for the residential use, one (1) hard surfaced off-street parking space shall be provided for each bed and breakfast guestroom. Parking areas shall not be located in the front yard. Parking areas may be adjacent to the Bed and Breakfast establishment. Alternative parking plans that meet the requirements of this chapter may be approved by the Planning Director.
4. Signs shall be limited to one (1) non-illuminated sign not exceeding one and one-half (1½) square feet. No off-premises signs are permitted.
5. A bed and breakfast facility shall be subject to the Hotel Tax pursuant to Chapter 5.09 of the Hood River Municipal Code. Where a morning meal is provided as part of the guest room charges, the hotel tax will be imposed on eighty percent (80%) of the rent charged by the bed and breakfast operator.
6. A bed and breakfast facility shall be subject to approval by the County Health Officer, the City Fire Marshal, and the City Building Official.
7. The bed and breakfast facility shall be owner or manager occupied.

- C. **Time Limit.** A bed and breakfast facilities permit is valid for a period of two (2) years from the written notice of the final decision, or the decision on an appeal, whichever is later.

17.04.120 Maximum Lot Coverage

A. Definitions:

1. Lot Coverage: The percentage determined by dividing (a) the area of a lot covered by the total (in square feet) of: (1) the footprint of the main building; and (2) the footprints of accessory buildings (counting only buildings with footprints larger than one hundred fifty (150) square feet, or with two stories or more); and (3) parking pads and driveways¹;

¹ For rear garages only, the square footage for parking pads and driveways that use grass-crete shall be reduced by seventy-five (75) percent (e.g., a 300 sq. ft. driveway surfaced in grass-crete is included as 75 sq. ft. for purposes of determining lot coverage). The square footage for parking pads and driveways that use paving stones and other permeable paving materials (other than grass-crete), shall be reduced by fifty (50) percent.

by (b) the gross area of the that lot.

2. Main Building Footprint Coverage: The percentage determined by dividing that area covered by a main building footprint by the gross area of the lot on which the main building is located. The main building footprint includes all parts of a main building that rest, directly or indirectly, on the ground, including, by way of illustration and not by limitation, bay-windows with floor area, chimneys, porches, decks supported by posts and with floor heights that are four (4) feet or higher above grade, cantilevered decks with horizontal projections that are four (4) feet or more, and covered breezeways connected to a main building.

B. Coverage: Maximum lot coverage applies to any residential dwelling lot in the "R" and "C-1" zones for all existing structures and new construction, except as provided below. Maximum lot coverage for residential dwellings is as shown in the table below.

1. When a detached garage is provided in the rear yard, the maximum lot coverage may be increased as shown in the table below.
2. When a porch is attached to the front elevation of the residential dwelling and has an area of at least sixty (60) square feet on the front of the building (exclusive of any wrap-around or side porch), the maximum coverage may be increased as shown in the table below.

<u>Categories</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>C-1</u>
<u>Maximum Lot Coverage</u>	40%	45%	55%	65%
<u>Maximum Lot Coverage with front porch</u>	43%	48%	58%	68%
<u>Maximum Lot Coverage with rear garage</u>	45%	50%	60%	70%
<u>Maximum Lot Coverage with rear garage and front porch</u>	48%	53%	63%	73%

3. Existing main and accessory structures that are not in conformance

with these coverage requirements on September 1, 2006, are permitted to be rebuilt within the building footprint as it existed on September 1, 2006, if the structures are damaged or partially destroyed by fire, wind, earthquake or other force majeure and if construction commences within two (2) years from the date of the calamity.

4. Multi-family dwellings are exempt from the lot coverage requirements.

Chapter 17.19 of the Hood River Municipal Code is amended to read as follows [additions are shown in underline]:

17.19.010 Applicable Zones

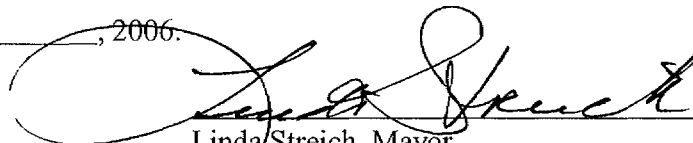
Townhouses are conditionally permitted and subject to conditional use review in the following zones:

1. R-2
2. R-3
3. C-1
4. C-2

Read for the first time: August 14, 2006.

Read for the second time and passed: August 28, 2006, to become effective thirty (30) days hence.

Signed August 30, 2006.



Linda Streich, Mayor

ATTEST:



Jill Rommel, City Recorder