



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

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 021-06



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 not submitted to DLCD for review prior to adoption. Pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

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  
Cindy Walbridge, City of Hood River

<paa>



# FORM 2

## DLCD NOTICE OF ADOPTION

# DEPT OF

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

OCT 03 2006

(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: Sept 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."

=> Insert 1912

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: N/A

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.: 021-06  
(NOA)

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 Wallbridge, PO* Area Code + Phone Number: *541 387-5217*  
Address: *P.O. Box 27* 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](mailto:Larry.French@state.or.us) - **ATTENTION: PLAN AMENDMENT SPECIALIST.**

**ORDINANCE NO. 1904**

(An ordinance amending Section 17.01.060—Definitions, Chapter 17.03 - Land Use Zones, and Section 17.07.090(A)—Approval Criteria—Specific Planned Development Approval Criteria, 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 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]**

**GRADE** has the meaning set forth in the most current version of the City of Hood River Engineering Standards adopted pursuant to Title 16 (ADJACENT GROUND) means the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line, or when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.

**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

**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

**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

**Section 17.07.090(A)—Approval Criteria—Specific Planned Development Approval Criteria is amended to read as follows:**

**[additions shown in underline and deletions shown in strikeout]**

**17.07.090 Approval Criteria**

- A. Specific Planned Development Approval Criteria.** The following approval criteria shall apply to the planned development:

1. All the provisions of the land division provisions, Title 16, shall be met.
2. Except as noted, the Conditional Use Decision Criteria (Chapter 17.06) shall be the approval criteria. A Planned Development need not meet these requirements where a development plan provides alternative designs and methods, if acceptable to the Planning Commission, that promote the purpose of this section. In each case, the applicant must provide findings to justify the modification of the approval criteria in the *Conditional Use* chapter (Chapter 17.06). The developer may choose to provide, or the Commission may require, additional amenities, landscaping, or tree planting.
3. A minimum of thirty (30%) percent of a Planned Development site area shall be reserved as common open space. The thirty percent (30%) open space requirement shall be exempt in the Central Business district and the Heights Business District. Open space means an area intended for common use either privately owned and maintained or dedicated to the City. This area shall be designated for outdoor living and recreation or the retention of an area in its natural state. Open space may include swimming pools, recreation courts, patios, open landscaped areas, or greenbelts with pedestrian, equestrian, and bicycle trails. Open space does not include off-street parking or loading areas.
4. Unless authorized below, residential density shall be governed by the density established in the underlying zoning district. The Planning Commission may further authorize a residential density bonus not to exceed thirty-three (33%) percent as an incentive to enhance the architectural character of the development. The degree of distinctiveness and the desirability of variation achieved shall govern the amount of density increase that the Planning Commission may approve according to the following:
  - a. A maximum of ten (10%) percent is allowed for the inclusion of at least six (6) of the architectural features listed below on all elevations, as appropriate for the proposed building type and style. Features may vary on rear/side/front elevations where appropriate.
  - b. A maximum of twenty (20%) percent is allowed for the inclusion of at least nine (9) of the architectural features listed below on all elevations, as appropriate for the proposed building type and style. Features may vary on rear/side/front elevations where appropriate.

- c. A maximum of thirty-three (33%) percent is allowed for the inclusion of at least twelve (12) of the architectural features listed below on all elevations, as appropriate for the proposed building type and style. Features may vary on rear/side/front elevations where appropriate. See the following Diagram "C" for examples of architectural features.
  - (1.) Dormers
  - (2.) Gables
  - (3.) Recessed entries
  - (4.) Covered porch entries
  - (5.) Cupolas or towers
  - (6.) Pillars or posts
  - (7.) Eaves (min. 18-inch projection)
  - (8.) Off-sets in building face or roof (minimum 16 inches)
  - (9.) Window trim (minimum 4-inches wide)
  - (10.) Bay windows
  - (11.) Balconies
  - (12.) Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)
  - (13.) Decorative cornices and roof lines (e.g., for flat roofs)
  - (14.) Façade articulation (Siding materials should only be changed along horizontal lines)
  - (15.) High quality exterior siding material. High quality means that there should be a single, clearly dominant material for all exterior walls. Brick, stucco, and stone front facades shall return at least eighteen (18) inches around sidewalls. Lap siding and shingles shall be exposed a maximum of five (5) inches. Heavier materials shall appear only below lighter appearing materials.)
  - (16.) An alternative feature providing visual relief, similar to options (1)-(15) above.
- 5. The following criteria shall apply to all Planned Developments unless otherwise specified as applicable only to certain specific uses:
  - a. Relationship to the natural and physical environment:
    - (1.) The streets, buildings, and other site elements shall be designed and located to preserve the

- existing trees, topography, and natural drainage to the greatest degree possible.
- (2.) Structures located on the site shall not be in areas subject to ground slumping and sliding.
  - (3.) There shall be adequate distance between on-site buildings and other on-site and off-site buildings on adjoining properties to provide for adequate light and air circulation and for fire protection.
  - (4.) The structures shall be oriented with consideration for the sun and wind directions, where possible.
- b. Private outdoor area – multi-family use:
- (1.) Each ground-level residential dwelling unit shall have an outdoor private area (patio, terrace, porch) of not less than forty-eight (48) square feet.
  - (2.) Wherever possible, private outdoor open spaces should be oriented toward the sun.
  - (3.) Private outdoor spaces shall be screened or designed to provide privacy for the use of the space.
- c. Shared outdoor recreation areas – multi-family use:
- (1.) Each multiple-dwelling development shall incorporate shared usable outdoor recreation areas within the development plan as follows:
    - (a.) Studio units up to and including two (2) bedroom units shall provide 200 square feet per unit.
    - (b.) Three or more bedroom units shall provide 300 square feet per unit.
  - (2.) Shared outdoor recreation space shall be readily observable from adjacent units for reasons of crime prevention and safety.
  - (3.) The required recreation space may be provided as follows:
    - (a.) All outdoor space;
    - (b.) Part outdoor space and part indoor space (e.g. an outdoor tennis court and indoor recreation room);
    - (c.) All public or common space; or

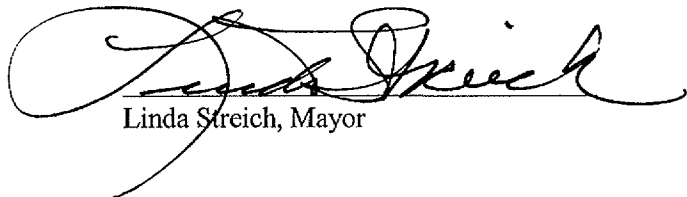


- (d.) Part common space and part private (e.g. an outdoor tennis court, indoor recreation room, and balconies on each unit).
  - i. Where balconies are added to units, the balconies shall not be less than forty-eight (48) square feet.
- d. Parking: Up to one hundred ~~five~~-percent (~~50~~100%) of required off-street parking spaces for single-family attached dwellings may be provided on one or more common parking lots within the Planned Development ~~as long as each single-family lot contains one (1) off-street parking space.~~
- e. Drainage: All drainage provisions shall be subject to review and approval by the City Engineer and shall comply with all applicable provisions of the ORS and HRMC.
- f. Floodplain dedication: Where landfill and/or development is allowed within or adjacent to the one hundred (100) year floodplain, the City shall require consideration of the dedication of sufficient open land area for a greenway adjoining and within the floodplain. This area shall include portions of a suitable elevation for the construction of a pedestrian/bicycle pathway within the floodplain in accordance with the adopted pedestrian bicycle pathway plan.

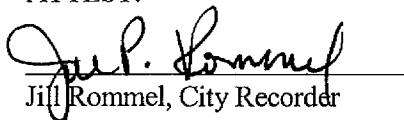
Read for the first time: September 25, 2006.

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