



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

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[www.lcd.state.or.us](http://www.lcd.state.or.us)

## NOTICE OF ADOPTED AMENDMENT

August 14, 2008



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Hood River County Plan Amendment  
DLCD File Number 004-08

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. This amendment was submitted without a signed ordinance.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: August 27, 2008**

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: Doug White, DLCD Community Services Specialist  
Gary Fish, DLCD Regional Representative  
Michael Benedict, Hood River County

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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

DATE STAMP

**DEPT OF**

**AUG 07 2008**

**LAND CONSERVATION  
AND DEVELOPMENT**

For DLCD Use Only

Jurisdiction: **Hood River County**

Local file number: **08-144**

Date of Adoption: **8/4/2008**

Date Mailed: **8/6/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **5/23/2008**

☐ 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".

Amended the County zoning article regarding Planned Unit Developments within the UGA (Chapter 17.07) by adding objective density calculation criteria and making stylistic changes to match the City's zoning code. Also repealed zoning Article 52 - Bonus Density as it conflicted with other portions of the zoning ordinance and was terminally out of date.

Does the Adoption differ from proposal? Yes, Please explain below:

The only change is that the County also repealed a related ordinance (Article 52 - Bonus Density) because of conflicts with the adopted amendments to Chapter 17.07 - Planned Unit Developments (UGA).

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

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

DLCD # 004-08 (16912)



If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

**DLCD file No.** \_\_\_\_\_

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

City of Hood River.

Local Contact: **Michael Benedict**

Phone: (541) 387-6840 Extension:

Address: **601 State Street**

Fax Number: **541-387-6873**

City: **Hood River**

Zip: **97031-**

E-mail Address:

## **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.



## Hood River County Planning & Building Services

601 State Street, Hood River OR 97031

MICHAEL BENEDICT, DIRECTOR  
(541) 387-6840 • FAX (541) 387-6873  
E-mail: [plan.dept@co.hood-river.or.us](mailto:plan.dept@co.hood-river.or.us)

DEAN A. NYGAARD, BUILDING OFFICIAL  
(541) 386-1306 • FAX (541) 387-6878  
E-mail: [building@co.hood-river.or.us](mailto:building@co.hood-river.or.us)

August 5, 2008

Plan Amendment Specialist  
Department of Land Conservation and Development  
635 Capitol Street, NE, Suite 150  
Salem, OR 97301

Re: Post Acknowledgement Plan Amendment for Hood River County

Dear Sir/Madam:

Enclosed please find two copies of an adopted amendment to Hood River County's zoning text regarding Planned Unit Developments within the Urban Growth Area of the City of Hood River. The changes are minor; the primary difference being the insertion of density calculation standards.

Additionally, please find two copies of Hood River County Zoning Ordinance Article 52 – Bonus Density that the County repealed at the same public hearing due to conflicts between Article 52 and other zoning text.

If you have any questions or concerns, I can be contacted at 541-387-6868 or by email at [Mike.benedict@co.hood-river.or.us](mailto:Mike.benedict@co.hood-river.or.us).

Sincerely,

Michael Benedict

Cc: City of Hood River/Cindy Walbridge

DEPT OF

AUG 07 2008

LAND CONSERVATION  
AND DEVELOPMENT



## **ARTICLE 52 - BONUS DENSITY OPTIONS**

### **Section 52.10 Purposes and Intent**

The purpose of this article is to allow a density of development greater than is normally allowed in the Zoning Ordinance in exchange for the provision of certain identified public needs. Further, it is intended to help implement the Comprehensive Plan Goals and Policies for housing, recreation, open space, natural features, and transportation.

### **Section 52.15 Applicability**

- A. Except where otherwise stated, in Section 52.25, 6., this article applies to lands which are in Residential Zones within the Urban Growth Boundaries that are served with sewer and domestic water.
- B. Bonus density options may apply to subdivisions, apartment complexes, town-houses and condominiums.
- C. Bonuses are not transferable.
- D. The use of this article shall be optional to a landowner or developer.
- E. The use of bonus density options shall not waive limitations on use, setbacks, building height or other development standards set forth in the Zoning Ordinance except those specified in Section 52.20.

### **Section 52.20 Procedures**

- A. In the case of subdivisions; the Planning Commission may grant a bonus density option if it determines, during Tentative Plan Review, that some or all of the standards set forth in Section 52.25, Column 1 are met. Such bonus shall be no greater than that allowed in Section 52.25, Column 2. Any bonus will allow a greater number of lots per acre.
- B. In cases where apartment complexes, town houses, and condominiums are subject to a Conditional Use Permit; the Planning Commission may grant a bonus density option if it determines, during a Conditional Use Permit hearing, that some or all of the standards set forth in Section 52.25, Column 1 are met. Such bonus shall be no greater than that allowed in Section 52.25, Column 2. per acre.
- C. In cases where apartment complexes, town houses, and condominiums are allowed outright; the County Planner shall grant a bonus density option if he determines, during Land Use Permit review, that some or all of the standards set forth in section 52.25, Column 1 are met. Such bonus shall be that allowed in Section 52.25, Column 2. Any bonus will allow a greater density per acre.

### **Section 52.25 Bonus Density Options Permitted**

Bonus density options may be granted when one or more of the following standards

in Column 1 are met.

Column 1 Standard	Column 2 Bonus Density Option
1. Provision of low or moderate-income housing: The provision of federally subsidized housing for low and/or moderate income families; the provision of non-subsidized housing built to be affordable to low and Moderate-income families, as determined by the Planning Director.	25%
2. Public recreational facilities: The provision of public recreational facilities for use by the general public in a manner consistent with the Comprehensive Plan and approved by the County.	25%
3. Private recreational facilities: Provision of private recreation facilities for residents of the proposed development in a manner consistent with the Comprehensive Plan.	10%
4. Historical and natural sites: Design and development which protects or enhances the following: unique historical sites or buildings identified in the Comprehensive Plan or approved by the Planning Commission: natural features such as drainage scales, stream banks and bottoms, geologic features, vegetation, and fish and wildlife habitat.	20%
5. Rocky Land: Development on Rockford Stoney Loam.	20%
6. Planned Unit Development: Development of a Planned Unit Development pursuant to Article 41.	50%
7. Maximum Bonus Density Option: 1 through 6 above may be used either singularly or in combination, the maximum bonus density option shall be one hundred percent, (100%).	100%



## **CHAPTER 17.07 - PLANNED DEVELOPMENTS (Adopted August 4, 2008, HRC Ord. # 288)**

### **SECTIONS:**

17.07.010	Purpose
17.07.020	Applicability
17.07.030	Applicable Procedures
17.07.040	Applicability in Commercial and Industrial Zones
17.07.050	Allowed Uses
17.07.060	Applicability of the Base Zone Development Standards
17.07.070	Private Streets
17.07.080	Preliminary Development Plan Submission Requirements
17.07.090	Approval Criteria
17.07.100	Shared Open Space
17.07.110	Noncompliance and Bonding

### **17.07.010 PURPOSE**

The purposes of the planned development are:

1. To provide a means for creating planned environments that are equal or better than that resulting from traditional lot-by-lot land use development through the application of flexible standards, i.e., zero-lot lines, narrower streets, and other innovative planning practices;
2. To facilitate the efficient use of land;
3. To promote an economic arrangement of land use, buildings, circulation systems, open space, and utilities;
4. To preserve to the greatest extent possible the existing landscape features and amenities through the use of a planning procedure that can relate the type and design of a development to a particular site;
5. To encourage development that recognizes the relationship between buildings, their use, open space, and access ways and thereby maximizes the opportunities for innovative and diversified living environments; and
6. To encourage commercial and industrial development that includes a mix of uses, is designed in a manner that mitigates impacts to surrounding uses, includes well designed buildings that contribute the character of Hood River and a thoughtful site plan.

### **17.07.020 APPLICABILITY**

- A. Zones. The planned development designation is applicable to all zones within the Urban Growth Area of the City of Hood River.
- B. Minimum site size for residential development. Residential development in the R-1 zone shall have a minimum parcel size of a half (½) acre to apply the planned development process. There is no minimum size for R-2 and R-3.

C. Density Calculations for a Planned Unit Development:

\*All projects can get a 30% bonus density for affordable housing only.

SIZE	R-1	R-2	R-3
Infill PUDs	Total lot area divided by base zone. Infill projects are projects that do not require any roadways, public or private.		
2 acres or less	Subtract 40% from total area before dividing for base density.	Subtract 30% from total area before dividing for base density.	Subtract 30% from total area before dividing for base density.
More than 2 acres	Subtract 50% from total area before dividing for base density.	Subtract 40% from total area before dividing for base density.	Subtract 30% from total area before dividing for base density.

For density calculation purposes the final number shall be rounded down to the next whole number if the calculation is .49 and rounded up to the next whole number if the calculation is .50.

\*Prior to a project being accepted for inclusion in the 30%, the applicant's justification to include a) how the units will not become second homes; b) how the units will be prevented from being resold at market value; c) how they will not be immediately "flipped" for a quick profit; d) what income range are the residents? shall be approved by the County and made part of the PUD approval.

**D. Mandatory for Commercial and Industrial Developments.** Developments with commercial uses that are greater than two and one half (2 ½) acres and developments with industrial uses greater than five (5) acres are required to use the planned development overlay. For projects that come under this category, the 30% open space requirement is not required.

**17.07.30 APPLICABLE PROCEDURES**

**A. Approval Process.**

1. Preliminary Development Plat Approval. Preliminary development plan approval shall be processed as a Quasi-Judicial Action.
2. Final Development Plan Approval. Final development plan approval shall be processed as a Ministerial Action.

**B. Concurrency with Subdivision and Partition Application.** If the application involves the division of land the applicant shall file concurrently or file for subdivision or partition approval prior to applying for Planned Development approval. If filed concurrently, preliminary plat approval shall be processed along with preliminary plan approval and the final development plan shall be submitted for approval and filed along with the final plat.

**C. Time limit on filing of final development plan.** Within two (2) years after the date of the Planning Commission approval of the preliminary development plan, the owner shall prepare and file with the Planning Director a final development plan. Action on the final development plan shall be ministerial by means of a Ministerial Action using the following approval criteria:



1. The Planning Director shall approve the final development plan upon finding that the plan conforms with the preliminary development plan approved, or approved with conditions by the Commission.
- D. **Preliminary development plan changes.** The applicant may request modifications to the preliminary development plan. Approval is based on the following procedures and criteria.
1. Minor Modifications: An application for approval of a minor modification shall be reviewed as a Ministerial Action, and the review shall be limited in scope to the modification requested. A minor modification shall be approved, or approved with conditions, if the preliminary development plan continues to meet the applicable standards and criteria and is not a major modification as defined below. The modification shall be processed as a minor modification(s) if the Planning Director finds that all of the following criteria are met by the proposed changes listed below:
    - a. There will be no change in land use;
    - b. There will be no increase in the number of dwelling units;
    - c. There will be no change in the type and/or location of access ways, drives or parking areas that affect off-site traffic;
    - d. There will be less than a 5 percent (5%) change in the floor area proposed for non-residential use where previously specified;
    - e. There will be a less than 5 percent (5%) change in the area reserved for common open space and/or usable open space; and
    - f. There will be a less than 5 percent (5%) change to specified setback requirements, provided the minimum setback standards of the land use district can still be met.
  2. **Major Modification**
    - a. Major Modification Request. An application for approval of a major modification shall be reviewed as a Quasi-Judicial Action and the review shall be limited in scope to the modification requested. A major modification shall be approved or approved with conditions if the preliminary development plan will continue to meet all applicable criteria. All modifications to an approved development plan that are not minor modifications as provided above, shall be reviewed as major modifications.
- E. **Extension.** Extensions shall be processed as Ministerial Actions. The Planning Director shall, upon written request by the applicant and payment of the required fee, grant an extension of the approval period for the final development plan not to exceed one (1) year provided that:
1. No changes have been made on the preliminary development plan as approved by the Planning Commission and as modified pursuant to the modification section above;
  2. The applicant can show intent of applying for final development plan review within the one (1) year extension period; and
  3. There have been no changes to the applicable Comprehensive Plan policies and ordinance provisions on which the approval was based.

**F. Phased development.**

1. The Planning Commission may approve a time schedule for developing a site in phases, but in no case shall the total time period for all phases be greater than five (5) years without reapplying for preliminary development plan review.
2. A phased development plan proposal shall be approved subject to the following conditions:
  - a. All public facilities associated with or necessary for the phase shall be constructed in conjunction with or prior to each phase; and
  - b. The development and occupancy of any phase shall not be dependent on the use of temporary public facilities. A temporary public facility is any facility not constructed to the applicable City or district standard.
  - c. The final phase shall be completed and ready for occupancy no later than five (5) years from the date of the final development plan approval.
3. If the final phase is not completed within the five (5) year time period the Planned Development will be in noncompliance with this chapter.

**17.07.040 APPLICABILITY IN COMMERCIAL AND INDUSTRIAL ZONES**

- A. **By election.** An applicant for a commercial or industrial project may elect to develop the project as a planned development, in compliance with the requirements of this chapter.
- B. **As condition of approval in commercial and industrial developments.** An approval authority may apply the provisions of this chapter as a condition of approving any application for a commercial or industrial development.

**17.07.050 ALLOWED USES**

- A. **In residential zones.** Planned developments in all residential zones may contain any of the following uses subject to the density provisions of the underlying zone and the density bonus provisions of this Chapter:
  1. All uses allowed outright or by condition in the underlying zoning district;
  2. Single-family detached and attached residential units;
  3. Duplex residential units;
  4. Multi-family residential units;
  5. Manufactured homes;
  6. Public and institutional uses;
  7. Indoor recreation facility such as athletic club, fitness center, racquetball court, swimming pool, tennis court or similar use;
  8. Outdoor recreation facility such as golf course, golf driving range, swimming pool, tennis court, or similar use; and
  9. Recreational vehicle storage area, for the Planned Unit Development residents only.
- B. **In commercial zones.** Planned developments in all commercial zones may contain any of the uses permitted outright or as a conditional use in the underlying zone.
- C. **In industrial zones.** Planned developments in industrial zones may contain any of the uses permitted outright or as a conditional use in the underlying zone.

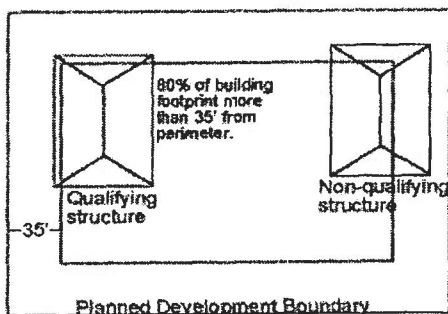


### 17.07.06 APPLICABILITY OF THE BASE ZONE DEVELOPMENT STANDARDS

A. **Compliance to specific development standards.** The provisions of the base zone are applicable as follows:

1. Lot dimensional standards: The minimum lot size standards shall not apply. Minimum frontage standards do not apply to buildings interior to the Planned Development.
2. Building height: Qualified commercial and industrial building heights may be increased on the interior of the site when the building setback is increased. On qualified buildings, the height may be increased one (1) foot for each additional foot of setback up to a maximum of one hundred twenty percent (120%) of the base zone height standard. To qualify, a building shall have eighty percent (80%) of the building footprint more than thirty five (35) feet from the Planned Development site boundary. See diagram "B" below. No height increases are allowed for residential buildings.

**Diagram "B" – Planned Development Boundary**



3. Structure setback provisions:
  - a. Front yard and rear yard setbacks for structures on the perimeter of the project shall be the same as that required by the underlying zone, unless increased in the Planned Development review process.
  - b. The side yard setback provisions shall not apply except that all detached structures shall otherwise meet the Uniform Building Code requirements; and
  - c. Front yard and rear yard setback requirements in the base zone setback shall not apply to structures on the interior of the project except that:
    - (1) A minimum front yard setback of 20 feet is required for any garage structure which opens facing a street.
    - (2) A minimum front yard setback of eight feet is required for any garage opening for an attached single-family dwelling facing a private street as long as the required off-street parking spaces are provided.

B. **Other provisions of the base zone.** All other provisions of the base zone shall apply except as modified by this chapter.

### **17.07.070 PRIVATE STREETS**

Private streets are allowed as part of a Planned Development when they conform to the following standards:

- A. Private streets shall have a minimum improved width of ten (10) feet for each lane of traffic.
- B. On-street parking spaces shall be improved to provide an additional eight (8) feet of street width.

### **17.07.080 PRELIMINARY DEVELOPMENT PLAN SUBMISSION REQUIREMENTS**

- A. **Preapplication Conference.** Prior to submittal of a planned development application, the applicant, or the applicant's representative shall attend a preapplication conference.
- B. **General submission requirements.** The application shall contain all of the following:
  - 1. A statement of planning objectives to be achieved by the planned development through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.
  - 2. A development schedule indicating the approximate dates when construction of the planned development and its various phases are expected to be initiated and completed. The statement should include the anticipated rate of development, the approximated dates when each stage will be completed, and the area, location and degree of development of common open space that will be provided at each stage.
  - 3. A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the planned development.
  - 4. A narrative statement documenting compliance with the applicable approval criteria contained in this Chapter.
  - 5. A preliminary development plan.
- C. **Additional information.** In addition to the general information described in Subsection B above, the preliminary development plan, data, and narrative shall include the following information:
  - 1. A map showing street systems, lot or partition lines and other divisions of land for management use or allocation purposes;
  - 2. Areas proposed to be conveyed, dedicated or reserved for public streets, parks, parkways, playgrounds, school sites, public buildings and similar public and semi-public uses;
  - 3. A plot plan for each building site and common open space area, showing the approximate location of buildings, structures and other improvements and indicating the open space around building and structures;
  - 4. Elevation and perspective drawings of proposed structures with enough detail to shown design features;
  - 5. The following plans and diagrams:
    - a. An off-street parking and loading plan;
    - b. A circulation diagram indicating proposed movement of vehicles, goods and pedestrians within the planned development and to and from thoroughfares. Any special engineering features and traffic regulation devices shall be shown;
    - c. A landscaping and tree plan;
  - 6. A copy of all existing or proposed restrictions or covenants.



### **17.07.090 APPROVAL CRITERIA**

**A. Specific planned development approval criteria.** The following approval criteria shall apply to the planned development;

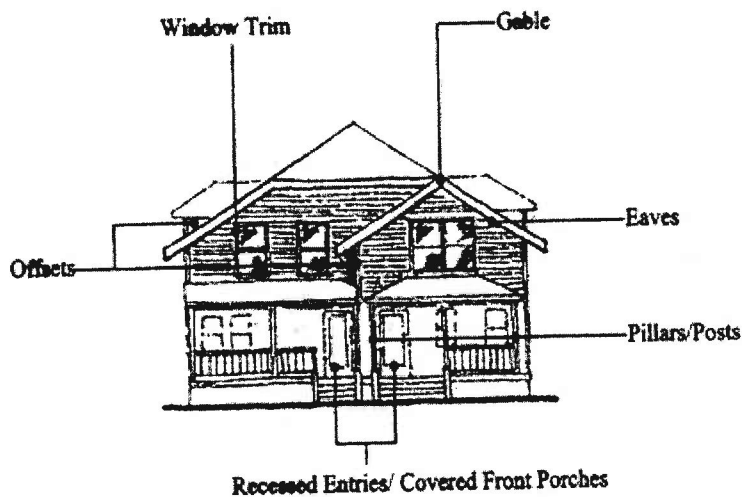
1. All the provisions of the land division provisions, Title 16, shall be met.
2. Except as noted, the Conditional Use Decision Criteria shall be the approval criteria. A planned development need not meet these requirements where a development plan provides alternative designs and methods, if acceptable 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. The developer may choose to provide or the commission may require additional amenities, landscaping or tree planting.
3. A minimum of 30 percent (30%) of a planned development site area shall be reserved as common open space. Open space means an area intended for common use either privately owned and maintained or dedicated to the County. 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 33 percent (33%) 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 10 percent (10%) 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 20 percent (20%) 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 33 percent (33%) 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) Facade 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; and
  - 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; and
    - (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:

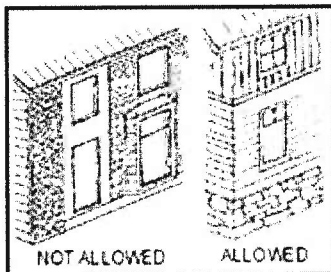


- (a) Studio units up to and including two (2) bedroom units shall provide 200 square feet per unit; and
    - (b) Three or more bedroom units shall provide 300 square feet per unit.
  - (2) Shared outdoor recreation space shall be readily observable from adjacent units for reasons of crime prevention and safety;
  - (3) The required recreation space may be provided as follows:
    - (a) All outdoor space; or
    - (b) Part outdoor space and part indoor space (e.g. an outdoor tennis court and indoor recreation room); or
    - (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; or
      - i. Where balconies are added to units, the balconies shall not be less than forty eight (48) square feet.
- d. Parking:
  - (1) Up to fifty percent (50%) 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 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 County 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.

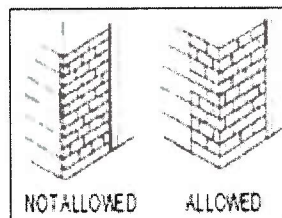
## Diagrams C - Examples of Architectural Features



Example of Façade Articulation

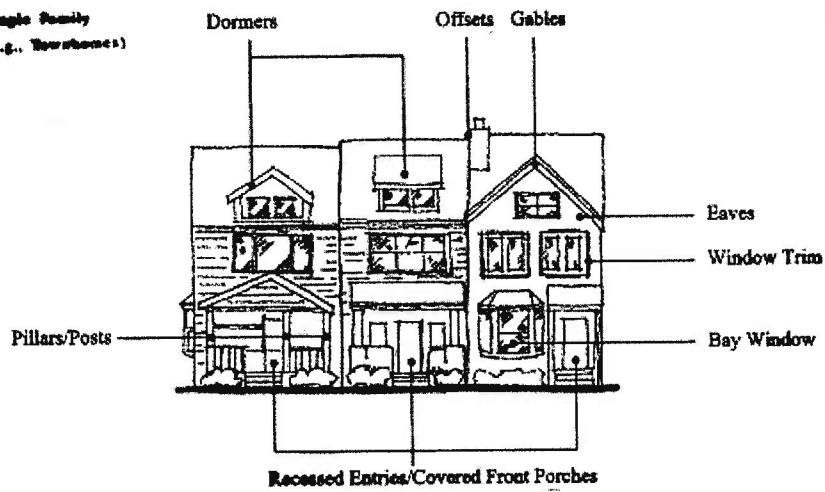


Example of Exterior Siding Material



## Examples of Architectural Features

**Single Family**  
(e.g., Townhomes)



**Multi-Family Housing**





**B. Additional criteria for commercial and industrial development.** In addition to the specific planned development approval criteria above, planned developments with commercial and industrial uses shall meet the following criteria.

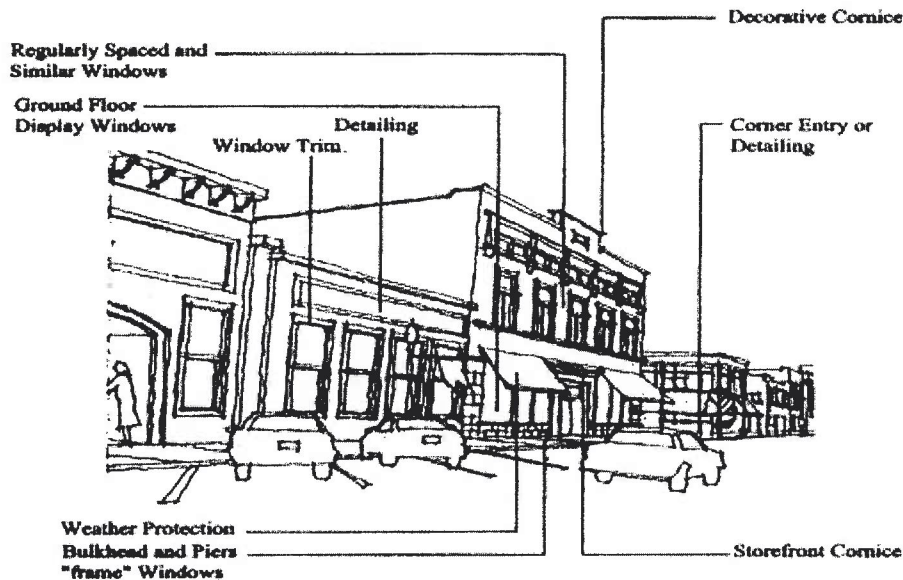
1. Commercial and industrial uses which abut existing residential zones shall be located on the site or be designed in a manner, to the maximum degree possible, to protect the private areas on the adjoining properties from view and noise.
2. Commercial projects are encouraged to include housing as a secondary use as appropriate.
3. All commercial buildings shall contribute to the storefront character and visual relatedness of surrounding buildings. This criterion is met by providing all of the architectural features listed below along the front building elevation (i.e., facing the street), as applicable.
  - (1) Corner building entrances on corner lots. Alternatively, a building entrance may be located away from the corner when the building corner is beveled or incorporates other detailing to reduce the angular appearance of the building at the street corner.
  - (2) Regularly spaced and similar-shaped windows with window hoods or trim (all building stories).
  - (3) Large display windows on the ground-floor (non-residential uses only). Display windows shall be framed by bulkheads, piers and a storefront cornice (e.g., separates ground-floor from second story, as shown below).
  - (4) Decorative cornice at top of building (flat roof); or eaves provided with pitched roof.

*[Note: the example shown below is meant to illustrate required building design elements, and should not be interpreted as a required architectural style.]*

- C. Industrial developments shall be oriented on the site to minimize adverse impacts (e.g. noise glare, smoke, dust, exhaust, vibration, etc.) The following standards shall apply;
  1. Mechanical equipment, lights, emissions, shipping/receiving areas, and other components of an industrial use that are outside enclosed buildings, shall be located away from residential areas, schools, parks and other non-industrial areas to the maximum extent practicable; and
  2. A landscape buffer, or other visual or sound barrier (fence, wall, landscaping, or combination thereof) maybe required to mitigate adverse impacts that cannot be avoided through building orientation standards alone.
- D. Industrial buildings oriented to the street shall have architectural features such as windows, pedestrian entrances, building off-sets, projections, detailing, change in materials or similar features to break up and articulate large building surfaces and volumes.
- E. Industrial buildings shall have pedestrian-scale building entrances by including recessed entries, canopies, and/or similar features.

## Diagram D - Building Design Elements

Diagram "D" - Building Design Elements



### 17.07.100 SHARED OPEN SPACE

The following requirements shall apply to common open space in each planned development:

1. The open space area shall be shown on the final development plan.
2. The open space shall be conveyed in accordance with one of the following methods:
  - a. By dedication to the County as publicly-owned and maintained as open space. Open space proposed for dedication to the County must be acceptable to it with regard to the size, shape, location, improvement and budgetary and maintenance limitations;
  - b. By leasing or conveying title (including beneficial ownership) to a corporation, home association or other legal entity, with the County retaining the development rights to the property. The terms of such lease or other instrument of conveyance must include provisions suitable to the County Attorney for guaranteeing the following:
    - (1) The continued use of such land for the intended purposes;
    - (2) Continuity of property maintenance;
    - (3) When appropriate, the availability of funds required for such maintenance;
    - (4) Adequate insurance protection; and
    - (5) Recovery for loss sustained by casualty and condemnation or otherwise.
  - c. By any method which achieves the objectives set forth above.

### 17.07.110 NONCOMPLIANCE AND BONDING

- A. **Noncompliance.** Noncompliance with an approved final development plan shall be a violation of this chapter.

- B. Issuance of occupancy permits.** The development shall be completed in accordance with the approved final development plan including landscaping and recreation areas before any occupancy permits are issued. However, when the Planning Director determines that immediate execution of any feature of an approved final development plan is impractical due to climatic conditions, unavailability of materials, or other temporary condition, the occupancy permit may be issued on condition that the applicant post a performance bond or other surety acceptable to the County to secure execution of the feature at a time certain not to exceed one (1) year.



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