



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

NOTICE OF ADOPTED AMENDMENT

January 5, 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 023-06 [#14 & 15]

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: January 16, 2007

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
Cindy Walbridge, City Of Hood River

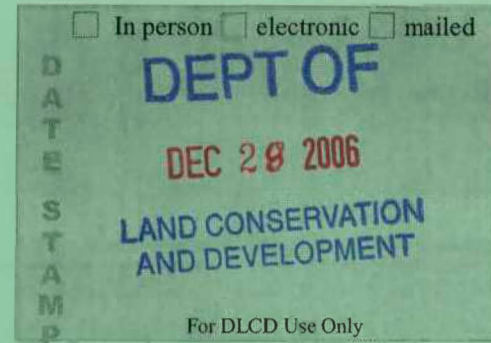
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SRP 2

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



Jurisdiction: **City of Hood River**

Local file number: **2006-42**

Date of Adoption: **12/11/2006**

Date Mailed: **12/26/2006**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 6/22/2006

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".

Allowing certain developments to satisfy parking requirements off-site or on a shared basis would also contribute towards alleviating parking shortages.

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

[This is a partial adoption to DLCD file # 023-06 Item #14 & 15]

Plan Map Changed from: **NA**

to: **NA**

Zone Map Changed from: **NA**

to: **NA**

Location: **NA**

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
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 # 023-006 (15766)

DLCD file No. _____

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

Local Contact: **Cindy Walbridge**

Phone: **(541) 387-5217** Extension:

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

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

City: **Hood River**

Zip:

E-mail 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 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. 1925

(An ordinance adding Section 17.04.130—Supplementary Provisions—In-Lieu Parking Fee, to the Hood River Municipal Code)

WHEREAS, the City of Hood River recently undertook a study of parking in the City and adopted a Parking Management Plan to address parking shortages throughout the City;

WHEREAS, all development in the City is required to provide a certain amount of off-street parking, except in areas of the City that are exempt;

WHEREAS, the City exempts certain areas from the parking requirements because doing so allows more efficient use of land for commercial and light industrial purposes and preserves the pedestrian ambiance and historic architectural character of the those areas of the City;

WHEREAS, these exempt areas nevertheless contribute to increased parking demand;

WHEREAS, the City has a variety of goals and policies to enhance the economic strength and physical appearance of the City;

WHEREAS, allowing the City to require payment of a fee in lieu of developing parking on-site for each individual development would fund the construction and/or maintenance off-site parking facilities;

WHEREAS, allowing certain developments to satisfy parking requirements off-site or on a shared basis would also contribute toward alleviating parking shortages;

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

Section 17.01.060 is amended to read as follows [additions shown in underline and deletions in ~~strikeout~~]:

17.01.060 Definitions

As used in this title, the singular includes the plural and the masculine includes the feminine and neuter. The word "may" is discretionary, but the word "shall" is mandatory. The following words and phrases shall have the meanings given them in this section.

* * *

WATERFRONT means the area of the City west of the Hood River, north of I-84, and east of the Hook, including the Hook.

Section 17.03.040 is amended to read as follows [additions shown in underline and deletions in ~~strikeout~~]:

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 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 ~~shall be~~ are exempt from this requirement but shall pay a fee in-lieu of parking in accordance with Chapter 17.23. ~~Waterfront means the area of the City west of the Hood River, north of I-84, and east of the Hook, including the Hook.~~
- 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.

* * *

[the remainder of this section intentionally omitted]

Section 17.03.050 is amended to read as follows [additions shown in underline and deletions in ~~strikeout~~]:

17.03.050 General Commercial Zone (C-2)

A. Permitted Uses.

1. Single-family dwellings and accessory structures
2. Duplexes and triplexes
3. Rooming and boarding houses
4. Manufactured homes
5. Home occupations
6. Bed and breakfast
7. Family day care
8. Residential care facility
9. Group residential, if less than 15 persons
10. 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

D. Site Development Requirements.

1. Minimum Lot Area: None.
2. 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.

The minimum setback requirements shall be as follows:

1. Front - not required.
2. Side and rear - not required except in the case where the structure is adjacent to a residential zone, in which case a three (3) foot setback is required for structures up to two (2) stories, and increased one (1) foot for each additional story above two (2) stories.

F. Maximum Building Height.

1. Thirty-five (35) feet for residential use.
2. Forty-five (45) feet for commercial use or for mixed commercial and residential use.
3. No commercial structure shall exceed a height of forty-five (45) feet.

G. Parking Regulations.

1. 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.
2. In no case shall there be less than two (2) off-street parking spaces.
3. The Central Business District, the Heights Business District and the Waterfront ~~shall be~~ are exempt from this requirement but shall pay a fee in-lieu of parking in accordance with Chapter 17.23. ~~Waterfront means the area of the City west of the Hood River, north of I-84, and east of the Hook, including the Hook.~~
4. 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.

5. 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
6. All residential uses shall comply with the off-street parking standards as follows, unless exempt above:
 - 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.
 - e. Off-street loading facilities shall be encouraged. Public alleys may be utilized for off-street loading facilities.
7. Bicycle parking as required by 17.20.040.

* * *

[the remainder of this section intentionally omitted]

Section 17.03.060 is amended to read as follows [additions shown in underline and deletions in ~~strikeout~~]:

17.03.060 Light Industrial Zone (LI)

A. Permitted Uses.

1. Temporary uses not exceeding thirty (30) days
2. Caretaker's residence for an on-site industrial use
3. Transportation facilities pursuant to 17.20.050(A)

B. Permitted Uses Subject to Site Plan Review.

1. Limited industrial uses such as manufacturing, processing, warehousing, and outside storage, including change of use
2. Commercial uses incidental and essential to an on-site industrial use
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. Transportation facilities pursuant to 17.20.050(B)

C. Conditional Uses.

Public facilities and uses, including change of use

D. Site Development Requirements.

1. Minimum Lot Area: None
2. Minimum frontage: Twenty (20) feet on a dedicated public street

E. Setback Requirements.

Minimum Setbacks: None

F. Maximum Building Height.

Forty-five (45) feet

G. Parking Regulations.

1. 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.
2. In no case shall there be less than two (2) off-street parking spaces.
3. The Central Business District, the Heights Business District and the Waterfront ~~shall be~~ are exempt from this requirement but shall pay a fee in-lieu of parking in accordance with Chapter 17.23. Waterfront means the area of the City west of the Hood River, north of I-84, and east of the Hook, including the Hook.
4. 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.
5. Off-street loading facilities shall be encouraged.
 - a. Public alleys may be utilized for off-street loading facilities.
6. 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
6. Bicycle parking as required by 17.20.040.

* * *

[the remainder of this section intentionally omitted]

Section 17.03.070 is amended to read as follows [additions shown in underline and deletions in ~~strikeout~~]:

17.03.070 Industrial Zone (I)

A. Permitted Uses.

1. Caretaker's residence for an on-site industrial use
2. Temporary uses not exceeding thirty (30) days
3. Transportation Facilities pursuant to 17.20.050(A)

B. Permitted Uses Subject to Site Plan Review.

1. Industrial activities, such as manufacturing, processing, warehousing, and outside storage
2. Commercial uses incidental and essential to an on-site industrial use, as defined in this title.
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. Transportation Facilities pursuant to 17.20.050(B)

C. Conditional Uses.

Public facilities and uses, including change of use

D. Site Development Requirements.

Minimum Lot Area: None

E. Setback Requirements.

1. Minimum Setbacks: None
2. Minimum Street Frontage: Twenty (20) feet on a public dedicated street

F. Maximum Building Height.

Forty-five (45) feet

G. Parking Regulations.

1. 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.
2. In no case shall there be less than two (2) off-street parking spaces.
3. The Central Business District, the Heights Business District and the Waterfront ~~shall be~~ are exempt from this requirement but shall pay a fee in-lieu of parking

in accordance with Chapter 17.23. Waterfront means the area of the City west of the Hood River, north of I-84, and east of the Hook, including the Hook.

4. 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.
5. Off-street loading facilities shall be encouraged.
 - a. Public alleys may be utilized for off-street loading facilities.
4. 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
5. Bicycle parking as required by 17.20.040.

* * *

[the remainder of this section intentionally omitted]

Chapter 17.23 is added to the Hood River Municipal Code as follows:

CHAPTER 17.23 IN-LIEU PARKING FEE

SECTIONS

- 17.23.010
- 17.23.020
- 17.23.030

17.23.010 In-Lieu Parking Fee

This chapter establishes the In-Lieu Parking Fee. The In-Lieu Parking Fee is paid to the City in lieu of providing required off-street parking when permitted in this title.

A. **Amount of Fee.** The amount of the In-Lieu Parking Fee is set by resolution of the City Council and the Council shall review the amount on at least an annual basis. The In Lieu-Fee may otherwise be adjusted by the Council as it deems necessary based on factors such as inflation, the cost of providing new parking spaces, and the market value of parking spaces. The amount of the In-Lieu Fee shall take into account the current costs of land acquisition, financing and construction.

B. **Use of Fees.** In-Lieu Parking Fees shall be deposited in a dedicated fund for the development and provision of public parking facilities. The collected Fees may be applied only to development and provision of public parking that serves the Central Business District, Heights Business District or Waterfront, or the development of City owned parking lots located in non-residential zones. Development and provision of parking to which the Fees are applied must be consistent with the City's adopted Parking Management Plan. Development and provision of parking includes, but is not limited to, paving, striping, sidewalks, acquisition of real property, payment of administrative costs, and construction.

17.23.020 Payment of Fee.

A. **Parking Requirement for Calculation of Fee.** The In-Lieu Fee shall be based on 1.2 parking stalls or spaces per 1,000 square feet of development multiplied by the amount set by Council resolution in section 17.23.010.

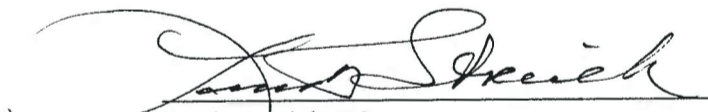
B. **Condition of Approval.** Payment of the In-Lieu Fee will be included as a condition of approval of any approved development application that is subject to the fee.

C. **Payment of Fee.** The In-Lieu Fee shall be paid in full prior to the issuance of a building permit.

Read for the first time: November 27, 2006.

Read for the second time and passed: December 11, 2006, to become effective thirty (30) days hence.

Signed December 12, 2006.


Linda Streich, Mayor

ATTEST:


Jill Rommel, City Recorder