HOOD RIVER URBAN GROWTH AREA ZONING ORDINANCE
ARTICLE 17 – ZONING
(Adopted August 21, 2000)
Amended Nov. 21, 2011 – HRC Ord. #306 IAMP

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- C-1
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Amended Nov. 21, 2011 – HRC Ord. #306 – IAMP

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CHAPTERS:
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CHAPTER 16.04 - PURPOSE AND DEFINITIONS

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16.04.010 Purpose.
The purpose of this chapter is to:
A. Provide rules, regulations and standards governing the approval of subdivisions, partitions and lot line adjustments.
   1. Subdivisions involve the creation of four or more lots from one parent lot, parcel or tract, within one calendar year.
   2. Partitions involve the creation of three or fewer lots within one calendar year.
   3. Lot line adjustments involve modifications to lot lines or parcel boundaries which do not result in the creation of new lots.
B. Carry out the County’s development pattern, as envisioned by the Comprehensive Plan and the Transportation System Plan.
C. Encourage efficient use of land resources, full utilization of urban services, and transportation options;
D. Promote the public health, safety and general welfare through orderly and efficient urbanization;
E. Lessen or avoid traffic congestion, and secure safety from fire, flood, pollution and other dangers;
F. Promote alternative modes of transportation through the provision of adequate pedestrian and bicycle facilities;
G. Provide adequate light and air, prevent overcrowding of land, and facilitate adequate provision for all modes of transportation, water supply, sewage and drainage; and
H. Encourage the conservation of energy, natural and open space resources.

1 For the Purpose of this title the word City shall imply County
16.04.020 Definitions.
As used in this title, the word "may" is discretionary, the word "shall" is mandatory. The following words and phrases shall mean:

ACCESS OR ACCESS WAY means the way or means by which pedestrians and vehicles enter and leave property.

BLOCK means a contiguous series of lots bounded on all sides by streets, railroad rights-of-way, or unsubdivided land.

BUILDING LINE means a dashed line on a plat restricting the location of buildings or structures, or that distance as prescribed by the zoning ordinance, when applicable.

COMPREHENSIVE PLAN means the plan adopted by the County Board of Commissioners providing the objectives and policy guidelines for growth and development within the County UGA, including amendments thereto.

CONTIGUOUS LAND means two or more parcels, excluding platted subdivisions, under a single ownership which are not separated by an intervening parcel of land under a separate ownership.

CURB LINE means the line dividing the roadway from a planting strip or footway.

DESIGN means the design of any street or alley, alignments, grade or width, alignment of width of easements and rights-of-way for drainage or irrigation purposes and sanitary facilities.

EASEMENT means a grant of the right to use a strip of land for specific purposes.

FUTURE STREET means a proposed right-of-way as may be designed by the planning commission or other such agency, or authority as provided for herein, which street is necessary for the future subdivision of property shown on the subdivision plats and/or maps, but that the present dedication and construction of such street is not warranted.

LEGAL DESCRIPTION means the method by which the outer boundaries of a site or premises and all appurtenant easements and applicable restrictions or covenants are described or established by reference to established points, monuments, etc.

LOT means a unit of land that is created by a subdivision of land.

LOT AREA means the total horizontal net area within the lot lines of a lot.

LOT CORNER means a lot or parcel situated at the intersection of two or more streets.

LOT DEPTH means the depth of a lot or parcel shall be the horizontal length of a straight line connecting the bisecting points of the front and rear lot lines.
LOT, THROUGH means an interior lot or parcel having frontage on and with access on two parallel or approximately parallel streets.

LOT, FLAG means a lot or parcel which has the buildable area located away from the public right-of-way and is connected to same through a corridor of minimum or less frontage.

LOT LINE, FRONT means in the case of an interior lot or parcel, a line separating the lot from the street; in the case of a corner lot or parcel, the line separating the narrowest street frontage of the lot from the street.

LOT LINE, REAR means a lot or parcel line which is opposite and most distant from the front lot line.

LOT LINE, SIDE means any lot or parcel boundary line not a front or rear lot line.

LOT, WIDTH means the average horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lines.

MINIMUM ROAD STANDARD means that standard which must be met by a road before it may be used in a subdivision or partition or is accepted for dedication to the County.

OFFICIAL MAP means the comprehensive plan map as adopted by the County Board of Commissioners for Hood River County including the Urban Growth Area of the City of Hood River.

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 recreation courts, patios, open landscaped areas, or natural areas with pedestrian, equestrian, and bicycle trails. Open space does not include off-street parking or loading areas or driveways.

OWNER means the owner of record of real property as shown on tax rolls of Hood River County or deed records of Hood River County, or person who is purchasing property under contract.

PARTITION LAND means to divide land into two or three parcels of land within a calendar year, but does not include:
(a) A division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots;
(b) An adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment complies with any applicable zoning ordinance;
(c) The division of land resulting from the recording of a subdivision or condominium plat;
(d) A sale or grant by a person to a public agency or public body for state highway, county road, city street or other right of way purposes provided that such road or right of way complies with the applicable comprehensive plan and ORS 215.213.
(2)(p) to (r) and 215.283 (2)(p) to (r). However, any property divided by the sale or grant of property for state highway, county road, city street or other right of way purposes shall continue to be considered a single unit of land until such time as the property is further subdivided or partitioned; or

(e) A sale or grant by a public agency or public body of excess property resulting from the acquisition of land by the state, a political subdivision or special district for highways, county roads, city streets or other right of way purposes when the sale or grant is part of a property line adjustment incorporating the excess right of way into adjacent property. The property line adjustment shall be approved or disapproved by the applicable local government. If the property line adjustment is approved, it shall be recorded in the deed records of the county where the property is located.

PARKING SPACE means a rectangle not less than eighteen feet long and nine feet wide for use by a vehicle, having an all-weather surface, and further provided that such parking space shall have easy access to the street or alley by a driveway having an all-weather surface.

PARCEL means a tract of land that is created by a partitioning of land.

PEDESTRIAN WAY (PATHWAY) means a right-of-way for pedestrian traffic.

PERSON means a natural person, firm, partnership, estate, receiver, syndicate, branch of government, or any group or combination acting as a unit.

PLAT means a map, diagram, drawing, or replat containing all descriptions, locations, specifications, dedications, provisions, and information concerning a subdivision as specified by this chapter.

PRACTICABLE means able to be done considering technology and costs.

RIGHT-OF-WAY means the area between the boundary lines of an alley, easement, street or highway.

ROADWAY means the portions of the right-of-way of a street or highway developed for vehicular traffic.

SIDEWALK means a pedestrian walkway with all-weather hard surfacing.

STREET means a public way for travel by vehicles, bicycles and pedestrians, and including the terms "road," "highway," "lane," "place," "avenue," or other similar designations.

a. ALLEY means a narrow street through a block primarily for vehicular service access to the back or side of properties otherwise abutting on another street.

b. ARTERIAL means a state or major road or street that links cities, larger towns, and other major traffic generators.

c. COLLECTOR means streets leading onto arterials, and those main streets used
for traffic movement within residential, commercial and industrial areas.

d. **CUL-DE-SAC** (dead-end street) means a short street having one end open to traffic and being terminated by a vehicle turnaround.

e. **HALF STREET** means a portion of the width of a street, usually along the edge of a subdivision where the remaining portion of the street could be provided in another subdivision.

f. **MARGINAL ACCESS STREET** means a minor street parallel and adjacent to a major arterial street providing access to abutting properties but protected from through traffic.

g. **RESIDENTIAL/LOCAL STREET** means a road or street that provides access to abutting properties. Travel distances are relatively short, and speeds are generally slow.

**SUBDIVIDE LAND** means to divide land into four or more lots within a calendar year.

**SUBDIVIDER** means any person who undertakes the subdivision of an area of land for the purpose of transfer of ownership or development.

**SUBDIVISION** means either an act of subdividing land or an area or a tract of land subdivided as defined in this section.

**TRANSPORTATION SYSTEM PLAN (TSP)** means the plan adopted by the Board of County Commissioners on behalf of the City Council providing the policies and standards for transportation systems in the Urban Growth Area, including amendments thereto.
CHAPTER 16.08 - GENERAL PROCEDURAL REQUIREMENTS FOR ALL LAND DIVISIONS, REPLATS, PLAT VACATIONS AND LOT LINE ADJUSTMENTS

SECTIONS:
16.08.010 Approval Process for Subdivisions and Partitions.
16.08.020 Preliminary Plat Submission Requirements and Approval Criteria
16.08.030 Final Plat Submission Requirements and Approval Criteria.
16.08.040 Filing and Recording.
16.08.050 Variances and Penalties.
16.08.060 Replatting and Vacation of Plats
16.08.070 Lot Line Adjustments.

16.08.010 Approval Process for Subdivisions and Partitions

A. Subdivision and Partition Approval Through Three-Step Process. Applications for subdivision or partition approval shall be processed through a three-step process:

1. Pre-Application Conference. A pre-application conference with county staff is required for all partitions and subdivisions prior to submittal of the preliminary plat application unless waived by the Planning Director. The applicant shall provide information and materials of a sufficient level of detail to clearly explain the proposed land division.

2. Preliminary Plat. The preliminary plat shall be approved before the final plat can be submitted for approval consideration.
   • Partitions. Review of a preliminary plat for a partition shall be processed by means of an Administrative action, as governed by Title 17 Administrative Actions in the Review Procedures chapter.
   • Subdivisions. Review of a preliminary plat for a subdivision shall be processed by means of a Quasi-Judicial action, as governed by Title 17 Quasi-Judicial Actions in the Review Procedures chapter.

All preliminary plats shall be reviewed using approval criteria for preliminary plats contained in this Title. An application for subdivision may be reviewed concurrently with an application for a Planned Development under Title 17.

3. Review of Final Plat. The final plat shall include all conditions of approval of the preliminary plat. Review of a final plat for a subdivision or partition shall be processed by means of a Ministerial procedure under Title 17 Ministerial Actions in the Review Procedures chapter, using the approval criteria for final plats in this Title. Filing and recording of the final plat shall be in compliance with the requirements of 16.08.050.

B. Preliminary Plat Approval Period. Preliminary plat approval shall be effective for a period of two (2) years from the date of approval.

C. Amendments and Extensions. The applicant may request changes to the approved preliminary plat or conditions of approval following the procedures and criteria provided below.
   1. Minor Amendments.
a. **Minor Amendment Defined.** The Planning Director may determine that the proposed amendment(s) is minor if all of the following criteria are met by the proposed changes:
   1. There will be no change in land use;
   2. There will be no increase in the number of dwelling units;
   3. There will be no change in the type and/or location of access ways, drives or parking areas that affect off-site traffic;
   4. There will be a less than 5 percent reduction in the area reserved for common open space and/or usable open space; and
   5. There will be a less than 5 percent reduction to specified setback requirements, provided the minimum setback standards of the zone can still be met.

b. **Minor Amendment Request.** An application for approval of a minor amendment is reviewed as a Ministerial Action under Title 17. A minor amendment shall be approved, approved with conditions, or denied based on written findings that the proposed development is in compliance with all applicable requirements of the Development Code.

2. **Major Amendments.**
   a. **Major Amendment defined.** Any modification to a land use decision or approved development plan which is not within the description of a minor amendment as provided above, shall be considered a major amendment.
   b. **Major Amendment Request.** An applicant may request a major amendment as follows:
      1. When the Planning Director determines that the proposed amendment is a major amendment, the applicant shall submit an application for the major amendment.
      2. The amendment request shall be subject to the same review procedure (Administrative or Quasi-Judicial) and approval criteria used for the initial project approval, however, the review shall be limited in scope to the amendment request. For example, a request to modify a parking lot shall require site design review only for the proposed parking lot and any changes to associated pathways, lighting and landscaping. Notice shall be provided in accordance with the applicable review procedure.

3. **Extensions.** The Planning Director shall, upon written request by the applicant and payment of the required fee, grant one extension of the approval period not to exceed one year; provided that:
   a. Any changes to the preliminary plat follow the procedures above;
   b. The applicant has submitted written intent to file a final plat within the one-year extension period;
   c. An extension of time will not prevent the lawful development of abutting properties; and
   d. The extension request is made before expiration of the original approved plan.

D. **Phased Development.**
   1. The County may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period (i.e., for required public
improvements, utilities, streets) for any partition or subdivision phase be greater than five (5) years with one 1-year extension possible, without reapplying for a preliminary plat;

2. The criteria for approving a phased land division proposal are:
   a. Public facilities shall be constructed in conjunction with or prior to each phase;
   b. The development and occupancy of any phase dependent on the use of temporary public facilities shall require Board of County Commissioners approval. Temporary facilities shall be approved only upon County receipt of bonding or other assurances to cover the cost of required permanent public improvements, in accordance with Chapter 16.12. A temporary public facility is any facility not constructed to the applicable County standards;
   c. The phased development shall not result in requiring the County or a third party (e.g., owners of lots) to construct public facilities that were required as part of the approved development proposal; and
   d. The application for phased development approval shall be reviewed concurrently with the preliminary plat application and the decision may be appealed in the same manner as the preliminary plat.

E. Appeals. The administrative provisions of Articles 60 and 72 of the County Zoning Ordinances shall apply to the provisions of this chapter.

16.08.020 Preliminary Plat Submission Requirements and Approval Criteria.
A. General Submission Requirements.
   1. Partitions. For partitions, the applicant shall submit an application containing all of the information required for Administrative actions under Title 17 Administrative Actions in the Review Procedures chapter.

   2. Subdivisions. For subdivisions, the application shall contain all of the information required for Quasi-judicial actions under Title 17 Quasi-Judicial Actions in the Review Procedures chapter.

B. Preliminary Plat Information. In addition to the general information described in Subsection A above, the preliminary plat application shall consist of drawings and supplementary written material (i.e., on forms and/or in a written narrative) adequate to provide the following information:
   1. General information:
      a. Name of subdivision (not required for partitions). This name must not duplicate the name of another subdivision in the county in which it is located (please check with County surveyor);
      b. Date, north arrow, and scale of drawing. Drawings shall be at a scale of 1:20 unless otherwise authorized by the County Engineer;
      c. Location of the development sufficient to define its location in the county, boundaries, and a legal description of the site;
      d. Names, addresses and telephone numbers of the owners, designer, and engineer or surveyor if any, and the date of the survey; and
e. Identification of the drawing as a "preliminary plat".

2. **Site analysis**:
   a. Streets: Location, name, present width of all streets, alleys, rights-of-way, sidewalks and pedestrian and multi-use pathways on and abutting the site;
   b. Easements: Width, location and purpose of all existing easements of record on and abutting the site;
   c. Utilities: Location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest ones;
   d. Ground elevations shown by contour lines at 5-foot vertical intervals for ground slopes exceeding 10 percent and at 2-foot intervals for ground slopes of less than 10 percent. Such ground elevations shall be related to some established bench mark or other datum approved by the County Surveyor. This requirement may be waived for partitions when grades, on average, are less than one (1) percent. When contours are not shown, a reasonable number of spot elevations, as determined by the County Engineer, may be required;
   e. The location and elevation of the closest benchmark(s) within or adjacent to the site (i.e., for surveying purposes);
   f. Potential natural hazard areas, including any flood plains, areas subject to high water table, landslide areas, and areas having a high erosion potential;
   g. Sensitive lands, including wetland areas, streams, wildlife habitat, significant trees and shrubs (Section 16.12.030) and other areas identified by the County or natural resource regulatory agencies as requiring protection;
   h. Site features, including existing structures, pavement, and drainage ways, canals and ditches;
   i. Designated historic and cultural resources on the site and adjacent parcels or lots;
   j. The location, size and species of trees having a caliper (diameter) of four inches or greater at four feet above grade; and,
   k. Other information, as deemed appropriate by the Planning Director. The County may require studies or exhibits prepared by qualified professionals to address specific site features, code requirements and/or state and federal requirements.

3. **Proposed improvements**:
   a. Public and private streets, tracts, driveways, open space and park land; location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts which are being held for private use and all reservations and restrictions relating to such private tracts shall be identified;
   b. Location, width and purpose of all easements;
   c. Lots and private tracts (e.g., private open space, common area, or street): approximate dimensions, area calculation (e.g., in square feet), and identification numbers for all lots and tracts;
   d. Proposed uses of the property, including all areas proposed to be dedicated to the public or reserved as open space for the purpose of surface water management, recreation, or other use;
e. Proposed improvements, as required by Chapter 16.12, and timing of improvements (e.g., in the case of streets, sidewalks, street trees, utilities, etc.);
f. The proposed source of domestic water;
g. The proposed method of sewage disposal;
h. Method of surface water drainage and treatment if required;
i. The approximate location and identity of other utilities, including the locations of street lighting fixtures;
j. Proposed railroad crossing or modifications to an existing crossing, if any, and evidence of contact with Oregon Department of Transportation (ODOT) related to proposed railroad crossing(s);
k. Changes to streams or other water courses. Provision or closure of public access to these areas shall be shown on the preliminary plat, as applicable;
l. Identification of the base flood elevation for development in areas prone to inundation. Evidence in writing of contact with the Federal Emergency Management Agency to initiate a flood plain map amendment shall be required when development is proposed to modify a designated 100-year flood plain;
m. Evidence of contact with Oregon Department of Transportation (ODOT) for any development requiring access to a highway under the State's jurisdiction; and
n. Evidence in writing of contact with the applicable natural resource regulatory agency(ies) for any development within or minimum of 200 feet adjacent to jurisdictional wetlands or other regulated water resources.

C. General Approval Criteria. The County may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:

1. The proposed preliminary plat complies with all of the applicable Municipal Code sections and other applicable ordinances and regulations. At a minimum, the provisions of this Title, including Chapter 16.12, and the applicable sections of the Comprehensive Plan and Title 17 shall apply;

2. The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;

3. The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects. All proposed public improvements and dedications are identified on the preliminary plat;

4. The location, width and grade of streets and pedestrian walkways have been considered in relation to existing and planned streets, walkways, topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets and walkways. The street and walkway system proposes an adequate traffic circulation system, which is consistent with the Transportation System Plan and any approved Future Street Plans pursuant to 16.12.020(K);
5. All proposed private common areas and improvements (e.g., home owner association property) are identified on the preliminary plat; and

6. Adequate capacity of public facilities for fire protection, streets, and sidewalks can be provided to the subject parcel. Development of on-site and off-site public facilities necessary to serve the proposed use are consistent with the Comprehensive Plan and any adopted public facilities plan(s).

7. All lots created shall have adequate public utilities and facilities such as sewer, gas, electrical, and water systems and these shall be located and constructed to prevent or minimize flood damage to the extent practicable.

8. All subdivision and partition proposals shall have adequate surface water drainage provided to minimize exposure to flood damage. Water quality or quantity control improvements may be required.

9. Underground utilities are provided.

10. Minimize flood damage. All subdivisions and partitions shall be designed based on the need to minimize the risk of flood damage. No new building lots shall be created entirely within a floodway. All new lots shall be buildable without requiring development within the floodway. Development in a 100-year flood plain shall comply with Federal Emergency Management Agency requirements, including filling to elevate structures above the base flood elevation. The applicant shall be responsible for obtaining such approvals from the appropriate agency before County approval of the final plat.

11. Determination of Base Flood Elevation. Where a development site is located in or near areas prone to inundation, and the base flood elevation has not been provided or is not available from another authoritative source, it shall be prepared by a qualified professional, as determined by the County Engineer.

D. Future Re-Division Plan. When subdividing or partitioning tracts into large lots (i.e., greater than two times or 200 percent the minimum lot size allowed by the underlying land use zone), the County shall require that the lots be of such size, shape, and orientation as to facilitate future re-division in accordance with the requirements of the zone and this Title.

1. Are-division plan shall be submitted which identifies:
   a. Potential future lot division(s) in conformance with the housing and density standards of Title 17;
   b. A Future Street Plan consistent with the Local Street Connectivity standards of the Transportation System Plan and, for major partitions and subdivisions in compliance with Section 16.12.020(K) which identifies potential street right-of-way alignments to serve future development of the property and connect to adjacent properties, including existing or planned rights-of-way.

2. The re-division plan shall also include a disclaimer that the plan is a conceptual plan intended to show potential future development. It shall not be binding on the County or
property owners, except as may be required through conditions of land division approval. For example, dedication and improvement of rights-of-way within the future plan area may be required to provide needed secondary access and circulation. Additionally, if the Planning Director deems it necessary for the purpose of future land division, any restriction of buildings within future street, bicycle path, and accessway locations shall be made a matter of record in the preliminary plan approval.

E. **Conditions of Approval.** The County may attach such conditions as are necessary to carry out provisions of this Code, and other applicable ordinances and regulations, and may require reserve strips be granted to the County for the purpose of controlling access to adjoining undeveloped properties.

16.08.030 **Final Plat Submission Requirements and Approval Criteria**

A. **Submission Requirements.**

1. Final plats shall be reviewed and approved by the County prior to recording with the County. The applicant shall submit the final plat within 2 years of the approval of the preliminary plat as provided by this Chapter. Specific information about the format and size of the plat, number of copies and other detailed information can be obtained from the Planning Director.

2. **Supplemental Data.** At the time of the submission of the final map, the applicant shall also submit the following:
   a. A preliminary title report issued by a recognized title insurance company in the name of the owner of the land, showing all parties whose consent is necessary and their interest in the premises;
   b. All technical data as required by the designated City or County Surveyor.

3. **Certification.** The following certifications shall appear on the final map as submitted. The certificates may be combined where appropriate:
   a. A certificate signed and acknowledged by all parties having any record title interest in the land subdivided or partitioned, consenting to the preparation and recording of the map; provided, however, that the signatures of parties owning the following types of interests may be omitted if their names and the nature of their interests are set forth on the map:
      1. Rights-of-way, easements, or other interest, none of which can ripen into a fee;
      2. Rights-of-way, easements or reversions which by reason of changed conditions, long disuse, of latches, appear to be no longer of practical use or value, where release thereof is impossible or impractical to obtain. Any subdivision or partition plat map, including land originally patented by the United States or the state of Oregon, under patent reserving interest to either or both of these entities, may be recorded under the provision of this title without the consent of the United States or the state or Oregon thereto, or to dedication made thereon if the interest reserved is not inconsistent with the use for which the land is being subdivided;
   b. A certificate signed and acknowledged as above, offering for dedication all parcels of land shown on the final map and intended for any public use; except those parcels
other than streets, which are intended for the exclusive use of the lot owners in the subdivision, their licensees, visitors, tenants and servants;
c. The plat contains an affidavit by the surveyor who surveyed the land, represented on the plat to the effect the land was correctly surveyed and marked with proper monuments as provided by ORS Chapter 92, and indicating the initial point of the survey, and giving the dimensions and kind of such monument, and its reference to some corner established by the U.S. Geological Survey or giving two or more permanent objects for identifying its location.

4. Provision for additional certificates and acknowledgements required by law or conditions of approval.

B. Approval Criteria. By means of a Ministerial decision, the Planning Director shall review the final plat and shall approve or deny the final plat based on findings regarding compliance with the following criteria:
1. The final plat complies with the approved preliminary plat, and all conditions of approval have been satisfied;

2. All public improvements required by the preliminary plat have been installed and approved by the County Engineer. Alternatively, the developer has provided a performance guarantee in accordance with Chapter 16.12;

3. The streets and roads for public use are dedicated without reservation or restriction other than revisionary rights upon vacation of any such street or road and easements for public utilities;

4. The streets and roads held for private use have been approved by the County as conforming to the preliminary plat;

5. The plat contains a dedication to the public of all public improvements, including but not limited to streets, public pathways and trails, access reserve strips, parks, sewage disposal, storm drainage and water supply systems;

6. The applicant has provided copies of all recorded homeowners association Codes, Covenants, and Restrictions (CC&R's); deed restrictions; private easements and agreements (e.g., for access, common areas, parking, etc.); and other recorded documents pertaining to common improvements recorded and referenced on the plat;

7. The plat complies with the applicable Sections of this code (i.e., there have been no changes in land use or development resulting in a code violation since preliminary plat approval);

8. Certification by the County or service district, as applicable, that water and sanitary sewer service is available to each and every lot depicted on the plat; or bond, contract or other assurance has been provided by the subdivider to the County that such services will be installed in accordance with County requirements, and the performance guarantee
requirements of Chapter 16.12. The amount of the bond, contract or other assurance by
the subdivider shall be determined by a professional engineer registered in the state of
Oregon, subject to review and approval by the County;

9. **Approval by County Engineer - City or County Surveyor.**
   a. Upon receipt of the final plat and accompanying data, the County Engineer shall
      review the final plat and improvement plans to determine that the plat conforms with
      the approved tentative plan, and that there has been compliance with provisions of the
      law and of this title. The cost of the engineering review shall be reimbursable to the
      County by the subdivider based upon the Oregon Revised Statutes Chapter 92.
   b. The city surveyor, if one is appointed or if not, the county surveyor, shall examine the
      plat for compliance with requirements for accuracy and completeness and shall
      collect such fees as are provided by this title. The surveyor may make checks in the
      field to verify that the plat is sufficiently correct on the grounds and he may enter the
      property for this purpose. If the surveyor determines that there has not been full
      conformity, the surveyor shall advise the subdivider of the changes or additions that
      must be made, and afford the subdivider an opportunity to make such changes or
      additions.
   c. If the city surveyor, if one is appointed or if not, the county surveyor, determines that
      full conformity has been made, he shall so certify on the final plat as prescribed by
      law.

16.08.040 **Filing and Recording.**
A. **Filing plat with County.** Within 60 days of the County approval of the final plat, the
 applicant shall submit the final plat to the County for signatures of County officials as
 required by ORS Chapter 92.

B. **Proof of recording.** Upon final recording with the County, the applicant shall submit to the
 County two paper copies of all sheets of the recorded final plat. This shall occur prior to the
 issuance of building permits for the newly-created lots.

C. **Prerequisites to recording the plat.**
   1. No plat shall be recorded unless all ad valorem taxes and all special assessments, fees, or
      other charges required by law to be placed on the tax roll have been paid in the manner
      provided by ORS Chapter 92;

   2. No plat shall be recorded until it is approved by the County surveyor in the manner
      provided by ORS Chapter 92.

16.08.050 **Variances and Penalties.**
A. **Variances.** Adjustments to the standards of this Chapter shall be processed in accordance with
 the procedures and findings prescribed in the County’s zoning ordinance for variances.
 Applications for variances shall be submitted at the same time an application for land division or
 lot line adjustment is submitted.
B. **Penalties.** An offer to sell, contract to sell, sale or deed of conveyance of a subdivision or partition or any part thereof, before a final plat thereof in full compliance with the provisions of this title has been duly recorded shall be considered an offense. Offenders who violate or cause violation of any provision of this title shall be deemed guilty of an offense and shall be subject to punishment as prescribed in Title 17 of the Municipal Code.

C. **Compliance with Oregon real estate regulations.** Prior to the sale of or contract to sell any lot within the subdivision, a final subdivision plat shall be recorded and the subdivider shall file a "Notice of Intent" with the Oregon State Board of Real Estate.

D. **Certification conflicts.** When any provision of Oregon state law or of this title requires the execution of any certificate or affidavit or the performance of any act by a person in his official capacity who is also a subdivider or any agent or employee thereof, such certificate or affidavit may be executed or such act may be performed by some other person duly qualified therefore and designated so to act by the council.

16.08.060 Replatting and Vacation of Plats

A. **Replatting and Vacations.** Any plat or portion thereof may be replatted or vacated upon receiving an application signed by all of the owners as appearing on the deed.

B. **Procedure.** All applications for a replat or vacation shall be processed in accordance with the procedures and standards for a subdivision or partition. The same appeal rights provided through the subdivision and partition process shall be afforded to the plat vacation process.

C. **Basis for denial.** A replat or vacation application may be denied if it abridges or destroys any public right in any of its public uses, improvements, streets or alleys; or if it fails to meet any applicable criteria.

D. **Recording of vacations.** All approved plat vacations shall be recorded in accordance with the Filing and Recording requirements of this Title and the following procedures:
   1. Once recorded, a replat or vacation shall operate to eliminate the force and effect of the plat prior to vacation; and
   2. Vacations shall also divest all public rights in the streets, alleys and public grounds, and all dedications laid out or described on the plat.

E. **After sale of lots.** When lots have been sold, the plat may be vacated only in the manner herein, and provided that all of the owners of lots within the platted area consent in writing to the plat vacation.

F. **Vacation of streets.** All street vacations shall comply with the procedures and standards set forth in ORS Chapter 271.

16.08.070 Lot Line Adjustments.

Lot Line Adjustments, and the modification of lot boundaries, when no new lots are created. The application submission and approvals process is as follows:
A. **Submission Requirements.** All applications for Lot Line Adjustment shall be made on forms provided by the County and shall include information required for a Ministerial action, as governed by Title 17. The application shall include a preliminary lot line map identifying all existing and proposed lot lines and dimensions; footprints and dimensions of existing structures (including accessory structures); location and dimensions of driveways and public and private streets within or abutting the subject lots; location of streams, wetlands, steep slopes and other significant natural features; existing fences and walls; and any other information deemed necessary by the Planning Director for ensuring compliance with County codes.

B. **Approval Process.**
   1. **Decision-making process.** Lot line adjustments shall be reviewed by means of a Ministerial action, as governed by Title 17, using approval criteria contained in subsection C, below.

   2. **Time limit on approval.** The lot line adjustment approval shall be effective for a period of two years from the date of approval, during which time it must be recorded.

   3. **Lapsing of approval.** The lot line adjustment approval shall lapse if:
      a. The lot line adjustment is not recorded within the time limit in subsection 2;
      b. The lot line adjustment has been improperly recorded with the County without the satisfactory completion of all conditions attached to the approval; or
      c. The final recording is a departure from the approved plan.

C. **Approval Criteria.** The Planning Director shall approve or deny a request for a lot line adjustment in writing based on findings that all of the following criteria are satisfied:
   1. **No additional parcel** or lot is created by the lot line adjustment, however the number of lots or parcels may be reduced;

   2. **Lot standards.** All lots and parcels comply with the applicable lot standards of the land use zone (Title 17) including lot area and dimensions.

   3. **Access.** All lots and parcels comply with applicable access and circulation standards or requirements; and

   4. **Setbacks.** The resulting lots, parcels, tracts, and building locations comply with the standards of the land use zone (Title 17).

   5. **Exemptions from Dedications and Improvements.** A lot line adjustment is not considered a development action for purposes of determining whether right-of-way dedication or improvement is required.

D. **Recording Lot Line Adjustments.**
   1. **Recording.** Upon the County’s approval of the proposed lot line adjustment, the applicant shall record the lot line adjustment with the County within 60 days of approval (or the decision expires), and submit a copy of the recorded survey map to the County, to be filed with the approved application.
2. **Time limit.** The applicant shall submit the copy of the recorded lot line adjustment survey map to the County within 15 days of recording and prior to the issuance of any building permits on the re-configured lots.

E. **Extension.** The County shall, upon written request by the applicant and payment of the required fee, grant an extension of the approval period not to exceed one year provided that:
   1. No changes are made on the original plan as approved by the County;
   2. The applicant can show intent of recording the approved lot line adjustment within the one year extension period; and
   3. The extension request is made before expiration of the original approved plan.
CHAPTER 16.12 - GENERAL DESIGN AND IMPROVEMENT STANDARDS
Amended on November 21, 2011 – HRC Ord. #306 – IAMP

SECTIONS:
16.12.010 General Applicability
16.12.050 Street Trees.

16.12.010 General Applicability
All subdivisions and partitions must comply with the provisions of this Chapter. Subdivisions and partitions that include the construction of a street may require detailed findings demonstrating compliance with each section. For partitions that do not include the construction of a street, fewer code provisions may apply.

A. Intent and Purpose. The intent of this Section is to manage vehicle access to development through a connected street system, while preserving the flow of traffic in terms of safety, roadway capacity, and efficiency.

B. Applicability. This Section shall apply to all public streets within the County and to all properties that abut these streets.

C. Access Permit. Access to a public street requires an Access Permit in accordance with the following procedures:
1. Permits for access to County streets shall be subject to review and approval by the County Engineer based on the standards contained in this Section, and the provisions of Section 16.12.060 - Public Facilities Standards. An access permit may be in the form of a letter to the applicant, or it may be attached to a land use decision notice as a condition of approval.

2. Permits for access to State highways shall be subject to review and approval by Oregon Department of Transportation (ODOT), except when ODOT has delegated this responsibility to the City or the County. In that case, the City or County shall determine whether access is granted based on its adopted standards.

3. Permits for access to County highways shall be subject to review and approval by the County, except where the County has delegated this responsibility to the City, in which case the City shall determine whether access is granted based on adopted County standards.

D. Traffic Study. The County or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also, Section 16.12.060 - Public Facilities Standards.)

E. Conditions of Approval. The County or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access.
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points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas shall not permit backing onto a public street.

F. Access Options. When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (a minimum of 10 feet per lane is required). These methods are "options" to the developer/subdivider, unless one method is specifically required by the County Engineer.

1. Option 1. Access is from an existing or proposed alley or mid-block lane.

2. Option 2. Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., "shared driveway"). A private street may only be developed in as part of a Planned Unit Development. A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive.

3. Option 3. Access is from a public street adjacent to the development parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in Section G, below.

4. Frontage on an Arterial Street. New residential land divisions fronting onto an arterial street shall be required to provide alleys or secondary (local or collector) streets for access to individual lots. When alleys or secondary streets cannot be constructed due to topographic or other physical constraints, access may be provided by consolidating driveways for clusters of two or more lots (e.g., includes Planned Unit Developments and mid-block lanes).

5. Double-Frontage Lots. When a lot has frontage onto two or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street. Except for corner lots, the creation of new double-frontage lots shall be prohibited in all residential zones, unless topographic or physical constraints require the formation of such lots. When double-frontage lots are permitted in all residential zones, a landscape buffer with trees and/or shrubs and ground cover not less than 10 feet wide shall be provided between the back yard fence/wall and the sidewalk or street; maintenance shall be assured by the owner (i.e., through homeowner's association, etc.).

G. Access Spacing. Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards and procedures:

1. Local Streets. A minimum of 22 feet separation (as measured from the sides of the driveway/street) shall be required on local streets (i.e., streets not designated as collectors or arterials), except as provided in subsection 3, below.

2. Arterial and Collector Streets. Access spacing on collector and arterial streets,
and at controlled intersections (i.e., with four-way stop sign or traffic signal) shall be determined based on the policies and standards contained in the County’s Transportation System Plan. Access to state highways shall be subject to the requirements of the Oregon Highway Plan and OAR Chapter 734, Division 31.

3. **Special Provisions for All Streets.** Direct street access may be restricted for some land uses. For example, access consolidation, shared access, and/or access separation greater than that specified by subsections 1-2, may be required by the City, County or ODOT for the purpose of protecting the function, safety and operation of the street for all users. (See Section ’I’, below.) Where no other alternatives exist, the permitting agency may allow construction of an access connection along the property line farthest from an intersection. In such cases, directional connections (i.e., right in/out, right in only, or right out only) may be required. New connections shall not be permitted within the functional area of an intersection or interchange as defined by the connection spacing standards, unless no other reasonable access to the property is available.

**H. Shared Driveways.** The number of driveways and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The County shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:

1. **Shared driveways and frontage streets** may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).

2. **Access easements** (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval.

3. **Exception.** Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, parcel configuration, and similar conditions) prevent extending the street/driveway in the future.

**I. Street Connectivity and Formation of Blocks Required.** In order to promote efficient vehicular and pedestrian circulation throughout the county, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

1. **Block Length and Perimeter.** The maximum block length and perimeter shall not exceed:
   a. 400 feet length and 1,200 feet perimeter in the in the Central Business District;
   b. 600 feet length and 1,600 feet perimeter in residential zones (R-1, R-2, and R-3);
   c. Not applicable to the Industrial zone (I); and
   d. 800 feet length and 2,000 feet perimeter in all other zones.

2. **Street Standards.** Public and private streets shall also conform to Section 16.12.060 Public Facilities Standards, Section 16.12.030 - Pedestrian Access and
Circulation, and applicable Americans With Disabilities Act (ADA) design standards.

3. **Exception.** Exceptions to the above standards may be granted when blocks are divided by one or more pathway(s), in conformance with the provisions of Section 16.12.030. Pathways shall be located to minimize out-of-direction travel by pedestrians and may be designed to accommodate bicycles.

**K. Future Street Plan (FSP) Required.** Future Street Plans provide a guide for transportation circulation to the developing site and in the immediate area. A future street plan demonstrates how access can be provided to parcels within 600 feet of the boundaries of the site, and is a conceptual plan in that its adoption does not establish a precise alignment.

1. **Applicability** - The provisions of section 16.12.020(k) apply to all tentative major partition and subdivision plans within the Urbanizing Area as shown on the Figure A-1, Local Street Connectivity Plan Study Area, in the Transportation System Plan. A FSP shall be filed in conjunction with all applications for subdivisions and major partitions. The FSP shall contain the information in (2) and shall be subject to review and approval under (4).

   The Planning Director may reduce the amount of off-site area to be considered below 600 feet in one or more directions in the following situations:
   a. Due to topography, the existing street pattern, or other constraints, the proposed future street plan does not need to consider access for adjacent parcels or continuation of an appropriate street system within 600 feet.
   b. The proposed street layout is consistent with a street pattern of an existing approved Future Street Plan.

2. **Submittal Requirements.** The Future Street Plan shall include sufficient dimensions and other data to verify conformance to the Future Street Plan criteria. The Future Street Plan shall incorporate the following details, both on-site and off-site:
   a. The Future Street Plan shall be no larger than 11 inches x 17 inches and may include several sheets.
   b. The topography for slopes of 15% or greater with contour intervals not more than 10 feet.
   c. The name, classification, location, right-of-way width, centerline radius, grade of all existing and proposed streets, bike-ways, and pedestrian ways within the subject site.
   d. Property lines and dimensions.
   e. Existing and proposed streets and pedestrian/bicycle facilities and destinations, within 600 feet of the development.
   f. Site access points for autos, pedestrians, bicycles.
   g. The conceptual future alignments of streets extending to allow for future traffic circulation and how access could be provided to adjacent parcels within 600 feet of the boundaries of the site.

3. **Review Criteria.** A proposed Future Street Plan shall comply with the relevant portions of the Title 17, the Transportation System Plan, and the following:
   a. A future street plan shall:
(1) Adequately serve local traffic (i.e., traffic with an origin in, and destination to, the area of the plan);
(2) Provide for the logical extension, continuation, and interconnection of streets, to serve circulation and access needs;
(3) Provide multi-directional access and circulation to the street system, avoiding maze-like and discontinuous street patterns; and,
(4) Balance traffic distribution within an area, rather than concentrating traffic on a few streets.
(5) Minimize the impact to natural resources and fit the landscape.
(6) Provide pedestrian access and create neighborhoods.

b. Wherever feasible, streets, alleys, and pedestrian-bicycle accessways shall connect on both ends to other streets, within the development and to existing and planned streets outside the development. Pedestrian/ Bicycle accessways may connect on one end to pedestrian and bicycle destinations. Exceptions for cul-de-sacs and dead-end streets are provided in 16.12.060(B)(13).

c. Pedestrian accessways shall be provided as required under 16.12.030.

L. **Fire Access and Parking Area Turn-Arounds.** A fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing public street or approved fire equipment access drive. Parking areas shall provide adequate aisles or turn-around areas for service and delivery vehicles so that all vehicles may enter the street in a forward manner.

**16.12.030 Pedestrian Access and Circulation**

A. **Pedestrian Access and Circulation.** To ensure safe, direct and convenient pedestrian circulation, all developments, except single family detached housing (i.e., on individual lots), shall provide a continuous pedestrian and/or multi-use pathway system. (Pathways only provide for pedestrian circulation. Multi-use pathways accommodate pedestrians and bicycles.) The system of pathways shall be designed based on the standards in subsections 1-3, below:

1. **Continuous Pathways.** A pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas whenever possible. The developer may also be required to connect or stub pathway(s) to adjacent streets and private property, in accordance with the provisions of Section 16.12.020 - Vehicular Access and Circulation, and Section 16.12.060 Public Facilities Standards.

2 **Street Connectivity.** Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the length required by Section 16.12.010(J). Pathways shall also be provided where cul-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments, as applicable. Pathways used to comply with these standards shall conform to all of the following criteria:

a. Multi-use pathways (i.e., for pedestrians and bicyclists) are no less than 8 feet wide and located within a 15-foot-wide right-of-way. The pathway shall generally be located within the center of the right-of-way or easement unless otherwise constrained by topography;
b. Stairs or switchback paths using a narrower right-of-way/easement may be required in lieu of a multi-use pathway where grades are steep.

c. The County may require landscaping within the pathway easement/right-of-way for screening and the privacy of adjoining properties;

d. The hearings body or Planning Director may determine, based upon facts in the record, that a pathway is impracticable due to: physical or topographic conditions (e.g., freeways, railroads, extremely steep slopes, sensitive lands, and similar physical constraints); buildings or other existing development on adjacent properties that physically prevent a connection now or in the future, considering the potential for redevelopment; and sites where the provisions of recorded leases, easements, covenants, restrictions, or other agreements recorded as of the effective date of this Code prohibit the pathway connection.

B. Design and Construction. Pathways shall conform to all of the standards in 1-5 as follows:

1. **Vehicle/Pathway Separation.** Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised 6 inches and curbed, or separated from the driveway/street by a 5-foot minimum strip with bollards, a landscape berm, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps.

2. **Housing/Pathway Separation.** Pedestrian pathways shall be separated a minimum of 5 feet from all residential living areas on the ground-floor, except at building entrances. Separation is measured from the pathway edge to the closest dwelling unit. No pathway/building separation is required for commercial, industrial, public, or institutional uses.

3. **Crosswalks.** Where pathways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. An example of contrasting paving material is the use of a concrete crosswalk through an asphalt driveway. If painted striping is used, it shall consist of thermo-plastic striping or similar type of durable application.

4. **Pathway Surface.** Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, at least 6 feet wide, and shall conform to ADA requirements. Multi-use paths (i.e., for bicycles and pedestrians) shall be the same materials, at least 8 feet wide. (See also, Section 16.12.060 - Public Facilities Standards for public, multi-use pathway standard.)

5. **Accessible routes.** Pathways and multi-use paths shall comply with the Americans with Disabilities Act, which requires accessible routes of travel.


A. **Applicability.** All subdivision and partition developments containing Significant Trees and Shrubs, as defined below, shall comply with the standards of this Section. The purpose of this Section is to incorporate significant native vegetation into the landscapes of development. The use of mature, native vegetation within developments is a preferred alternative to removal of vegetation and re-planting. Mature landscaping provides summer shade and wind breaks, and allows for water conservation due to larger plants having established root systems.
B. **Significant Trees and Shrubs.** Individual native trees and shrubs with a trunk diameter of 6 inches or greater, as measured 4 feet above the ground (DBH), and all plants within the drip line of such trees and shrubs, shall be protected. Except that protection shall not be required for plants listed as non-native, invasive plants by the Oregon State University Extension Service in the applicable OSU bulletins for the County.

C. **Mapping and Protection Required.** Significant trees shall be mapped individually and identified by species and size (diameter at 4 feet above grade, or "DBH"). A "protection" area shall be defined around the edge of all branches (drip-line) of each tree (drip lines may overlap between trees). The County also may require an inventory, survey, or assessment prepared by a qualified professional when necessary to determine vegetation boundaries, building setbacks, and other protection or mitigation requirements.

D. **Protection Standards.** All of the following protection standards shall apply to significant trees and shrubs areas:

1. **Protection of Significant Trees and Shrubs.** Significant trees and shrubs identified as meeting the criteria in Section B shall be retained whenever practicable. Preservation may become impracticable when it would prevent reasonable development of public streets, utilities, or land uses permitted by the applicable zone.

2. **Conservation Easements and Dedications.** When necessary to implement the Comprehensive Plan, the County may require dedication of land or recordation of a conservation easement to protect sensitive lands, including groves of significant trees.

E. **Construction.** All areas of significant vegetation shall be protected prior to, during, and after construction. Grading and operation of vehicles and heavy equipment is prohibited within significant vegetation areas, except as approved by the County for installation of utilities or streets. Such approval shall only be granted after finding that there is no other reasonable alternative to avoid the protected area.

F. **Exemptions.** The protection standards in "D" shall not apply in the following situations:

1. **Dead, Diseased, and/or Hazardous Vegetation.** Vegetation that is dead or diseased, or poses a hazard to personal safety, property or the health of other trees, may be removed. Prior to tree removal, the applicant shall provide a report from a certified arborist or other qualified professional to determine whether the subject tree is diseased or poses a hazard, and any possible treatment to avoid removal, except as provided by subsection 2, below.

2. **Emergencies.** Significant vegetation may be removed in the event of an emergency without land use approval, when the vegetation poses an immediate threat to life or safety, as determined by the Planning Director. The Planning Director shall prepare a notice or letter of decision within 14 days of the tree(s) being removed. The decision letter or notice shall explain the nature of the emergency and be on file and available for public review at the office of the County Planning and Building Services Department.

**16.12.050 Street Trees**

Requirements for street tree planting strips are provided in Chapter 16.12.060 - Public Facilities Standards. Planting of unimproved streets shall be deferred until the construction of curbs and sidewalks. Street trees shall conform to the following standards and guidelines:
A. Growth Characteristics. Trees shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, drought tolerance exposure, and desired color and appearance. The following should guide tree selection:

1. Provide a broad canopy where shade is desired.

2. Use low-growing trees for spaces under utility wires.

3. Select trees which can be "limbed-up" where vision clearance is a concern.

4. Use narrow or "columnar" trees where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.

5. Use species with similar growth characteristics on the same block for design continuity.

6. Avoid using trees that are susceptible to insect damage, and avoid using trees that produce excessive seeds or fruit.

7. Select trees that are well-adapted to the environment, including soil, wind, sun exposure, and exhaust. Drought-resistant trees should be used in areas with sandy or rocky soil or areas without irrigation.

8. Select trees for their seasonal color, as desired.

9. Use deciduous trees for summer shade and winter sun.

B. Caliper Size. The minimum caliper size at planting shall be 2 inches, based on the American Association of Nurserymen Standards.

C. Spacing and Location. Street trees shall be planted within existing and proposed planting strips, and in sidewalk tree wells on streets without planting strips. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity. In general, trees shall be spaced no more than 30 feet apart, except where planting a tree would conflict with existing trees, retaining walls, utilities and similar physical barriers.

D. Soil Preparation, Planting and Care. The developer shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation after planting thereafter or until the lot has sold and the responsibility is transferred to the property owner. The developer shall also be responsible for tree care (pruning, watering, fertilization, and replacement as necessary) after planting.

E. Assurances. The County shall require the developer to provide a performance and maintenance bond in an amount determined by the County Engineer, to ensure the planting of the tree(s) and care during the first two years after planting.

F. Street Tree List. A recommended street tree list is available at the Planning Office.
A. Purpose and Applicability.
   1. Purpose. The purpose of this chapter is to provide planning and design standards for public and private transportation facilities and utilities. This Chapter is also intended to implement the County’s Transportation System Plan.

   2. When Standards Apply. Unless otherwise provided, the standard specifications for construction, reconstruction or repair of transportation facilities, utilities and other public improvements within the County shall occur in accordance with the standards of this Chapter. No development may occur unless the public facilities related to development comply with the public facility requirements established in this Chapter.

   3. Standard Specifications. The County Engineer shall establish standard construction specifications consistent with the design standards of this Chapter and application of engineering principles. They are incorporated in this code by reference.

   4. Conditions of Development Approval. No development may occur unless required public facilities are in place or guaranteed, in conformance with the provisions of this Code. Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact.

B. Transportation Standards.
   1. Development Standards. No development shall occur unless the development has frontage or approved access to a public street, in conformance with the Access and Circulation standards of this Chapter, and the following standards are met:
      a. Streets within or adjacent to a development shall be improved in accordance with Transportation System Plan and the provisions of this Chapter.
      b. Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Section, and public streets shall be dedicated to the applicable city, county or state jurisdiction;
      c. New streets and drives street shall be hard-surfaced; and
      d. The City or County may accept a future improvement guarantee [e.g., owner agrees not to remonstrate (object) against the formation of a local improvement district in the future] in lieu of street improvements if one or more of the following conditions exist:
         (1) A partial improvement may create a potential safety hazard to motorists or pedestrians;
         (2) Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation;
         (3) The improvement would be in conflict with an adopted capital improvement plan; or
         (4) The improvement is associated with an approved land partition on property zoned residential and the proposed land partition does not create any new streets.
2. **Modifications.** A modification to the street design standards in this Section and the Transportation System Plan may be granted by the County Engineer under this provision if a required improvement is not feasible due to topographic constraints or constraints posed by sensitive lands (e.g., wetlands, significant trees and shrubs) or if necessary for safety or improved function of the transportation facility.

3. **Creation of Rights-of-Way for Streets and Related Purposes.** Streets shall be created through the approval and recording of a final subdivision or partition plat; except the County may approve the creation of a street by acceptance of a deed, provided that the street is deemed essential by the Board of County Commissioners for the purpose of implementing the Transportation System Plan, and the deeded right-of-way conforms to the standards of this Code. All deeds of dedication shall be in a form prescribed by the County Attorney and shall name "the public," as grantee.

4. **Creation of Access Easements.** The County may approve an access easement established by deed when the easement is necessary to provide for access and circulation in conformance with Section 16.12.020 Vehicular Access and Circulation and/or Section 16.12.030 Pedestrian Access and Circulation. Access easements shall be created and maintained in accordance with the Uniform Fire Code Section 10.207.

5. **Street Location, Width and Grade.** Except as noted below, the location, width and grade of all streets shall conform to the Transportation System Plan, as applicable; and an approved street plan or subdivision plat. Street location, width and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets:
   a. Street grades shall be approved by the County Engineer in accordance with the County’s design standards and subsection 14, below; and
   b. Where the location of a street is not shown in an existing street plan, the location of streets in a development shall either:
      (1) Provide for the continuation and connection of existing streets in the surrounding areas, conforming to the street standards of this Chapter, or
      (2) Conform to a street plan adopted by the Board of County Commissioners, if it is impractical to connect with existing street patterns because of particular topographical or other existing conditions of the land. Such a plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets and the need for public convenience and safety.

6. **Minimum Rights-of-Way and Street Sections.** Street rights-of-way and improvements shall be the widths in as shown in the street design standards. A modification shall be required in conformance with Section 2 (above) to vary from these standards. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:
   a. Street classification in the Transportation System Plan;
   b. Anticipated traffic generation;
   c. On-street parking needs;
   d. Sidewalk and bikeway requirements based on anticipated level of use;
e. Requirements for placement of utilities;
f. Street lighting;
g. Minimize drainage, slope, and sensitive lands impacts;
h. Street tree location, as provided for in Section 16.12.050;
i. Protection of significant vegetation, as provided for in Section 16.12.040;
j. Safety and comfort for motorists, bicyclists, and pedestrians;
k. Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;
l. Access needs for emergency vehicles; and
m. Transition between different street widths (i.e., existing streets and new streets), as applicable.
Chapter 16.12 – General Design and Improvement Standards

1. A planter strip is required on all new streets.
2. Width of curb is included in sidewalk or planter strip width.
3. Street trees and streetlights shall be located within the planter strip.

Urban Minor Arterial (One-Way Street)

Urban Minor Arterial (Two Lanes)

Urban Minor Arterial (Three Lanes)

FIGURE

Proposed Street Design Standards
Urban Arterial Streets

(Not to Scale)

COC.G0005/Street Standards.dgn/TNT/10-16-02
Amended & Adopted July 21, 2003
1. A planter strip is required on all new streets.
2. Width of curb is included in sidewalk or planter strip width.
3. Street trees and streetlights shall be located within the planter strip.
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2. Width of curb is included in sidewalk or planter strip width.
3. Street trees and streetlights shall be located within the planter strip.

Urban Local Residential Option "A"

Urban Local Residential Option "B"

Urban Local Residential Option "C"

Urban Local Residential Option "D"

FIGURE
Proposed Street Design Standards
Local Streets

(Not to Scale)
1. A planter strip is required on all cul-de-sacs.
2. Width of curb is included in sidewalk or planter strip width.
3. The length of cul-de-sac shall be no longer than 200' and have not more than 20 dwelling units on a closed end street system. Infill cul-de-sac length shall not exceed 150 feet.
4. Parking is allowed in the bulb and is prohibited in the neck.
5. Street trees and streetlights shall be located within the planter strip.
1. A planter strip is required on all new streets.
2. Width of curb is included in sidewalk or planter strip width.
3. For use when no vehicle connectivity is possible due to development or topography constraint.
4. Street trees and streetlights shall be located within the planter strip.
5. 5 feet minimum distance from developed neighboring abutting property line.

Neighborhood Infill Street Option "A"

Neighborhood Infill Street Option "B"

(Only applies within the City of Hood River OR)

FIGURE
Proposed Street Design Standards
Local Streets

(Not to Scale)

COC.G0005/Street Standards.dgn/TNT/10-16-02
Amended & Adopted July 21, 2003
   a. Traffic-calming features, such as traffic circles, curb extensions, narrow residential streets, and special paving may be used to slow traffic in neighborhoods and areas with high pedestrian traffic.
   b. Traffic signals shall be required with development when traffic signal warrants are met, in conformance with the Highway Capacity Manual, and Manual of Uniform Traffic Control Devices. The location of traffic signals shall be noted on approved street plans. Where a proposed street intersection will result in an immediate need for a traffic signal, a signal meeting approved specifications shall be installed. The developer's cost and the timing of improvements shall be included as a condition of development approval.

   a. Where required by 16.12.020(K)(1) a Future Street Plan shall be filed by the applicant in conjunction with an application for a subdivision or partition in order to facilitate orderly development of the street system.
   b. Streets shall be extended to the boundary lines of the parcel or tract to be developed, when the County Engineer determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land. The point where the streets temporarily end shall conform to 1-3, below:
      (1) These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets when the adjoining property is developed.
      (2) A barricade (e.g., fence, bollards, boulders or similar vehicle barrier) shall be constructed at the end of the street by the subdivider and shall not be removed until authorized by the County or other applicable agency with jurisdiction over the street. The cost of the barricade shall be included in the street construction cost.
      (3) Temporary turnarounds (e.g., hammerhead or bulb-shaped configuration) shall be constructed for stub streets over 150 feet in length.

9. Street Alignment and Connections.
   a. Staggering of streets making "T" intersections at collectors and arterials shall not be designed so that jogs of less than 300 feet on such streets are created, as measured from the centerline of the street.
   b. Spacing between local street intersections shall have a minimum separation of 125 feet, except where more closely spaced intersections are designed to provide an open space, pocket park, common area or similar neighborhood amenity. This standard applies to four-way and three-way (off-set) intersections.
   c. All local and collector streets which abut a development site shall be extended within the site to provide through circulation unless prevented by environmental or topographical constraints, existing development patterns or compliance with other standards in this code. This exception applies when it is not possible to redesign or reconfigure the street pattern to provide required extensions. Land is considered topographically constrained if the slope is greater than 15% for a distance of 250 feet or more. In the case of environmental or topographical constraints, the mere presence...
of a constraint is not sufficient to show that a street connection is not possible. The applicant must show why the environmental or topographic constraint precludes some reasonable street connection.

d. Proposed streets or street extensions shall be located to provide direct access to existing or planned commercial services and other neighborhood facilities, such as schools, shopping areas and parks.

e. In order to promote efficient vehicular and pedestrian circulation throughout the county, the design of subdivisions and alignment of new streets shall conform to the following standards in Section 16.12.020 Vehicular Access and Circulation: The maximum block length shall not exceed:

1. 400 feet length and 1,200 feet perimeter in the in the Central Business District;
2. 600 feet length and 1,600 feet perimeter in residential zones (R-1, R-2, and R-3);
3. Not applicable to the Industrial zone (I); and
4. 800 feet length and 2,000 feet perimeter in all other zones. Exceptions to the above standards may be granted by the County Engineer when a pedestrian access way is provided at or near mid-block, in conformance with the provisions of

10. Sidewalks, Planter Strips, Bicycle Lanes. Sidewalks, planter strips, and bicycle lanes shall be installed in conformance with the standards in Figures 16.12-A through 16.12-E, applicable provisions of the Transportation System Plan, the Comprehensive Plan, street connectivity plan and adopted future street plans. Maintenance of sidewalks, curbs, and planter strips is the continuing obligation of the adjacent property owner.

11. Intersection Angles. Streets shall be laid out so as to intersect at an angle as near to a right angle as practicable, except where topography requires a lesser angle or where a reduced angle is necessary to provide an open space, pocket park, common area or similar neighborhood amenity. In addition, the following standards shall apply:

a. Streets shall have at least 25 feet of tangent adjacent to the right-of-way intersection unless topography requires a lesser distance;

b. Intersections which are not at right angles shall have a minimum corner radius of 20 feet along the right-of-way lines of the acute angle; and

c. Right-of-way lines at intersection with arterial streets shall have a corner radius of not less than 20 feet.

12. Existing Rights-of-Way. Whenever existing rights-of-way adjacent to or within a tract are of less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, subject to the provision of Section 16.12.050(A).

13. Cul-de-sacs. A dead-end street shall be no more than 200 feet long and shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this code preclude street extension and through circulation:

a. All cul-de-sacs shall terminate with a circular or hammer-head turnaround. Circular turnarounds shall have a minimum radius of 42 feet, (i.e., from center to edge of pavement); except that turnarounds may be larger when they contain a landscaped
island or parking bay in their center. When an island or parking bay is provided, there shall be a fire apparatus lane of 20 feet in width; and
b. The length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac.

14. **Grades and Curves.** Grades shall not exceed 10 percent on arterials, 12% on collector streets, or 12% on any other street (except that local or residential access streets may have segments with grades up to 15% for distances of no greater than 250 feet), and:
   a. Centerline curve radii shall not be less than 700 feet on arterials, 500 feet on major collectors, 350 feet on minor collectors, or 100 feet on other streets; and
   b. Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization, shall provide a landing averaging five percent or less. Landings are that portion of the street within 20 feet of the edge of the intersecting street at full improvement.

15. **Curbs, Curb Cuts, Ramps, and Driveway approaches.** Concrete curbs, curb cuts, wheelchair, bicycle ramps and driveway approaches shall be constructed in accordance with standards specified in Sections 16.12.020 and 16.12.030.

16. **Streets Adjacent to Railroad Right-of-Way.** Wherever the proposed development contains or is adjacent to a railroad right-of-way, a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the land shall be created. New railroad crossings and modifications to existing crossings are subject to review and approval by Oregon Department of Transportation.

17. **Development Adjoining Arterial Streets.** Where a development adjoins or is crossed by an existing or proposed arterial street, the development design shall separate residential access and through traffic, and shall minimize traffic conflicts. The design shall include one or more of the following:
   a. A parallel access street along the arterial with a landscape buffer separating the two streets;
   b. Deep lots abutting the arterial or major collector to provide adequate buffering with frontage along another street. Double-frontage lots shall conform to the buffering standards in Chapter 16.12.020;
   c. Screen planting at the rear or side property line to be contained in a non-access reservation (e.g., public easement or tract) along the arterial; or
   d. Other treatment suitable to meet the objectives of this subsection;
   e. If a lot has access to two streets with different classifications, primary access shall be from the lower classification street, in conformance with Section 16.12.020.

18. **Alleys, Public or Private.** Alleys shall conform to the standards in the Transportation System Plan. While alley intersections and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have a radius of not less than 12 feet.

19. **Private Streets.** Private streets shall not be used to avoid connections with public streets. Gated communities shall be prohibited when they block street connections that are
outlined in the Transportation Systems Plan street connectivity plan. Design standards for private streets shall conform to the provisions of Table 16.12-A.

20. **Street Names.** No street name shall be used which will duplicate or be confused with the names of existing streets in the City, County or Urban Growth Area, except for extensions of existing streets. Street names, signs and numbers shall conform to the established pattern in the surrounding area, except as requested by emergency service providers and the County Code.

21. **Survey Monuments.** Upon completion of a street improvement and prior to acceptance by the County, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the County that all boundary and interior monuments shall be reestablished and protected.

22. **Street Signs.** The City, County or State with jurisdiction shall install all signs for traffic control and street names. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.

23. **Mail Boxes.** Plans for mail boxes to be used shall be approved by the United States Postal Service.

24. **Street Light Standards.** Street lights shall be installed in accordance with City standards and shielded in a downward pattern.

25. **Street Cross-Sections.** The final lift of asphalt or concrete pavement shall be placed on all new constructed public roadways prior to final County acceptance of the roadway and within one year of the conditional acceptance of the roadway unless otherwise approved by the County Engineer.
   a. Sub-base and leveling course shall be of select crushed rock;
   b. Surface material shall be of Class C or B asphaltic concrete;
   c. The final lift shall be Class C asphaltic concrete as defined by A.P.W.A. standard specifications; and
   d. No lift shall be less than 1-1/2 inches in thickness.

C. **Public Use Areas.**
   1. **Dedication Requirements.**
      a. Where a proposed park, playground or other public use shown in a plan adopted by the City or the Hood River Valley Parks and Recreation District is located in whole or in part in a subdivision, the County may require the dedication or reservation of this area on the final plat for the subdivision.
      b. Where an adopted plan of the County does not indicate proposed public use areas, the County may require the dedication or reservation of areas within the subdivision of a character, extent and location suitable for the development of parks and other public uses if:
         (1) Approved by the Hood River Valley Parks and Recreation District; and,
(2) Determined by the Planning Commission to be in the public interest in accordance with adopted comprehensive plan policies.
c. All required dedications of public use areas shall conform to Section 16.12.060(A)(4) (Conditions of Approval).

2. System Development Charge Credit. If authorized by the Hood River Valley Parks and Recreation District, dedication of land to the County for public use areas shall be eligible as a credit toward any required system development charge for parks.

D. Sanitary Sewer and Water Service Improvements.
1. Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the City's construction specifications and the applicable Comprehensive Plan policies.

2. Sewer and Water Plan Approval. Development permits for sewer and water improvements shall not be issued until the City Engineer has approved all sanitary sewer and water plans in conformance with City standards.

3. Over-sizing. Proposed sewer and water systems shall be sized to accommodate additional development within the area as projected by the Comprehensive Plan. The developer shall be entitled to system development charge credits for the over-sizing.

4. Permits Denied. Development permits may be restricted by the County where a deficiency exists in the existing water or sewer system which cannot be rectified by the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems. Building moratoriums shall conform to the criteria and procedures contained in ORS 197.505.

E. Storm Drainage.
1. General Provisions. The County shall issue a development permit only where adequate provisions for storm water and flood water runoff have been made in accordance with the requirements of the City and County Engineers.

2. Accommodation of Upstream Drainage. Culverts and other drainage facilities shall be large enough to accommodate potential runoff from the entire upstream drainage area, whether inside or outside the development. Such facilities shall be subject to review and approval by the County Engineer.

3. Effect on Downstream Drainage. Where it is anticipated by the County Engineer that the additional runoff resulting from the development will overload an existing drainage facility, the County shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with County standards.
F. **Utilities.**

1. **Underground Utilities.** All utility lines including, but not limited to, those required for electric, communication, lighting and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above. The following additional standards apply to all new subdivisions, in order to facilitate underground placement of utilities:
   a. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all above ground equipment does not obstruct vision clearance areas for vehicular traffic;
   b. The County reserves the right to approve the location of all surface mounted facilities;
   c. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and
   d. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

2. **Easements.** Easements shall be provided for all underground utility facilities.

3. **Exception to Under-Grounding Requirement.** The standard applies only to proposed subdivisions. An exception to the under-grounding requirement may be granted due to physical constraints, such as steep topography, sensitive lands, or existing development conditions.

G. **Easements.** Easements for sewers, storm drainage and water quality facilities, water mains, electric lines or other public utilities shall be dedicated on a final plat, or provided for in the deed restrictions. The developer or applicant shall make arrangements with the County, the applicable district and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. The County’s standard width for public main line utility easements shall be 15 feet unless otherwise specified by the utility company, applicable district, or County Engineer.

H. **Construction Plan Approval and Assurances.** No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after the plans have been approved by the County, permit fee paid, and permit issued. The permit fee is required to defray the cost and expenses incurred by the County for construction and other services in connection with the improvement. The permit fee shall be set by Board of County Commissioners. The County may require the developer or subdivider to provide bonding or other performance guarantees to ensure completion of required public improvements.
I. Installation.

1. Conformance Required. Improvements installed by the developer either as a requirement of these regulations or at their own option, shall conform to the requirements of this chapter, approved construction plans, and to improvement standards and specifications adopted by the City.

2. Adopted Installation Standards. The Standard Specifications for Public Works Construction, Oregon Chapter A.P.W.A. shall be a part of the City's adopted installation standard(s); other standards may also be required upon recommendation of the City Engineer.

3. Commencement. Work shall not begin until the County has been notified in advance.

4. Resumption. If work is discontinued for more than one month, it shall not be resumed until the County is notified.

5. City Inspection. Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. Modifications requested by the developer shall be subject to land use review under Section 16.08 - Modifications and Extensions. Any monuments that are disturbed before all improvements are completed by the subdivider shall be replaced prior to final acceptance of the improvements.

6. Engineer's Certification and As-Built Plans. A civil engineer registered in the state of Oregon shall provide written certification in a form required by the City that all improvements, workmanship and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to City acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide 2 sets of "as-built" plans, in conformance with the City Engineer's specifications, for permanent filing with the City.

All approvals in which the developer is required to install public improvements shall contain a condition of approval requiring a performance guarantee if the public improvements are not installed, inspected and approved before final plat approval.

A. Performance Guarantee Required. When a performance guarantee is required, the subdivider shall file an assurance of performance with the County supported by one of the following:

1. An irrevocable letter of credit executed by a financial institution authorized to transact business in the state of Oregon;
2. A surety bond executed by a surety company authorized to transact business in the state of Oregon which remains in force until the surety company is notified by the County in writing that it may be terminated; or

3. Cash.

B. **Determination of Sum.** The assurance of performance shall be for a sum determined by the County as required to cover the cost of the improvements and repairs, including related engineering and incidental expenses.

C. **Itemized Improvement Estimate.** The developer shall furnish to the County an itemized improvement estimate, certified by a registered civil engineer, to assist the County in calculating the amount of the performance assurance.

D. **Agreement.** If the public improvements are not constructed or installed and inspected and approved prior to final plat approval, the developer shall sign an agreement with the County that specifies as follows:
   1. The period within which all required improvements and repairs shall be completed;
   2. A provision that if work is not completed within the period specified, the County may call on the bond, cash deposit, or letter of credit to complete the work;
   3. Stipulates the improvement fees and deposits that are required.
   4. (Optional) Provides for the construction of the improvements in stages and for the extension of time under specific conditions therein stated in the contract.

   The agreement shall be on a form provided by the County and included with the final decision.

E. **Termination of Performance Guarantee.** The developer shall not cause termination of nor allow expiration of the guarantee without having first secured written authorization from the County.
CHAPTER 17.01 - GENERAL PROVISIONS

SECTIONS:
17.01.020 Purpose and Intent
17.01.030 Applicable County Ordinances
17.01.070 Definitions

17.01.020 PURPOSE AND INTENT
The purpose of these ordinances is to provide land use regulations for lands within the Hood River
Urban Growth Area that are consistent with requirements of the City of Hood River’s
Comprehensive Land Use Plan and Ordinances and to provide procedures for County
administration of land use applications and building permits with the Urban Growth Area. This
ordinance is intended to assure that the City and County Comprehensive Land Use Plans and
implementing ordinances are consistent and coordinated and to implement provisions of the Hood
River Urban Growth Management Agreement as adopted and signed by the City of Hood River
and Hood River County.

17.01.030 APPLICABLE COUNTY ORDINANCES
Except for the ordinances noted below, all County zoning ordinances are incorporated by reference
into Article 17 and shall be utilized to administer applicable land use applications and building
permits proposed on lands with the Hood River UGA.
The following ordinances are not applicable to lands within the Hood River Urban Growth Area:
A. Article 3 – Definitions
B. Article 5 – Forest Zone (F-1)
C. Article 6 – Primary Forest Zone (F-2)
D. Article 7 – Exclusive Farm Use Zone (EFU)
E. Article 10 – Residential Zone (R-1)
F. Article 12 – Residential Zone (R-2)
G. Article 15 – Rural Residential Zone (RR)
H. Article 16 – Mobile Home Parks Zone (MH)
I. Article 21 – Commercial Zone (C-1)
J. Article 22 – Rural Center Zone (RC)
K. Article 31 – Industrial Zone (M-1)
L. Article 32 – Light Industrial Zone (M-2)
M. Article 33 – Airport Development Zone (AD)
N. Article 35 – Natural Area Zone (NA)
O. Article 41 – Planned Unit Development (PUD)
P. Article 48 – Columbia Gorge Combining Zone (CG)
Q. Article 49 – Scenic Protection Zone (SP)
R. Article 51 – Off-Street Parking and Loading
S. Article 53 – Home Occupation
T. Article 55 – Supplemental Provisions
U. Article 56 – Bed & Breakfast Facilities (B&B)
V. Article 66 – Variances
W. Article 75 – Columbia River Gorge National Scenic Area (NSA)
17.01.070 DEFINITIONS
As used in this ordinance, 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 article.

ACCESS means the way or means by which pedestrians and vehicles enter and leave property.

ACCESSORY USE OR ACCESSORY STRUCTURE means a use or structure incidental and subordinate to the main use of the property and located on the same lot as the main one.

ALLEY means a street, which affords only a secondary means of access to the property.

BED AND BREAKFAST FACILITY means a single-family dwelling where travelers and/or guests are lodged for sleeping purposes, with or without a morning meal, and for which compensation is paid.

BOARDING HOUSE, LODGING HOUSE, OR ROOMING HOUSE means a building where lodging, with or without meals, is provided for compensation for over four (4) guests.

BUILDING means a structure used or intended for supporting or sheltering any use or occupancy.

BUILDING HEIGHT means a vertical distance above a reference datum measured to the highest point of a building. The reference datum shall be selected by either of the following, whatever yields the greater building height:

1. The elevation of the highest adjoining side or upper ground surface within five (5) foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than ten (10) feet above the lowest grade.

2. An elevation ten (10) feet higher than the lowest grade when the sidewalk or ground surface described in item one (1) above is more than ten (10) feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building.

BUILDING OFFICIAL means the officer or other designated authority charged with the administration and enforcement of the UBC or his duly authorized representative.

BUILDING SITE means one or more lots or parcels grouped together to form a tract of land to be used for building one or more structures. The building site lines shall be those lines, which bound the total area, exclusive of any public dedicated street.

CARETAKER'S RESIDENCE means a dwelling unit necessary for the security and/or operation requirements of an on-site industrial use.

CENTER means a group of establishments planned, developed and managed as a unit with non-segregated, off-street parking and circulation provided on the property.
**CENTRAL BUSINESS DISTRICT** means the area enclosed by the following streets, including adjacent properties:

- North: Industrial Avenue continuing east to Front Street
- South: Sherman Avenue
- East: Front Street
- West: 8th Street for the C-1 Zone only

**CHANGE OF USE** means any use that substantially differs from the previous use of a building, structure, or land. Factors to consider when identifying a change of use include the effects on parking, drainage, circulation, landscaping, building arrangements, and nuisance factors including, but not limited to, traffic, lighting and noise.

**CHILDCARE CENTER** means the provision for child day care of 13 or more children through the age of 12 in any 24-hour period and could include a public or private school.

**CITY** means the City of Hood River.

**COMMERCIAL USE** means any activity involving the sale of goods or services that does not involve manufacturing, processing, warehousing, or outside storage.

**CONDOMINIUM UNIT** means a part of the property consisting of a building or one or more rooms occupying one or more floors of a building or one or more rooms occupying one or more floors of a building or part or parts thereof, intended for any type of independent ownership, the boundaries of which are described pursuant to paragraph (c) of subsection (1) of ORS 91.509, and with a direct exit to a public street or highway to a common area or areas leading to a public street or highway. An area used for the temporary parking or storage of automobiles, boats, campers, or other similar recreational vehicles or equipment may be considered a unit even though consisting of air space only without any building or structure when such area is auxiliary to a condominium in which the remainder of the units are in or are a part of a building or buildings.

**CONTIGUOUS LAND** means two (2) or more parcels, excluding platted subdivisions, under a single ownership, which are not separated by an intervening parcel of land under a separate ownership.

**COUNTY** means the County of Hood River.

**COUNTY PLANNING DEPARTMENT** means the department of the County that processes applications, provides professional planning advice to the Planning Commission and Board of County Commissioners, and administers the County’s zoning and subdivision ordinances and Comprehensive Plan.

**DUPLEX** means a building designed or used exclusively for the occupancy of two (2) families living independently of each other and having separate housekeeping facilities for each family.
**DWELLING UNIT** means a single unit providing complete, independent living facilities for one (1) or more person, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

**ENTITY** means any use functioning independently.

**FAMILY** means one (1) or more persons, excluding servants, related by blood, marriage, legal adoption, or legal guardianship, occupying a single non-profit housekeeping unit and using common housekeeping facilities; a group of not more than five (5) unrelated persons living together as a single non-profit housekeeping unit and using common housekeeping facilities.

**FAMILY DAY CARE** means care of 12 or fewer children either full or part-time, including resident family members, as accessory to any residential use. Family day care is subject to the definition of “home occupation” in this chapter.

**FENCE, SIGHT OBSCURING** means a fence or planting arranged in such a way as to obscure vision.

**FLOOD LIGHT** means a wide spectrum of non-shielded light covering a large area.

**GRADE (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.

**GROUP RESIDENTIAL** means residential occupancy of dwelling units by groups of more than five (5) persons who are not related by blood, marriage, legal adoption or legal guardianship, and where communal kitchen and dining facilities are provided. Typical uses include the occupancy of boarding houses, cooperatives, halfway houses, and intermediate care facilities.

**HARD SURFACING** means asphalt, concrete, grasscrete or other similar surface that is accepted by the County Engineer.

**HEARING BODY** means the Planning Commission or Board of County Commissioners, as applicable.

**HEARING BODY MEMBERS** means the Planning Commissioners or Board of County Commission, as applicable.

**HEIGHTS BUSINESS DISTRICT, THE** means the parcels in the C-1 and C-2 zones between May, Belmont, 10th and 14th streets.

**HOME OCCUPATION** means the occupation carried on by a resident of a dwelling unit as an accessory use within the dwelling unit or within an accessory building which is incidental or secondary to the residential use.
HOSTEL means any establishment having beds rented or kept for rent on a daily basis to travelers for a charge or fee paid or to be paid for rental or use of facilities and which are operated, managed or maintained under the sponsorship of a non-profit organization which holds a valid exemption from federal income taxes under the federal law.

INCIDENTAL AND ESSENTIAL means a use which is subordinate and minor in significance and size to the primary use, and which has an integral relationship to the primary use.

INDUSTRIAL USE means any activity involving the manufacturing, processing, warehousing, or outside storage of products to be transported elsewhere for retail sale.

LOADING SPACE means an off-street space within a building or on the same lot with a building for the temporary parking of a commercial vehicle or truck while loading or unloading merchandise or materials, and which space has access to a street or alley.

LOT means a specific tract of land within a platted subdivision.

LOT AREA means the total area of the lot or parcel measured in the horizontal plane within the lot or parcel boundary lines inclusive of public easements, private roads, and the easement of access to other properties.

LOT OF RECORD means a parcel or lot duly recorded by the Hood River County Department of Records and Assessments at the time of the adoption of the ordinance codified in this article.

LUBA means The State of Oregon Land Use Board of Appeals.

MANUFACTURED HOME means a structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities that is intended for human occupancy that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

MOBILE HOME (SINGLE WIDE) means a vehicle or structure constructed for movement on the public highways, which has sleeping, cooking, and plumbing facilities, is intended for human occupancy, and is being used for residential purposes.

MOBILE HOME (DOUBLE/TRIPLE/QUAD WIDE etc.) means a factory-built home that is the result of the combination of joining (at the time placed on the property) of two (2) or more sections, to which wheels may be attached for the purpose of moving it to a concrete foundation.

MANUFACTURED DWELLING PARK means any place where four or more manufactured dwellings (as defined in ORS 446.003 (26)) are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person. "Manufactured dwelling park" does not include a lot or lots located within a subdivision being
rented or leased for occupancy by no more than one manufactured dwelling per lot if the
subdivision was approved by the municipality unit having jurisdiction under an ordinance adopted
pursuant to ORS 92.010 to 92.190.

MULTI-ENTITY COMPLEX means any structure within which more than one (1) entity is
being located or will be conducted.

MULTI-FAMILY DWELLING means a building designed or used exclusively for the
occupancy of four (4) or more families living independently of each other and having separate
housekeeping facilities.

NON-CONFORMING STRUCTURE OR USE means a lawful existing structure or use at the
time the ordinance is codified in this article or any amendment thereto becomes effective, which
does not conform to the requirements of the zone in which it is located.

NON-RESIDENTIAL USE means an institutional use, public facility, or similar use in the
residential (R-1, R-2, and R-3) zone.

OCCUPATION means an endeavor for profit.

OWNER means the owner of record or his/her authorized agent.

PARCEL means a tract of land that is created by a partitioning of land.

PARKING SPACE means a rectangle not less than eighteen (18) feet long and nine (9) feet wide
for use by a vehicle.

PERSON means a natural person, firm, partnership, estate, receiver, syndicate, branch of
government, or any group or combination acting as a unit.

PLANNING COMMISSION means the Hood River County Planning Commission.

PLANNING DIRECTOR means the director of the Planning Department.

PROFESSIONAL OFFICE means a use involving professional services such as medical care,
consulting, legal services, and other similar services.

PROJECTION means the distance by which a sign extends over public property or beyond the
building line or architectural features such as cornices, eaves, canopies, sunshades, gutters,
chimneys, and flues shall not project more than six inches into a required setback.

PUBLIC FACILITY OR USE means a facility or use which is necessary for the public health,
safety, and welfare; including police, fire protection, sewage collection and treatment, storm
drainage systems, water distribution and treatment, public health services, public recreational
programs and facilities, energy generation and distribution, telephone systems, solid waste
disposal, transportation services, library services, and community government.
PUBLIC PARK means an open or enclosed tract of land set apart and devoted for the purposes of recreation, ornament, light, and air for the general public.

QUASI-JUDICIAL HEARING means a hearing wherein the hearing body is required to apply general standards and criteria to a specific set of facts in order to determine the conformance of the facts to the applicable criteria which results in a determination that will directly affect a small number of identifiable persons.

RECREATIONAL VEHICLE means a vehicle or trailer designed for highway use that is intended or used for human occupancy to be used temporarily for recreational purposes.

RESIDENTIAL OR RESIDENTIAL USE means the occupancy of living accommodations on a non-transient basis.

RESIDENTIAL CARE FACILITY means a treatment or training facility duly licensed by the State of Oregon, which provides residential care alone or in conjunction with treatment or training for six to 15 individuals who need not be related. Staff persons required to meet State Licensing requirements shall not be counted in the number of facility residents and need not be related to each other or the residents.

ROOF LINE means the ridge on a gable, peaked roof, or the parapet of fascia of a flat roof. A mansard roof is considered a gable roof for the purposes of this definition.

SETBACK means a line established by ordinance beyond which a building/structure may not be built. A legal setback line may be a property or vision or vehicle clearance line.

SIGN means any identification, description, illustration, symbol or device which is free-standing, affixed, painted, or bas relief upon an awning, building, structure or land, which communicates a message or idea, or identifies, or directs attention to a product, place, activity, person, institution, or entity.

SIGN ABANDONMENT means a sign structure not containing a sign for 120 days or a sign not in use for 120 continuous days.

SIGN AREA means the area of the smallest geometric figure which encompasses the facing of a sign, including copy, insignia, background and borders, but excluding essential sign structure, foundation, or support. For a multi-faced or two-sided sign, the sign area shall be the total of all faces. If the sign consists of more than one (1) section or module, all areas will be totaled.

SIGN, AWNING means a temporary or moveable shelter supported entirely by the exterior wall of a building and composed of fabric or metal with a supporting rigid framework.

SIGN, COMBINATION means any sign incorporating any combination of the features of pole and projecting signs.
SIGN, DIRECTIONAL means a sign displayed strictly for direction, safety, education or convenience of the public, including signs which identify restrooms, public telephones, and parking area entrances and exits.

SIGN, DISPLAY SURFACE means the area made available by the sign structure for the purpose of display.

SIGN, ELECTRIC means any sign containing electrical wiring, but not including signs illuminated by an exterior light source.

SIGN, FREE-STANDING means a sign erected on a free-standing frame, mast, or pole and not attached to any building.

SIGN HEIGHT means the overall height of a sign or sign structure as measured from the average grade directly below the sign to the highest point of the sign or sign structure.

SIGN, PORTABLE means a temporary sign capable of being moved easily and is not permanently affixed to the ground or a structure.

SIGN, PROJECTING means a sign other than a wall sign, which projects from and is supported by a wall of a building or structure.

SIGN, ROOF means a sign erected upon a roof line or parapet of a building or structure.

SIGN, SANDWICH BOARD means an A-board capable of being moved and not supported by a structure in the ground, nor attached to or erected against a structure.

SIGN STRUCTURE means any structure, which supports or is capable of supporting any sign as defined in this code. A sign structure may be a single pole and may or may not be an integral part of the building.

SIGN, TEMPORARY means any exterior sign, banner, pendant, valance or display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, to be displayed for a period not exceeding 90 days.

SIGN, WALL means any sign attached to, erected against, or painted on the wall of a building or structure, with the exposed face of the sign in a plane parallel to the plane of said wall.

SINGLE-FAMILY DWELLING means a building designed or used exclusively for the occupancy of one (1) family and having housekeeping facilities for only one (1) family.

STANDING means the status of a person who has submitted oral testimony at a hearing or written testimony in conjunction with a hearing or administrative action. A person with standing shall be considered a party.
STREET means the entire width between the right-of-way lines of every public way for pedestrian, bicycle and vehicular traffic.

STRUCTURE means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. Driveways and walks less than thirty- (30) inches and fences six (6) feet or less above the ground on which they rest shall not be considered structures.

SUBDIVIDE LAND means the act of dividing an area or tract of land into four (4) or more lots within a calendar year, when such area or tract exists as a unit or contiguous units of land under a single ownership at the beginning of such year.

SUBDIVISION means the act of subdividing land or an area or tract of land, subdivided as defined in this article.

TRIPLEX means a building designed or used exclusively for the occupancy of three (3) families living independently of each other and having separate housekeeping facilities for each family.

TOWNHOUSE means a single-family dwelling unit constructed as one of a row of attached units separated by property lines with open space on at least two sides.

TOWNHOUSE BUILDING means a structure, which includes two or more townhouses.

TOWNHOUSE PROJECT means one or more townhouse buildings constructed on a building site where the land has been partitioned to reflect the townhouse property lines and the commonly owned property, if any.

U.B.C. STANDARDS means the Uniform Building Code Standards, promulgated by the International Conference of Building Officials, as amended and adopted by this jurisdiction.

USE means the proposed purpose for which land or structure is designed, arranged, or intended, or for which it is occupied or maintained.

VEHICLE CLEARANCE means the triangular area formed at a corner or parcel by the intersection of a dedicated public right-of-way (improved or unimproved) and an alley, driveway, parking lot or loading area and a straight line joining said lines through points fifteen (15) feet back from their intersection. This vehicle clearance area shall provide an area of unobstructed vision.

YARD means an area unobstructed from the ground upwards, except as otherwise provided in this article.

YARD, FRONT means a yard extending from a building to the front lot line.

YARD, REAR means a yard extending from a building to the rear lot line.
YARD, SIDE means a yard extending from a building to the side lot line. When a parcel has two or more front yards, the remaining yards are to be considered side yards.

ZONE means one of the classifications of permitted uses into which the land area of the county is divided.
17.02 - ESTABLISHMENT OF LAND USE ZONES

SECTIONS:
17.02.010 Establishment and designation of Land Use Zones.
17.02.020 Zoning Map and Text.
17.02.030 Interpretation of Zone Boundaries.

17.02.010  ESTABLISHMENT AND DESIGNATION OF LAND USE ZONES
This article establishes the following land use zones:

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<tr>
<th>ZONES</th>
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<td>Urban Standard Density</td>
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<tr>
<td>Urban High Density</td>
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<tr>
<td>Open Space/Public Facility</td>
<td>OS</td>
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17.02.020  ZONING MAP AND TEXT
A. The boundaries of the zones established in this article are indicated on a map entitled the “Hood River Urban Growth Area”.

17.02.030  INTERPRETATION OF ZONE BOUNDARIES
Where, due to the scale, lack of detail or legibility of the Official zoning map, there is uncertainty, contradiction, or conflict as to the intended location of any zoning boundary, the exact location may be determined by utilizing the following standards:

A. Street Lines. Where zone boundaries are indicated as approximately following the centerline or right-of-way line of streets, such lines shall be construed to be such zone boundaries.

B. Lot Lines. Individual property lines may be used to separate zoning boundaries. The zoning classification of a lot of record in which a zoning boundary divides the lot into two (2) or more zones shall be determined by the Planning Department and the owner.
17.03 LAND USE ZONES  
(Amended Nov. 21, 2011 HRC Ord. #306 – IAMP)

SECTIONS:
17.03.010 Urban Low Density Residential Zone (R-1) 
17.03.020 Urban Standard Density Residential Zone (R-2) 
17.03.030 Urban Medium Density Residential Zone (R-3) 
17.03.040 Office/Residential Zone (C-1) 
17.03.050 General Commercial Zone (C-2) 
17.03.060 Light Industrial Zone (LI) 
17.03.080 Open Space/Public Facilities Zone (OS/PF) 
17.03.090 Interchange Area Management Plan (IAMP) Overlay Zone

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

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. The minimum lot or parcel size shall be 7,000 square feet. The minimum requirements for building sites are as follows:
1. Per dwelling unit a minimum of 7,000 square feet.
2. A minimum frontage of 50 feet on a dedicated public street.
3. A minimum frontage of 30 feet on a public dedicated cul-de-sac.

D. Setback Requirements. The minimum setback requirements shall be as follows:
1. No structure shall be placed closer than ten (10) feet from the nearest public right-of-way line of a dedicated public streets.
2. Garages that directly face adjacent streets shall be at least twenty (20) feet from the nearest public right-of-way lines of the dedicated public streets. Garages so constructed

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1 Additional Section 17.03.090 added on November 21, 2011 HRC Ordinance 306 IAMP - Overlay Zone
2 Amended 17.03.010 “C” for language clarification on March 18, 2002.
to not face an adjacent street may be ten (10) feet from the nearest right-of-way line of the dedicated public street. Detached garages so constructed to not face an adjacent public dedicated alley may be five (5) feet from the right-of-way line.

3. Side yard/rear yard.
   a. No structure shall be placed closer than 6 feet from the side property line.
   b. Structures greater than 28 feet in height shall be 8 feet from the side property line.
   c. No structure shall be placed closer than 10 feet from the rear property line.
   d. Projections may not encroach more than three (3) inches for each foot of required yard width.

E. Maximum Building Height: 35 feet

F. Parking Regulations.
   1. Individual dwelling units shall be provided with at least two (2) parking spaces on the building site, one (1) of which may be within the required front yard setback area.
   2. Parking spaces utilizing access from a public dedicated alley may be located within the setback area.
   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 or expanded parking area
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 15 persons

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

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 50 feet on a dedicated public street.
4. A minimum frontage of 30 feet on a dedicated public cul-de-sac.

D. Setback Requirements. The minimum setback requirements shall be as follows:
1. No structure shall be placed closer than ten (10) feet from the nearest public right-of-way line of a dedicated public street.
2. Garages that directly face adjacent streets shall be at least twenty (20) feet from the nearest public right-of-way lines of the dedicated public streets. Garages so constructed to not face an adjacent street may be ten (10) feet from the nearest right-of-way line of the dedicated public street. Detached garages so constructed to not face an adjacent public dedicated alley may be five (5) feet from the right-of-way line.
3. Side yard/rear yard.
   a. No structure shall be placed closer than 5 feet from the side property line.
   b. Structures greater than 28 feet in height shall be 8 feet from the side property line.
   c. No structure shall be placed closer than 10 feet from the rear property line.
   d. Projections may not encroach more than three (3) inches for each foot of required yard width.

E. Maximum Building Height: 35 feet

1 Amended 17.03.020 “C” for language clarification on March 18, 2002.
F. Parking Regulations.

1. Each dwelling unit shall be provided with at least two (2) parking spaces on the building site, one (1) of which may be in the required front yard setback area.

2. Parking spaces utilizing access from a public dedicated alley may be located within the setback area.

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 or expanded parking area
17.03.030 URBAN MEDIUM DENSITY RESIDENTIAL ZONE (R-3)

A. Permitted Uses:
1. Single-family dwellings and accessory structures
2. Duplexes and triplexes
3. Townhouses
4. Multiple-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 15 or more persons, subject to site plan review

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

C. ¹Site Development Requirements. 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 for the first two and a minimum of 1,500 square feet for each additional townhouse
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.

D. Setback requirements. The minimum setback requirements shall be as follows:
1. No structure shall be placed closer than ten (10) feet from the public right-of-way line of a public dedicated street.
2. Garages that directly face adjacent streets shall be at least twenty (20) feet from the nearest public right-of-way lines of the public dedicated streets. Garages so constructed to not face an adjacent street may be ten (10) feet from the nearest right-of-way line of the dedicated public street. Detached garages so constructed to not face an adjacent public dedicated alley may be five (5) feet from the right-of-way line.
3. Side yard/rear yard.
   a. No structure shall be placed closer than 5 feet from the side property line.

¹ Amended 17.03.030 “C” for language clarification on March 18, 2002.
b. Structures greater than 28 feet in height shall be 8 feet from the side property line.
c. No structure shall be placed closer than 5 feet from the rear property line.
d. Projections may not encroach more than three (3) inches for each foot of required yard width.
e. Structures greater than 28 feet in height shall be 10 feet from the rear property line.

E. Maximum building Height: 35 feet

F. Parking Regulations.
   1. 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.
   2. Multi-Family dwellings shall be required to furnish one and one-half (1-1/2) off-street parking spaces per dwelling unit on or adjacent to the building site.
   3. Required setback areas may be utilized for off-street parking for Multi-Family dwellings.
   4. Parking spaces utilizing access from a public dedicated alley may be located within the setback area.
   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 or expanded parking area

G. Landscaping. All landscaping shall be in conformance with the landscape standards in this article.
17.03.040 OFFICE/RESIDENTIAL ZONE (C-1)

A. Permitted Uses Subject to Site Plan Review:
   1. Professional offices
   2. Change of use
   3. Parking lots of 4 or more spaces, new or expanded, and or the equivalent of paving equal to 4 or more parking spaces
   4. Multi-family dwellings
   5. Group Residential, if 15 or more persons

B. Permitted Uses Not Subject to Site Plan Review:
   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 15 persons

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

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: 2,100 square feet for the first two townhouses in a townhouse building and 1,500 square feet for each additional townhouse.

   3. Minimum frontage: 50 feet on a dedicated public street or 30 feet on a public dedicated cul-de-sac.

   4. Setback requirements:
      a. Professional offices. The standards outlined in the C-2 zone apply.

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1 Amended 17.03.040 “D 1-2” for language clarification on March 18, 2002.

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b. Residential uses or a combination of professional offices and residential uses. The standards outlined in the R-3 zone apply.

5. Maximum Building Height: 35 feet.

6. Parking Regulations:
   a. Professional Offices. 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. In no case, shall there be less than two (2) off-street parking spaces. The Central Business District, the Heights Business District and the Waterfront shall be exempt from this requirement. Waterfront means the area of the City west of the Hood River, north of I-84 and east of the Hood, including the Hook.
   
b. All parking areas and driveways shall be hard surfaced prior to occupancy, under the following circumstances.
      i. New construction
      ii. Change of use
      iii. New parking area
   
c. Residential Uses.
      i. 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.
      ii. Multi-Family dwellings shall be required to furnish one and one-half (1-1/2) off-street parking spaces per dwelling unit on or adjacent to the building site.
      iii. Required setback areas may be utilized for off-street parking for Multi-Family dwellings.
      iv. Parking spaces utilizing access from a public dedicated alley may be located within the setback areas.

7. Lighting: Artificial lighting shall be subdued and shall not shine, cause glare, or be unnecessarily bright on surrounding properties. Both interior and exterior lighting shall take into consideration the viewshed and shall be dimmed as much as possible after closing without compromising safety and security. Flood lights on poles higher than 15 feet shall not be permitted.

E. Landscaping. All landscaping shall be in conformance with the landscape standards in this article.
17.03.050 GENERAL COMMERCIAL ZONE (C-2)

A. Permitted Uses Subject to Site Plan Review:
   1. Commercial uses
   2. Industrial uses incidental and essential to an on-site commercial use (refer to Section F)
   3. Change of use
   4. Parking lots of 4 or more spaces, new or expanded, and or the equivalent of paving equal to 4 or more parking spaces
   5. Multi-family dwellings
   6. Group Residential, if 15 or more persons

B. Permitted Uses Not Subject to Site Plan Review:
   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

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

D. Site Development Requirements:

1. Area: None

2. Minimum frontage: Fifty (50) feet on a dedicated public street or thirty (30) feet on a public dedicated cul-de-sac.

3. Minimum yard setbacks:
   a. Front – none required
   b. 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.
4. **Maximum Building Height:**
   a. 35 feet for residential use;
   b. 45 feet for commercial use or for mixed commercial and residential use. No commercial structure shall exceed a height of forty-five (45) feet.

5. **Parking Regulations:** 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. In no case shall there be less than two (2) off-street parking spaces. The Central Business District, the Heights Business District and the Waterfront shall be exempt from this requirement. Waterfront means the area of the City west of the Hood River, north of I-84 and east of the Hook, including the Hook.

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

   All residential uses not specifically referenced above shall comply with the off-street parking standards of the R-3 Zone, as follows:

   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 (1 1/2) 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. **Lighting:** Artificial lighting shall be subdued and shall not shine, cause glare, or be unnecessarily bright on surrounding properties. Both interior and exterior lighting shall take into consideration the viewshed and shall be dimmed as much as possible after closing without compromising safety and security. Flood lights on poles higher than 15 feet shall not be permitted.

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Section 17.03.050
E. **Landscaping.** All landscaping shall be in conformance with the landscaping standards in this article.

F. **Manufacturing.** Manufacture or assembly of goods is a permitted use, provided such manufacturing or assembly is within or contiguous to a permitted commercial use. The retail sales and the commercial character shall be the prominent use. The goods manufactured and/or assembled shall be sold on a retail basis out of the commercial use which is the storefront for such sale. All uses shall meet the following standards:

1. Any use, or portion thereof, causing noise, shall be performed in such a manner as not to create a nuisance or hazard on any adjacent property.
2. Any use, or portion thereof, causing vibration, shall be performed in such a manner as not to create a nuisance or hazard on adjacent property.
3. Any operation producing intense heat or glare shall be performed in such a manner as not to create a nuisance or hazard on adjacent property.
4. There shall be no emission of odorous, toxic, noxious matter, or dust in such quantities as to be readily detectable at any point along or outside property lines so as to produce a public nuisance or hazard.
5. If the retail and industrial uses are housed in separate buildings on the site, the industrial building shall be equal to or less in size to the commercial building.
6. In the case of two or more separate buildings, the one closest to the public dedicated street must retain a retail storefront and a pedestrian-friendly character. New construction or major renovations shall achieve this standard through use of the following design elements.

Major renovations are considered any activity on the exterior of a building that exceeds ten percent of the structure’s cost or fair market value or $75,000, whichever is more, as determined by the building official:

a. The building entrance shall be oriented toward the primary street, whenever physically possible.
b. Off-street parking or driveways shall not be placed between the building and the primary street, whenever physically possible.
c. The retail storefront shall utilize regularly spaced and similarly shaped windows with window hoods or trim.
d. The retail storefront shall have large display windows on the ground floor and shall be framed by bulkheads, piers and a storefront cornice.
e. For properties located within the Downtown Local Historic District, refer to the District’s Design Guidelines.

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1 Subsection “F” amended to Section 17.03.050 on March 18, 2002.
G. **Commercial Buildings Between 25,000 square feet and 50,000 square feet.** No new buildings shall exceed a combined contiguous length of 300 feet; nor shall any one building exceed a footprint of 50,000 square feet. Any building or contiguous group of buildings which exceed these limitations and which were in existence prior to the effective date of this ordinance may expand up to 10% in area or length beyond their original area or length. Neither the gross square footage nor combined contiguous building length as set forth in this section shall be changed by variance.

The following standards shall apply to buildings or a group of buildings on one site over 25,000 square feet in size:

1. Buildings shall have an entrance for pedestrians directly from the street to the building interior. This entrance shall be designed to be attractive and functional and shall be open to the public during all business hours. Public sidewalks shall be provided adjacent to a public street along the entire street frontage.

2. Building facades greater than 100 feet in length shall have offsets, jogs, or other architectural distinctive changes.

3. Any wall, which is within 30 feet of the street, plaza or other public open space, shall contain at least 20% of the wall area facing the street in display areas, windows, or doorways. Windows must allow views into working areas or lobbies, pedestrian entrances or display areas. Blank walls within 30 feet of the street are prohibited. Up to 40% of the length of the building perimeter, with the exception of the side facing the street, is exempt from this standard if facing toward loading or service areas.

4. A building shall be setback not more than 20 feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas. If more than one structure is proposed for a site, at least 25% of the aggregate building frontage shall be within 20 feet of the sidewalk.

5. Developments shall divide large building masses into heights and sizes that relate to human scale by incorporating changes in building mass or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees and small scale lighting.

6. One street tree chosen from the street tree list shall be placed along the perimeter of the parcel fronting the street for each 30 feet of frontage for that portion of the development facing the street.

7. Landscaping shall be designed so that 50% coverage occurs after one year from the date the certificate of occupancy is issued and 90% landscaping coverage occurs after 5 years from the date the certificate of occupancy is issued.

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1 Subsection G amended to Section 17.03.050 on January 22, 2002, HRC Ordinance 238
8. Parking areas shall be shaded on the interior and exterior by deciduous trees, buffered from adjacent non-residential uses and screened from residential uses. The appearance of a “sea of asphalt” shall be avoided.

9. A ratio of one tree for each seven (7) parking spaces shall be required to create a canopy effect. The trees shall be an appropriate large, canopied shade tree and/or a conifer.

10. Landscaped areas shall be substantially evenly distributed throughout the parking area and parking perimeter.
17.03.60 LIGHT INDUSTRIAL ZONE (LI)

A. 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 4 or more spaces, new or expanded, and or the equivalent of paving equal to 4 or more parking spaces.

B. Permitted Uses Not Subject to Site Plan Review:
   1. Temporary uses not exceeding thirty (30) days.
   2. Caretaker’s residence for an on-site industrial use.

C. Conditional Uses
   1. Public facilities and uses, including change of use.

D. Site Development Requirements:
   1. Minimum Lot Area: None.
   2. Minimum Setbacks: None.
   3. Maximum Building Height: 45 feet.
   5. Parking Regulations: 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. In no case shall there be less than two (2) off-street parking spaces. The Central Business District, the Heights Business District and the Waterfront shall be exempt from the requirement. Waterfront means the area of the City west of the Hood River, north of I-84 and east of the Hook, including the Hook. Off-street loading facilities shall be encouraged. 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
   7. Lighting: Artificial lighting shall be subdued and shall not shine, cause glare, or be unnecessarily bright on surrounding properties. Both interior and exterior lighting shall take into consideration the viewshed and shall be dimmed as much as possible after closing without compromising safety and security. Flood lights on poles higher than 15 feet shall not be permitted.
E. **Landscaping.** All landscaping shall be in conformance with the landscape standards in this article.
17.03.080 OPEN SPACE/PUBLIC FACILITIES ZONE (OS/PF)

The purpose of the Open Space/Public Facilities Zone is to provide land areas for parks and other necessary public facilities. This zone is also intended to serve as the mechanism to implement the public parks land use designation of the Comprehensive Plan. Permitted uses not subject to site plan review in this zone shall include, but are not limited to: recreational activities, non profit community activities and arts festivals.

A. Permitted Uses
   1. Permitted Uses subject to Site Plan Review:
      a. Public parks: Playgrounds, temporary concessions incidental to and serving park/recreation user, swimming pools, and tennis courts
      b. Municipal and governmental services and functions.

B. Site Development Requirements: None.

C. Setback Requirements. The minimum setback requirements shall be as follows:
   1. No structure shall be placed closer than ten (10) feet from the public right-of-way line of a dedicated public street.

   2. Side yard/rear yard: No structure shall be placed closer than ten (10) feet from the property lines for one (1) and two (2) story structures and for structures more than two (2) stories in height, the minimum yard is increased one (1) foot for each additional story. Projections may not encroach more than two (2) inches for each foot of required yard width.

D. Maximum Building Height. 45 feet

E. Parking Regulations. Municipal and governmental offices: One (1) off-street parking space shall be provided on the building site or adjacent to the site for each permanent employee and adequate off-street parking shall be provided on or adjacent to the building site to meet the needs of the proposed use.

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

F. Landscaping. All landscaping shall be in conformance with the landscape standards in this article.
17.03.090 3Interchange Area Management Plan (IAMP) Overlay Zone

The purpose of the IAMP Overlay Zone is the long-range preservation of operational efficiency and safety of the highway interchanges within the City of Hood River, which provides access from and to Interstate 84 for residents and businesses throughout the City and Hood River County. The interchanges are a vital transportation link for regional travel and freight movement and provide connectivity between the east and west side of the community and to employment and recreational opportunities at the waterfront. Preserving capacity and ensuring the safety of these interchanges and the local transportation systems in their vicinity is essential to visitors, residences, and existing businesses as well as to the continued economic vitality along the Columbia River and to community growth and development in the vicinity of the interchanges.

A. Boundary. The boundary of the IAMP Overlay Zone is shown on the Hood River County Zoning Map. The Overlay Zone is applied in two boundary areas, one centered around Exit 62 and the other encompassing both Exit 63 and Exit 64. These boundary areas apply to land in the city and county.

B. Applicability. The provisions of this section shall apply to any Administrative, Quasi-judicial, or Legislative land use application that is for a parcel wholly or partially within the IAMP Overlay Zone, as defined by Section 17.03.090(A) above. Any conflict between the standards of the IAMP Overlay Zone and those contained within other chapters of the Zoning Ordinance shall be resolved in favor of this chapter and the applicable requirements in Chapter 17.20, Transportation Circulation and Access Management.

C. Permitted Land Uses. Uses allowed in the underlying zoning district are allowed subject to other applicable provisions in the Zoning Ordinance and in Chapter16, Land Division Ordinance.

D. Comprehensive Plan and Zoning Map and Text Amendments. This Section applies to all Comprehensive Plan Map and Zoning Map amendments to parcels wholly or partially within the IAMP Overlay Zone and code amendments that affect development within the IAMP Overlay Zone. In addition to meeting the requirements of Article 60 (Administrative Procedures) and Article 62 (Legislative Procedures), applications for Comprehensive Plan amendments, Zoning Map amendments, or development regulation amendments shall meet the requirements of the Transportation Planning Rule, Oregon Administrative Rule (OAR) 660-012-0060, including making a determination whether or not the proposed change will significantly affect an existing or planned transportation facility.

E. IAMP Review and Update

The IAMP document must be reviewed and possibly updated in association with a proposed change to the County Comprehensive Plan, Plan Map, or implementing zoning

3 Amended Section 17.03 on November 21, 2011 HRC Ordinance 306, IAMP - Overlay Zone
ordinances that will have a “significant effect” on one or more I-84 Interchanges pursuant to OAR 660-12-0060.

1. An IAMP update is required when the findings and conclusions from an IAMP review demonstrate the need for an update to the plan in order to mitigate identified impacts to interchange facilities. The agency or person(s) proposing the change shall be responsible for reviewing and initiating an update to the applicable IAMP(s), consistent with the procedures outlined in the IAMP.

2. An updated IAMP that results from a County-initiated review process pursuant to Section 17.03.090(E) shall be legislatively adopted, requiring a Board of County Commissioners public hearing, as an amendment to the Hood River County Transportation System Plan and will be adopted by the Oregon Transportation Commission as an update to the Oregon Highway Plan.
CHAPTER 17.04 - SUPPLEMENTARY PROVISIONS

SECTIONS:
17.04.010 Maintenance of Minimum Ordinance Requirements
17.04.020 Access/Frontage
17.04.030 General Provisions Regarding Accessory Uses or Structures
17.04.040 Exceptions to Building Height Limitations
17.04.050 Fences
17.04.060 General Requirements for Parking Lots
17.04.070 General Exceptions to Lot Area Requirements
17.04.080 Illegal Occupancy
17.04.090 Vision Clearance Area
17.04.100 Home Occupation
17.04.110 Bed and Breakfast

17.04.010 MAINTENANCE OF MINIMUM ORDINANCE REQUIREMENTS
No lot area, yard, or other open space existing on or after the effective date of the ordinance codified in this article shall be reduced below the minimum required for it by this article. No lot area, yard, or other open space, which is required by this article for one (1) use, shall be used as the required lot area, yard, or other open space for another use.

17.04.020 ACCESS/FRONTAGE
Every lot or parcel shall have access and frontage on a street other than an alley, for at least twenty (20) feet of width.

17.04.030 GENERAL PROVISIONS REGARDING ACCESSORY USES
An accessory use or structure shall comply with the requirements for a principal use.

17.04.040 GENERAL EXCEPTIONS TO BUILDING HEIGHT LIMITATIONS
Vertical projections such as chimneys, spires, domes, towers, aerials, flagpoles, and similar objects not used for human occupancy are not subject to the building height limitations of this article.

17.04.050 FENCES
Fences and walls not more than six (6) feet in height are permitted within or on all property lines and on corner lots or parcels when vision clearance requirements are met.

17.04.060 GENERAL REQUIREMENTS FOR PARKING LOTS
A parking lot, whether an accessory or principal use, intended for the parking of four (4) or more automobiles or trucks shall comply with the following stipulations:

A. Areas used for standing or maneuvering of vehicles shall have hard surfaces maintained adequately for all-weather use and be so designed as to avoid flow of water across sidewalks.

B. Access aisles shall be of sufficient width for all vehicular turning and maneuvering.
C. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access, and the maximum safety of pedestrians and vehicular traffic on the site.

D. Service drives for parking lots shall have a minimum vision clearance area formed by the intersection of the driveway center line, the street right-of-way line, and a straight line joining said lines through points fifteen (15) feet from their intersection. Exceptions may be granted by the Building Official with the provision of safety devices.

E. Landscaping shall be in conformance with the landscape standards in this article. Duplexes are excluded from this requirement.

17.04.070 GENERAL EXCEPTIONS TO LOT AREA REQUIREMENTS
Lots of record existing as of December 1999 which are less than the required lot area and or have less than the required frontage specified in this article may be utilized provided all other requirements of the zone are met.

17.04.080 ILLEGAL OCCUPANCY
Any use of premises or building which deviates from or violates any of the provisions of this article shall be termed an illegal occupancy and the persons responsible therefore shall be subject to the penalties provided herein.

17.04.090 VISION CLEARANCE AREA
Corner lots or parcels in all residential zones shall provide and maintain a vision clearance area. A "vision clearance area" is defined as a triangular area formed at a corner lot or parcel by the intersection of dedicated public right-of-way lines and a straight line joining said lines through points fifteen (15) feet back from their intersection. See Attachment “A”.

The vision clearance area shall provide an area of unobstructed vision from three and one-half (3 1/2) feet to eight (8) feet above the top of the curb. Natural topographic features, utility poles, and tree trunks are excluded from this requirement.

17.04.100 HOME OCCUPATION
The following criteria apply to a home occupation, as defined in this code:

It shall not give the appearance of a business.

A. It shall not change the character of the dwelling.

B. There shall be no display, except by a non-illuminated sign no larger than one (1) square foot.

C. No more than one assistant shall be employed on the site.

D. There shall be no increase in noise outside the dwelling unit.
E. There is only a minor increase, if any, in traffic traveling to and from the dwelling unit.

17.04.110 BED AND BREAKFAST FACILITIES
Bed and Breakfast facilities are permitted in the Urban Standard Density Residential (R-2), Urban Medium Density Residential Zone (R-3), Office/Residential Zone (C-1), and General Commercial Zone (C-2).

A. 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.

4. Signs shall be limited to one (1) non-illuminated sign not exceeding one and one-half (1 1/2) square feet. No off-premises signs are permitted.

5. A bed and breakfast facility shall be subject to the Hotel Tax pursuant to applicable County ordinances.

6. A bed and breakfast facility shall be subject to approval by the County Health Officer, the Fire Marshal, and the Building Official.

7. The bed and breakfast facility shall be owner or manager occupied.
ATTACHMENT “A” VISION CLEARANCE DIAGRAM
CHAPTER 17.06 - CONDITIONAL USES

SECTIONS:
  17.06.005 Purpose
  17.06.010 Authorization of Conditional Uses
  17.06.020 Application and Plan Requirements
  17.06.030 Approval Criteria
  17.06.040 Time Limit on a Permit for a Conditional Use
  17.06.050 Appeals on Conditional Use decisions

17.06.005 PURPOSE
A conditional use permit is a mechanism by which the county may require specific conditions of development or of the use of land to ensure that designated uses or activities are compatible with other lawful uses in the same zone and in the vicinity of the subject property.

17.06.010 AUTHORIZATION OF CONDITIONAL USES
A. The conditional uses listed in this ordinance are common types of land uses that may have an impact on a neighborhood. A conditional use application is required for all uses listed as a conditional use in this ordinance. Conditional uses listed in this ordinance may be permitted, enlarged, or otherwise changed upon approval by the Planning Director in accordance with the standards and conditions in this section.
B. In the case of a use existing prior to the effective date of the ordinance codified in this ordinance and which is classified as a conditional use, any change in that use is subject to the provisions of this section.
C. As used in this section, changes in use shall include, at a minimum, expansion of the use, expansion or alteration of the structure or developed area, change in the functional nature of the use, and/or change in the type of use.

17.06.020 APPLICATION AND PLAN REQUIREMENTS
A. An application for a conditional use permit shall be submitted by the owner of the subject property, or shall be accompanied by the owner's written authorization, on a form prescribed by the county in accordance with Article 60 – Administrative Procedures of the County Zoning Ordinance and accompanied by the required filing fee. The application shall include a plan or drawing meeting the requirements below and a narrative explaining how the applicable criteria are satisfied or will be satisfied through conditions.

B. The plan or drawing accompanying the application shall include the following information:
   1. Dimensions and orientation of the parcel.
   2. Locations and heights of buildings and structures, both existing and proposed. Scaled elevation drawings and photographs shall be required.
3. Location and layout of parking and loading facilities.
4. Location of points of entry and exit and internal circulation patterns for vehicular and non-vehicular traffic.
5. Location of existing and proposed wall and fences and indication of their height and materials.
6. Proposed location and type of exterior lighting.
7. Proposed location and size of exterior signs.
8. Site specific landscaping, including percentage of total net area.
9. Location and species of trees greater than six inches in diameter when measured four feet above the ground, and an indication of which trees are to be removed.
10. Topographic map of the subject property using two foot contour intervals (five foot contour intervals may be allowed on steep slopes).
11. Natural drainage and other significant natural features.
12. Legal description of the lot.
13. Percentage of the lot covered by all proposed and remaining structures, to include asphalt concrete and Portland Cement Concrete.
14. Locations and dimensions of all easements and nature of the easements.
15. Service areas for uses such as loading and delivery.
17. Other site elements which will assist in evaluation of the proposed use.
18. A brief narrative on the nature of the activity shall accompany the site plan, including the number of employees, the method of import and export, the hours of operation including peak times, and plans for future expansion.

17.06.030 APPROVAL CRITERIA
A conditional use shall be granted if the Planning Director finds that the proposed use conforms, or can be made to conform through conditions, with the following approval criteria. For purposes of this section, the surrounding area includes all property within the applicable notice area for a use. In addition, any property beyond the notice area may be included in the surrounding area if the Planning Director finds that it may be adversely impacted by the proposed use.

A. Conditional Uses are subject to Site Plan Review Decision Criteria, in addition to the following:

B. Impact. The location, size, design, and operating characteristics of the proposed use shall be made reasonably compatible with, and have minimal adverse impact on, the lawful development of abutting properties and the surrounding area, with consideration given to:
   1. Any harmful effects on desirable neighborhood characteristics and livability.
   2. Bicycle and pedestrian circulation, access and safety.

C. Nuisance. The use shall not generate significant off-site nuisance conditions including, but not limited to, noise, glare, odor, or vibrations.

D. Plan Consistency: The proposal shall be consistent with the Comprehensive Plan and the requirements of the Zoning Ordinance.
E. **Scale:** The site must be physically capable of accommodating the proposed use, including any needed landscaping, parking, and other requirements. The building size, shape, and/or location may be changed if needed to assure the physical capability of the site.

F. **Landscaping:** Landscaping shall be in conformance with the landscape regulations of this article.

G. **Performance Bonds:** When needed to ensure performance of special conditions, bonds or other acceptable securities shall be required.

H. **Final Plans:** If the conditional use is approved, detailed final plans shall be submitted which indicate conformance to the conditions. The final plans shall be subject to approval by the County.

17.06.040 **TIME LIMITS ON A PERMIT FOR A CONDITIONAL USE**
The Conditional Use permit is valid for a period of two years from the written notice of the final decision, or the decision on an appeal, whichever is later.

A single one-year extension may be granted by the Director prior to the expiration date if the applicant can demonstrate that circumstances or conditions not known, or foreseeable, at the time of original application warrant an extension of the permit. The extension request must be received by the department no later than 30 days prior to the expiration of the permit.

17.06.050 **APPEAL**
Final decisions on Conditional Uses may be appealed.
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.

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

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.
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;
5. 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.

<table>
<thead>
<tr>
<th>(1) Dormers</th>
<th>(2) Gables</th>
<th>(3) Recessed entries</th>
<th>(4) Covered porch entries</th>
</tr>
</thead>
</table>
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;
   (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

Recessed Entries/ Covered Front Porches

Example of Façade Articulation

Example of Exterior Siding Material

NOT ALLOWED  ALLOWED

NOT ALLOWED  ALLOWED
Examples of Architectural Features

Single Family
(e.g., Two-family)

- Dormers
- Offsets
- Gables

- Eaves
- Window Trim
- Bay Window

- Recessed Entries/Covered Front Porches

Hemi-Family Housing

- Gables with Eaves
- Offset Balcony
- Recessed Entry

- End Wall Windows
- Window Trim
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.
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.
CHAPTER 17.09 - MANUFACTURED HOMES AND MOBILE HOME PARK PROVISIONS

17.09.010 PLACEMENT OF MANUFACTURED HOMES ON INDIVIDUAL LOTS – CLEAR AND OBJECTIVE CRITERIA
The following standards apply to manufactured homes on individual lots or parcels in all zones where manufactured homes are a permitted use:

A. The manufactured home shall be multi-sectional and enclose a space of not less than 1,000 square feet.

B. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that no more than twelve inches of the enclosing material is exposed above grade. Where the building site has a sloped grade, no more than twelve inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement, the twelve-inch limitation will not apply.

C. The manufactured home shall have a pitched roof with a slope of not less than a nominal three feet in height for each twelve feet in width.

D. The manufactured home shall have exterior siding and roofing which in color, material, and appearance, is similar to the exterior siding and roofing material commonly used on new residential dwellings within the community.

E. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards that will reduce heat loss to levels equivalent to the heat loss performance standards required of single-family dwellings constructed under the State Building Code.

17.09.020 ADDITIONAL CLEAR AND OBJECTIVE CRITERIA FOR MANUFACTURED HOMES IN THE R-1 ZONE
The following additional standards apply to manufactured homes on individual lots or parcels in the R-1 Zone:

A. All manufactured homes shall have a minimum eave extension of six inches.

B. Manufactured homes shall utilize at least five of the following design features to provide visual relief:

1. Dormers
2. Gables
3. Recessed entries
4. Covered porch entries
5. Cupolas
6. Bay or bow windows
7. Garage
8. Window shutters
9. Skylights
10. Attached deck
11. Off-sets on building face or roof (min. sixteen inches)
12. Roof pitch of 5/12 feet or greater
13. Minimum eave extension of twelve inches, including gutters.

17.09.030 MOBILE HOME/MANUFACTURED DWELLING PARKS

Objective Criteria
The following requirements apply to new, expanded, or altered mobile home parks.

A. Parks are allowed in the R-1, R-2 and R-3 zones.
B. Parks are not permitted in commercial or industrial zones.
C. Minimum lot size of one acre with a maximum of two acres.
D. No park shall be established or expanded without first receiving approval of the Planning Commission.

17.09.040 INFORMATION REQUIRED FOR PRELIMINARY SITE PLAN REVIEW

The application for a preliminary site plan review for a mobile home park shall be filed with the Planning Department on a form obtained from the Planning Director, and shall be accompanied by a site plan showing the general layout of the entire mobile home park and drawn to a scale not smaller than one inch representing fifty feet. The drawing shall show the following information:

A. Name of the property owner, the applicant, and the person who prepared the plan.
B. Name of the mobile home park and address.
C. Scale and north point of the plan.
D. Vicinity map showing relationship of mobile home park to adjacent properties.
E. Boundaries and dimensions of the mobile home park.
F. Location and dimensions of each mobile home site, with each site designated by number, letter, or name.
G. Location and dimensions of each existing or proposed structure.
H. Location and width of park streets
I. Location and width of walkways.
J. Location of each lighting fixture.
K. Location of recreational areas and buildings.
L. Location and type of landscaping plantings, fence, wall, or combination of any of these, or other screening materials.
M. Location of point where mobile home park water system connects with the public system.
N. Location of available fire and irrigation hydrants.
O. Location of public telephone service for the park.
P. Enlarged plot plan of a typical mobile home site, showing location of the pad, patio, storage space, parking, sidewalk, utility connections, and landscaping.

17.09.050 FINAL SITE PLAN AND SUBMISSION REQUIREMENTS

At the time of application for final approval to construct a new mobile home park, or expansion of an existing mobile home park, the applicant shall submit copies of the following required detailed plans to the appropriate reviewing departments and agencies:
A. New structures.
B. Water supply and sewage disposal system.
C. Electrical systems.
D. Road, sidewalk, and patio construction.
E. Drainage system.
F. Recreational area improvements.

17.09.060 GENERAL STANDARDS FOR MOBILE HOME PARK DEVELOPMENT

A. Access: A mobile home park shall be established on a site that has frontage on, or access, approved by the County Engineer, to a publicly owned and maintained street. If the street is not publicly maintained, a maintenance agreement approved by the County Engineer will be required.

B. Park Streets: Construct well-drained and paved streets at least twenty feet in width, unobstructed and open to traffic within the mobile home park. The park street width and alignment shall be designed such that it will accommodate the backing and placement of the homes, which may require a larger than twenty foot street. If the owner or operator permits parking of motor vehicles on the park streets, the owner or operator shall construct the park streets at least thirty feet in width.

C. Sidewalks: A paved public sidewalk of not less than four feet in width shall be provided from each mobile home site to public and private streets, common open spaces, recreational areas, and community-owned buildings and facilities.

D. Paving: Park streets shall be paved with an asphalt or concrete surfacing, according to the structural specifications established by the County Engineer.

E. Off-street Parking:
   1. Two off-street parking spaces shall be provided for each mobile home site, either on the site or within 200 feet thereof in the mobile home park, which shall be hard surfaced.

   2. Guest parking shall also be provided in every mobile home park, based on a ratio of one parking space for each four mobile home sites. Such parking shall be paved with an asphalt or concrete surface.

F. Fencing and Landscaping: A landscaping plan drawn to scale shall be submitted with the preliminary plan showing the following:

   Every mobile home park shall provide a visual buffer of evergreen, or other screening/planting along all boundaries of the mobile home park site abutting public roads or property lines except for points of ingress and egress with the exception of dwellings fronting and accessing a public dedicated street. Plantings shall not be less than five feet in height at the time of planting and shall be maintained in a healthy, living condition for the life of the mobile home park.
Landscaping shall be provided within the front and side yard setback areas, and all open areas in the mobile home park not otherwise used.

The landscaping plan shall show the location of all landscaped materials and include plant material, total number of individual plants being used and proposed watering system. Watering systems shall be installed to assure landscaping success. If plantings fail to survive, it is the responsibility of the property owner to replace them.

G. Site Development Standards:
   1. Acreage: There shall be a one-acre minimum and a two-acre maximum in the R-1, R-2 and R-3 zones.

2. Density:
   - R-1: 6-unit maximum per acre
   - R-2: 8-unit maximum per acre
   - R-3: 10-unit maximum per acre

3. Setbacks:
   a. No mobile home shall be located closer than ten feet from a public dedicated street. Garages facing a public dedicated street shall be twenty feet from the property line.
   b. No mobile home shall be located closer than ten feet from an interior park property line.

4. Spacing:
   a. A mobile home shall be separated from an adjoining mobile home and its accessories by a minimum of ten feet, end-to-end or side-to-side.
   b. The distance between non-HUD approved mobile homes placed parallel to each other may be ten feet on one side, but must be at least fourteen feet on the other. When not placed parallel to each other, or when parallel if one or more of the units is a tip-out, non-HUD approved mobile homes may be ten feet apart on both sides, but must be at least fourteen feet apart for half their length. See Attachment "B".
   c. Adjacent mobile homes in all parks must be placed at least fourteen feet apart where a flammable or combustible fuel storage vessel is located on or between units.

5. Each mobile home shall have 120 square feet of one or more wooden decks or slabs of patios of concrete, flagstone or equivalent material.

6. All mobile homes within the park shall be provided with skirting.

7. New parks shall be placed at least 500 feet from another park excluding parks established prior to the effective date of this ordinance.
H. **Other Site Requirements:**

1. **Recreational area:** Recreation areas for the residents shall be provided with a minimum of 100 square feet for each mobile home site, however, every mobile home park shall have no less than a minimum of 5,000 square feet of common play area, which shall be maintained in a clean, usable, and safe condition.

2. **Accessories:** Accessory structures located on a mobile home site shall be limited to the normal accessories, such as an awning, cabana, ramada, patio, carport, garage or storage building. No other structural additions shall be built onto or become part of any mobile home, and no mobile home shall support any building in any manner.

3. **Utilities:** All utilities including sewer, water, power, cable, telephone and others shall be placed underground. Utilities shall be designed by a State of Oregon licensed engineer and shall be reviewed and approved by the County Engineer.

4. **Drainage:** A drainage plan to facilitate storm water runoff shall be prepared by a State of Oregon licensed engineer and shall be reviewed and approved by the City Engineer.

5. **Trash Areas:** All mobile home parks shall have shared trash and rubbish facilities and these areas must also contain areas for recycling. These facilities shall be visually screened.

6. **Lighting:** Artificial lighting shall not glare, deflect, or reflect onto adjacent residential zones and residential uses in the park nor be unnecessarily bright.

7. **Addressing:** Address identification shall be standardized throughout the park. The park owners shall be required to provide the addresses and maintain them. The numbers must be four inches in size and labeled in the vertical position (reading left to right).

I. **State Requirements:** Rules and regulations governing mobile home facilities as contained in Oregon Revised Statute, Chapter 446, shall be applicable in the development and operation of a mobile home park, provided that the provision of this Ordinance shall prevail where said provisions are more stringent than those imposed by state law, rules or regulations.
CHAPTER 17.10 – SITE PLAN REVIEW
(Amended Nov. 21, 2011 HRC Ord. #306 – IAMP)

SECTIONS:
17.10.010 Applicability
17.10.020 Application Procedure
17.10.030 Submittal Requirements
17.10.040 Decision Criteria
17.10.050 Multi-Family and Group Residential Decision Criteria
17.10.060 Effect of approved site plan review permits
17.10.070 Expiration and extension
17.10.080 Appeal

CHAPTER 17.10 - SITE PLAN REVIEW

17.10.010 APPLICABILITY
A. A site plan review permit shall be required for the following circumstances:
   1. New construction.
   2. Expansion, remodel, or exterior alteration of any building or other structure.
   3. Change of use.
   4. Multi-family and group residential.

B. Exemptions from Site Plan Review are as follows;
   1. Any activity, which does not require a building permit and is not considered by the director to be a change in use.
   2. Any activity on the exterior of a building which does not exceed ten percent of the structure’s total cost or fair market value or $75,000, whichever is less, as determined by the building official.
   3. Interior work which does not alter the exterior of the structure or effect parking standards by increasing floor area.
   4. Normal building maintenance including the repair or maintenance of structural members.
   5. All residential development, except multi-family and group residential, as provided above.

17.10.020 APPLICATION PROCEDURE
The Planning Director shall review all site plan review applications. However, if the director
determines that an application is unusually complicated or contentious due to site constraints or due to the complexity of the project, the director may request the planning commission to review the application.

The county shall process a site plan review application in accordance with the following procedures:

A. Pre-application conference with county staff.

1. To assist in permit processing, an applicant for a site plan review permit shall meet with the county staff at a required pre-application conference.

B. An applicant may submit an application for a site plan review permit at any time after completion of a required pre-application conference. The applicant shall submit a complete application as specified in Submittal Requirements of this chapter listed below.

C. Application Review.

1. A site plan review application for minor projects may be reviewed by county staff, as determined by the director. The final decision on an application is made by the director.

   a. Upon receipt of a complete application, the director may determine, based on the complexity of the proposal, that it is appropriate for county staff to review the application and make a recommendation to the director.

   b. The director will make the final decision based on the following:

      i. The recommendation of the county staff,
      ii. Consideration of any public comments received; and
      iii. The decision criteria in this chapter.

2. A site plan review application requiring planning commission review and decision shall be reviewed by county staff prior to the final decision by the Planning Commission. The director shall forward a completed application to county staff.

   County staff shall consider the application and make recommendation to the director.

   The director shall review the staff recommendation and determine the major issues and specific aspects of the project, which the planning commission should review.

   The planning commission shall review the application in relationship to staff recommendations. The planning commission shall consider the application at a public meeting.

   The Planning Commission will make the final decision based on the following:
i. The recommendation of county staff;
ii. Consideration of any public comments received;
iii. The decision criteria in this chapter.

17.10.030 SUBMITTAL REQUIREMENTS

A. The site plan shall be drawn to scale and indicate the following:
   1. Dimensions and orientation of the parcel;
   2. Locations and heights of buildings and structures, both existing and proposed. Scaled elevation drawings and photographs shall be required;
   3. Location and layout of parking and loading facilities;
   4. Location of points of entry and exit for pedestrians, motor vehicles and internal circulation patterns;
   5. Location of existing and proposed walls and fences and indication of their height and materials;
   6. Proposed location and type of exterior lighting;
   7. Proposed location and size of exterior signs;
   8. Site specific landscape plan including percentage of total net area;
   9. Location and species of trees greater than six inches in diameter when measured four feet above the ground and an indication of which trees are to be removed;
   10. Contours mapped at 2-foot intervals. (5 foot contours may be allowed on steep slopes);
   11. Natural drainage;
   12. Other significant natural features;
   13. Legal description of the lot;
   14. Percentage of the lot covered by any and all proposed and remaining structures to include asphalt concrete and Portland Cement Concrete;
   15. Locations and dimensions of all easements and nature of the easements;
   16. Service areas for uses such as loading and delivery;
   17. Grading and drainage plan;
   18. Other site elements which will assist in the evaluation of site development; and;
19. A statement of operations shall accompany the site plan. A brief narrative on the nature of the activity, including:
   a. Number of employees;
   b. Method of import and export;
   c. Hours of operation including peak times; and
   d. Plans for future expansion.

17.10.040 DECISION CRITERIA:
1. Natural Features: Significant natural features shall be protected to the maximum extent feasible. Where existing natural or topographic features are present, they shall be used to enhance the development; the use of small streams in the landscaping design, rather than culvert and fill. Existing trees and large woody plants shall be left standing except where necessary for building placement, sun exposure, safety or other valid purpose. Vegetative buffers should be left along major street or highways, or to separate adjacent uses. The use should have minimal adverse impacts on the land and water quality. Possible impacts to consider may include; pollution, soil contamination, siltation, and habitat degradation or loss.

2. Air Quality: The use shall have minimal or no adverse impact on air quality. Possible impacts to consider include smoke, heat, odors, dust, and pollution.

3. Grading: Any grading, contouring, on-site surface drainage, and/or construction of on-site surface water storage facilities shall take place so that there is no adverse effect on neighboring properties, public rights-of-way, or the public storm drainage system. Graded areas shall be replanted as soon as possible after construction to prevent erosion. A construction erosion control plan shall be required.

4. Public Facilities: Adequate capacity of public facilities for water, sanitary sewers, storm drainage, fire protection, streets, and sidewalks shall be provided to the subject parcel. Development of on-site and off-site public facilities necessary to serve the proposed use shall be consistent with the Comprehensive Plan and any adopted public facilities plan(s). Underground utilities shall be required. Connection to Oregon Department of Transportation (ODOT) storm water facilities will require a permit from ODOT District 2C. On-site detention or treatment of storm water may be required by ODOT.

5. Traffic: The following traffic standards shall be applicable to all proposals. When evaluating traffic issues, consideration shall be given to the proposed usage (i.e., employees, customers, freight, and service) and to the potential types of traffic (i.e., vehicles, pedestrians, and bicycles).

   a. On-site traffic circulation shall be designed according to accepted engineering guidelines to be safe and efficient.
b. The access point(s) between the subject property and the public street shall be reasonably safe. Minimal factors to be considered in evaluating the proposed access points include the average speed of the traffic on the public street(s), the proposed usage of the access points, the distance between existing and proposed access points, vision clearance, and the pre-existing location of the access point(s) on the subject property.

c. The desired level of service on streets and intersections serving the proposed use is level D or better, as established in Highway Capacity Manual of the Highway Research Board.

d. Whenever the level of service is determined to be worse than level D (with or without the anticipated traffic of the proposed use), development is not permitted unless the developer makes the improvements necessary to obtain level of service D or better.

e. If the County Engineer determines that it is unreasonable to require level D or better, a level of service worse than D may be allowed.

f. If the County Engineer determines that the traffic generated by the proposed use will have an insignificant impact on the level of service, the developer may be exempted from some or all of the required improvements.

g. Traffic Impact Analysis – Pursuant to Section 17.20.060, the applicant may be required to provide a Traffic Impact Analysis or a Transportation Assessment Letter prepared by an Oregon licensed traffic engineer.

6. **Storage:** All outdoor storage areas and garbage collection areas shall be screened through the use of vegetative materials or appropriate fencing.

7. **Equipment Storage:** Design attention shall be given to the placement or storage of mechanical equipment so as to be screened from view and that an adequate sound buffer will be provided to meet at a minimum the requirements of the noise ordinance.

8. **Compatibility:** The height, bulk and scale of buildings shall be compatible with the site and buildings in the surrounding area. Use of materials should promote harmony with surrounding structures and sites.

9. **Design:** Variety of detail, form and siting should be used to provide visual interest. Buildings shall utilize at least three of the following architectural elements to provide architectural variety: massing, offsets, materials, windows, canopies, pitched or terraced roof forms or other architectural elements. A single uninterrupted length of facade shall not exceed 100 feet.

10. **Orientation:** Buildings shall have their orientation toward the street rather than the parking area, whenever physically possible.
11. **Parking:** Parking areas shall be located behind buildings or on one or both sides, whenever physically possible.

**17.10.050 MULTI-FAMILY AND GROUP RESIDENTIAL DECISION CRITERIA:**

1. **Natural Features:** Significant natural features shall be protected to the maximum extent feasible. Where existing natural or topographic features are present, they shall be used to enhance the development; the use of small streams in the landscaping design, rather than culvert and fill. Existing trees and large woody plants shall be left standing except where necessary for building placement, sun exposure, safety or other valid purpose. Vegetative buffers should be left along major street or highways, or to separate adjacent uses.

2. **Grading:** Any grading, contouring, on-site surface drainage, and/or construction of on-site surface water storage facilities shall take place so that there is no adverse effect on neighboring properties, public rights-of-way, or the public storm drainage system. Graded areas shall be replanted as soon as possible after construction to prevent erosion. A construction erosion control plan shall be required.

3. **Public Facilities:** Adequate capacity of public facilities for water, sanitary sewers, storm drainage, fire protection, streets, and sidewalks shall be provided to the subject parcel. Development of on-site and off-site public facilities necessary to serve the proposed use shall be consistent with the Comprehensive Plan and any adopted public facilities plan(s). Underground utilities shall be required. Connection to Oregon Department of Transportation (ODOT) storm water facilities will require a permit from ODOT District 2C. On-site detention or treatment of storm water may be required by ODOT.

4. **Traffic:** The following traffic standards shall be applicable to all proposals. When evaluating traffic issues, consideration shall be given to the proposed usage (i.e., employees, customers, freight, and service) and to the potential types of traffic (i.e., vehicles, pedestrians, and bicycles).

   a. On-site traffic circulation shall be designed according to accepted engineering guidelines to be safe and efficient.

   b. The access point(s) between the subject property and the public street shall be reasonably safe. Minimal factors to be considered in evaluating the proposed access points include the average speed of the traffic on the public street(s), the proposed usage of the access points, the distance between existing and proposed access points, vision clearance, and the pre-existing location of the access point(s) on the subject property.

   c. The desired level of service on streets and intersections serving the proposed use is level D or better, as established in Highway Capacity Manual of the Highway Research Board.
d. Whenever the level of service is determined to be worse than level D (with or without the anticipated traffic of the proposed use), development is not permitted unless the developer makes the improvements necessary to obtain level of service D or better.

e. If the County Engineer determines that it is unreasonable to require level D or better, a level of service worse than D may be allowed.

f. If the County Engineer determines that the traffic generated by the proposed use will have an insignificant impact on the level of service, the developer may be exempted from some or all of the required improvements.

g. Traffic Impact Analysis – Pursuant to Section 17.20.060, the applicant may be required to provide a Traffic Impact Analysis or a Transportation Assessment Letter prepared by an Oregon licensed traffic engineer.

5. **Storage:** All outdoor storage areas and garbage collection areas shall be screened through the use of vegetative materials or appropriate fencing.

6. **Equipment Storage:** Design attention shall be given to the placement or storage of mechanical equipment so as to be screened from view and provide a sound buffer that meets the minimum requirements of the noise ordinance.

7. **Design:** Variety of detail, form and siting should be used to provide visual interest. Buildings shall utilize at least three of the following architectural elements to provide architectural variety: massing, offsets, materials, windows, canopies, pitched or terraced roof forms or other architectural elements. A single uninterrupted length of facade shall not exceed 100 feet.

8. **Orientation:** Buildings shall have their orientation toward the street rather than the parking area, whenever physically possible.

9. **Parking:** Parking areas shall be located behind buildings or on one or both sides, whenever physically possible.

17.10.060 **EFFECT OF APPROVED SITE PLAN REVIEW PERMIT**
No building or development of any sort shall occur to the approved site plan review permit except as follows:

A. Minor adjustments to an approved site plan review permit may be made after review and approval by the director. Minor adjustments are those that entail minor changes in dimensions or siting of structures, location of public amenities, but do not entail changes to the intensity or character of the use.

B. Major adjustments to an approved site plan review permit require a new or amended application, as determined by the director. Major adjustments are those that change the basic design, intensity, density, use and the like.
17.10.070 EXPIRATION AND EXTENSION
A. The site plan review permit is valid for a period of two years from the written notice of the final decision, or the decision on an appeal, whichever is later.

B. A single one-year extension may be granted by the director prior to the expiration date if the applicant can demonstrate that circumstance or conditions not known, or foreseeable, at the time of original application warrant an extension of the permit. The extension request must be received by the department no later than 30 days prior to the expiration of the permit.

17.10.080 APPEAL
Final decisions on Site Plan Review may be appealed.
CHAPTER 17.11 - LANDSCAPING AND DEVELOPMENT STANDARDS

17.11.010  SCOPE
A. Landscaping standards apply to all new multifamily, commercial, industrial uses, change of use, parking lots of 4 spaces or more, public facilities and conditional uses.

B. For sites which do not conform to these requirements, an equal percentage of the site must be made to comply with these standards as the percentage of building or parking lot expands, e.g. if the building or parking lot area is to expand by 25%, then 25% of the site must be brought up to the standards required by this ordinance.

17.11.020  PROCEDURE
A. A landscaping plan shall be submitted to the planning director at the time of application. The planning director shall review all landscaping plans for compliance with the provisions of this ordinance and notify the property owner of deficiencies in a submitted plan.

B. A building permit, conditional use permit, or site plan review shall not be issued until a landscaping plan has been approved by the planning director.

C. The required landscaping shall be in place prior to issuance of a certificate of occupancy.

D. A property owner shall be responsible for the establishment and maintenance of landscaping. All required landscaped areas shall be maintained according to the approved landscaping plan.

17.11.30  CONTENTS OF LANDSCAPING PLAN

A landscaping plan submitted to the planning director as required by this ordinance shall identify the placement and type of plant materials to provide an effective means for evaluating whether the chosen plant materials will:

A. Survive in the climate and soils of the proposed site;

B. Satisfy the functional objectives of landscaping as detailed in this ordinance, including erosion control, screening and shade within a reasonable time.

17.11.040  GENERAL LANDSCAPING STANDARDS
The following landscaping standards shall apply:

A. The property owner shall be responsible for any future damage to a street, curb or sidewalk caused by landscaping.

B. Landscaping shall be selected and located to deter sound, filter air contaminants, curtail erosion, contribute to living privacy, reduce the visual impacts of large buildings and paved areas, screen, and emphasize or separate outdoor spaces of different uses or character.
C. Landscaping in parking areas shall be planted in combination along the perimeter and in the interior of the lot and shall be designed to guide traffic movement and lessen the visual dominance of the lot.

D. Plants that minimize upkeep and maintenance shall be selected.

E. Plants shall complement or supplement surrounding natural vegetation and fit the climate.

F. Plants chosen shall be in scale with building development.

G. Minimum landscaping as a percent of gross site area shall be as follows:

<table>
<thead>
<tr>
<th>ZONE/USE</th>
<th>PERCENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
<td>15%</td>
</tr>
<tr>
<td>Conditional Uses:</td>
<td>15%</td>
</tr>
<tr>
<td>if a CUP in a residential zone</td>
<td>20%</td>
</tr>
<tr>
<td>Industrial</td>
<td>10%</td>
</tr>
<tr>
<td>Multifamily</td>
<td>20%</td>
</tr>
<tr>
<td>Parking lots</td>
<td>Requirement of base zone</td>
</tr>
<tr>
<td>Public Facilities</td>
<td>15%</td>
</tr>
</tbody>
</table>

H. Deciduous trees shall have straight trunks, be fully branched, have a minimum caliper of 1-1/2 inches and be adequately staked for planting.

I. Evergreen trees shall be a minimum of three (3) feet in height, fully branched and adequately staked for planting.

J. Shrubs shall be a minimum 18 inches in height and spaced not more than four (4) feet apart for planting.

K. Ground cover, defined as living material and not including bark chips or other mulch, shall be planted on a maximum 18 inches on center between plants and rows.

L. Watering systems shall be installed to assure landscaping success. If plantings fail to survive, it is the responsibility of the property owner to replace them.

M. Trees shall not be planted closer than 25 feet from the curb line of intersections of streets or alleys, and not closer than 10 feet from private driveways (measured at the back edge of the sidewalk), fire hydrants, or utility poles.
N. Street trees shall not be planted closer than 20 feet to light standards. Except for public safety, no new light standard location should be positioned closer than 10 feet to any existing street tree, and preferably, such locations will be at least 20 feet distant.

O. Trees shall not be planted closer than 2-1/2 feet from the face of the curb except at intersections, where it should be 5 feet from the curb in a curb return area.

P. Where there are overhead power lines, tree species that will not interfere with those lines shall be chosen.

Q. Trees shall not be planted within 2 feet of any permanent hard surface paving or walkway. Sidewalk cuts in concrete for trees shall be at least 4 feet by 4 feet; however, larger cuts are encouraged because they allow additional air and water into the root system and add to the health of the tree. Space between the tree and such hard surface may be covered by permeable non-permanent hard surfaces such as grates, bricks on sand, paver blocks, cobblestones, or ground cover.

R. Trees, as they grow, shall be pruned to their natural form to provide at least 8 feet of clearance above sidewalks and 12 feet above street roadway surfaces.

S. Existing trees may be used as street trees if there will be no damage from the development which will kill or weaken the tree. Sidewalks of variable width and elevation may be utilized to save existing street trees, subject to approval by the County Engineer.

T. Vision clearance hazards shall be avoided.

U. County or State right-of-way(s) cannot be used to satisfy the required landscaping requirement.

17.11.050 LANDSCAPING AND DEVELOPMENT STANDARDS FOR ENTRANCES INTO THE CITY OF HOOD RIVER

The following standards will be required for new commercial, multi-family, industrial uses, including change of use, and parking lots of 4 spaces or more on properties within the designated entrances to the City of Hood River.

A. For sites which do not conform to these requirements, an equal percentage of the site must be made to comply with these standards as the percentage of building or parking lot expansion, e.g., if building or parking lot area is to expand by 25%, then 25% of the site must be brought up to the standards required by this ordinance.

1. **Entrainces.**
   a. West: Parcels fronting along Highway 30 between and including the intersection of 13th Street and Highway 30 to the intersection of Country Club Road and Highway 30.
b. South: Parcels fronting 12th Street from the northern intersection of Brookside Drive/Eliot Road and 12th Street to the southern intersection of Belmont Drive and 12th Street.

c. East: Parcels including the northern intersection of the Old Columbia River Highway and Highway 35 to and including the intersection of Front Street and State Avenue, excluding lands within the Urban Renewal District which have been addressed in this streetscape plan.

d. North: Parcels including the intersection of Oak Avenue and Second Street and along the 2nd Street extension to and including its intersection with Portway Avenue excluding lands within the Urban Renewal District which have been addressed in its streetscape plan.

2. Standards.
   a. A average ten (10) foot wide landscaped area, at minimum, shall be planted along the perimeter of the parcel fronting the street right-of-way as part of the landscape requirement.

   b. Street trees shall be placed at the rate of one tree for every 30 feet of street frontage. Trees shall be evenly spaced, with variations to the spacing permitted for specific site limitations, such as driveway approaches.
CHAPTER 17.12 - VARIANCES

SECTIONS:
   17.12.010 Purpose
   17.12.030 Criteria for Granting a Variance
   17.12.040 Time Limits

17.12.010 PURPOSE
Where physical difficulties, unnecessary hardship, and results inconsistent with the general purpose of this Article may result from the strict applications of certain provisions thereof, a variance may be granted as provided in this Chapter. This Chapter may not be used to allow a use that is not in conformity with the uses specified by this Article for the zone in which the land is located. In granting a variance, the County may impose conditions similar to those provided for conditional uses to protect the best interests of the surrounding property and property owners, the neighborhood, or the County as a whole. A request for a variance shall be submitted in accordance with Article 60 – Administrative Procedures of the County Zoning Ordinance.

17.12.030 CRITERIA FOR GRANTING A VARIANCE
The application shall include a statement and evidence showing that all of the following criteria are met.

   A variance may be granted if it meets all of the following criteria:
   A. There are unique or unusual circumstances, which apply to the site, which do not typically apply elsewhere.
   B. The proposal’s benefits will be greater than any negative impacts on the development of the adjacent lawful uses; and will further the purpose and intent of this article and the Comprehensive Plan of the County.
   C. The circumstances or conditions have not been willfully or purposely self-imposed.
   D. The variance requested is the minimum variance, which would alleviate the hardship.

17.12.040 TIME LIMITS
A single one-year extension may be granted by the planning director prior to the expiration date if the applicant can demonstrate that circumstance or conditions not known, or foreseeable, at the time of original application warrant an extension of the permit. The extension request must be received by the department no later than 30 days prior to the expiration of the permit.
CHAPTER 17.13 - TOWNHOUSES

17.13.010 Applicable Zones
17.13.020 Criteria

17.13.010 APPLICABLE ZONES
Townhouses are permitted in the following zones:

- R-2
- R-3
- C-1
- C-2

17.13.020 CRITERIA
An application for a townhouse project shall meet the following criteria:

A. Each townhouse in the townhouse project shall have a minimum width of sixteen (16) feet.

B. Each townhouse building shall contain no more than two townhouses in the R-2 Zone; no more than four townhouses in the R-3, C-1, and C-2 Zones.

C. The townhouse project shall have a lot size of not less than 2,100 square feet per townhouse.

D. The site development standards for the proposed zone, setback requirements, building height restrictions and parking regulations shall be applied to the townhouse building(s) with the exception of minimum lot frontage.

E. A common access for parking is allowed and may take the form of an easement as long as a maintenance agreement is approved by the County Engineer and recorded with the plat.

F. Common access drives must be at least sixteen (16) feet wide with a minimum of 12 feet of paved area with 1-foot minimum shoulders on either side.

G. No parking in common access drives. Parking in designated parking areas only.

H. At the intersection of the easement and public dedicated street, there shall be no visual obstruction, see vision clearance standards.

I. Each unit shall provide a minimum average size of 6 feet by 12 feet of private outside open area (patio/deck/lawn).

J. If a townhouse is destroyed in any manner, it shall be replaced in compliance with the townhouse criteria or the tax lots/parcels shall be legally combined to create a minimum 5000 square foot parcel or to the size of the parcel prior to the townhouse project.
K. Land survey requirements shall include a pre-construction outer boundary location so that setbacks can be measured, and a post construction pre-occupancy survey and platting so that private and common ownership can be identified and documented.

The side yard setback for the common wall on a townhouse
CHAPTER 17.14 - SIGN REGULATIONS (Adopted 11-18-02, Ord. #244)

SECTIONS:

17.14.020 Purpose and Scope
17.14.030 Permits Required
17.14.040 Measurement
17.14.050 Maintenance
17.14.060 Inspections
17.14.070 Abatement of Abandoned Signs
17.14.080 Sign Sizes
17.14.090 Exemptions
17.14.100 Prohibited Signs
17.14.110 Non-conforming Existing Signs
17.14.120 Variance
17.14.130 Penalties
17.14.140 Severability

17.14.020 PURPOSE AND SCOPE

1. This ordinance provides reasonable and necessary regulations for the erection and maintenance of signs in order to:

   A. Maintain a balance between the need to identify buildings and activities and the negative impact on community image created by visual clutter;

   B. Protect the public health and safety;

   C. Preserve, protect, and enhance the economic, scenic, historic, and aesthetic values and objectives of the County; and

   D. Prevent the interference of signage regulated herein with official traffic signs or signals.

2. The regulations of this code are not intended to permit any violation of the provisions of any other law or regulation.

3. It is not the purpose of this ordinance to regulate signs, which are regulated exclusively by federal or state law. In any case, in which federal or state law preempts this ordinance, federal or state law shall apply.

A sign shall not hereafter be erected, re-erected, constructed, and altered, except as provided by this code and after a building permit for the same has been issued by the County for those signs stipulated in the Uniform Building Code that require Building Official approval. In addition,
electrical permits shall be obtained for electric signs. All signs are subject to review by the Hood River County Building and Planning Departments.

17.14.30 PERMITS REQUIRED
A sign shall not hereafter be erected, re-erected, constructed, and altered, except as provided by this code and after a building permit for the same has been issued by the County for those signs stipulated in the Uniform Building Code that require Building Official approval. In addition, electrical permits shall be obtained for electric signs. All signs are subject to review by the Hood River County Building and Planning Departments.

17.14.040 MEASUREMENT
The following criteria shall be used in measuring a sign and sign placement to determine compliance with this ordinance:

A. AREA OF FACE: "False fronts" and mansard roofs will be excluded when calculating the area of the primary face.

B. HEIGHT: The overall height of a sign or sign structure is measured from the average grade directly below the sign to the highest point of the sign or sign structure.

C. LEGAL SETBACK LINE: A setback line established by ordinance beyond which a sign may not be built. A legal setback line may be a property, vision clearance, or vehicle clearance line.

D. ROOF LINE: The ridge on a gable, peaked roof or the parapet or fascia of a flat roof. A mansard roof is considered a gable roof for the purposes of this definition.

E. SIGN AREA: The area of the smallest geometric figure which encompasses the facing of a sign, including copy, insignia, background and borders, but excluding essential sign structure, foundation, or support. For a multi-faced or two-sided sign, the sign area shall be the total of all faces. If the sign consists of more than one (1) section or module, all areas will be totaled.

F. VISION CLEARANCE: Vision clearance is a triangular area formed at a corner lot or parcel by the intersection of dedicated public right-of-way lines and a straight line joining said lines through points fifteen (15) feet back from their intersection. The vision clearance area shall provide an area of unobstructed vision from three and one-half (3 1/2) to eight (8) feet above the top of the curb. Natural topographic features, utility poles, and tree trunks are excluded from this requirement.

17.14.050 MAINTENANCE
All signs and sign support structures, together with all of their supports, braces, guys and anchors, shall be maintained in a safe condition. The display surfaces of all signs shall be kept neatly painted or posted at all times.
17.14.060 INSPECTIONS
All signs for which a permit is required shall be subject to inspection by the Building Official. Footing inspections may be required by the Building Official for all signs having footings including post type signs. All signs containing electrical wiring shall be subject to the provisions of the applicable electrical code, and the electrical components used shall bear the label of an approved testing agency. The Building Official may order the removal of any sign that is not maintained in accordance with the provisions of this section after notice to the owner of record of the premises in which the sign is located. All signs may be re-inspected at the discretion of the Building Official.

17.14.070 ABATEMENT OF ABANDONED SIGNS
Abandoned signs may be abated pursuant to Hood River County Code, Ordinance 8.08, as a nuisance.

17.14.080 SIGN SIZES
A. COMMERCIAL AND INDUSTRIAL ZONES:
1. NUMBER:
   a. The total number of signs per entity shall not exceed three (3) signs, not including free-standing or directional signs; and
   b. There shall not be more than two (2) signs on any building face.
   c. Entities, which occupy more than one (1) building shall be treated as separate entities.
2. AREA:
   a. The total area of signs allowed on the primary face shall not exceed eight (8) percent of the building face, occupied by that entity, including windows.
   b. A sign constructed on a second building face of an entity shall not exceed four (4) percent of that building face.
   c. If an entity has three (3) building faces, the sign allowed on the second building face may be increased to eight (8) percent of that building face. If a third sign is placed on the third face, it shall not exceed four (4) percent of that building face.
   d. In no case shall the total area of all signs on any one building face exceed 200 square feet.
3. HEIGHT: The maximum height of all freestanding signs shall be 25 feet.
4. FREE-STANDING SIGNS:
   a. Free-standing signs shall be limited to one (1) per parcel and shall be included in the total area of allowed signs for each entity.
b. Free-standing signs shall not exceed a total 64 square feet of area and not exceed two (2) faces.

c. Parcels over 150,000 square feet (3.44 acres) in one (1) ownership shall be entitled to a free-standing sign not to exceed a total of 100 square feet.

d. Free-standing signs (all portions) shall meet the vision clearance and vehicle clearance requirements.

5. **PROJECTING SIGNS:** A projecting sign shall not exceed 32 total square feet.

6. **ROOF SIGNS:** No sign shall extend above the roof line or the top of a parapet wall, whichever is higher.

7. **AWNINGS:** Signs on awnings shall not exceed the permitted sign area.

8. **TEMPORARY SIGNS:**
   a. Temporary signs shall be limited to one (1) per parcel for up to 90 days.
   b. Temporary signs shall not exceed 32 square feet in size.

9. **SANDWICH BOARDS:**
   a. Only one (1) sandwich board on private property per entity shall be allowed.
   b. A sandwich board shall be included in the total number of signs and sign area allowed for a particular entity.

B. **RESIDENTIAL ZONES:**

1. **SUBDIVISIONS:**
   a. Permanent signs are limited to a maximum area of 16 square feet.
   b. Maximum height of a permanent sign shall be six (6) feet.
   c. Permanent signs shall be limited to one (1) at each entrance to the subdivision.

2. **MULTI-FAMILY DWELLINGS:**
   a. A permanent sign for twelve (12) or more multi-family dwelling units may have a maximum area of sixteen (16) square feet.
   b. A permanent sign for eleven (11) or fewer multi-family units may have a maximum area of twelve (12) square feet.

3. **STANDARDS:**
   a. **HEIGHT:** Six (6) feet.
b. **ILLUMINATION:** Signs may have external illumination. Reflective type bulbs shall be used for indirect illumination of the display surface, if properly shielded from direct glare onto streets and adjacent properties. Electric signs are prohibited.

4. **NON-RESIDENTIAL USES:** Hospitals, schools, churches and other institutional uses:
a. **Size:** Maximum 24 square feet in size.
b. **Number:** One (1) per parcel unless on a corner lot which allows a maximum of two (2) signs totaling 24 square feet in size.

5. **TEMPORARY SIGNS:**
a. Temporary signs shall be limited to one (1) per parcel for up to 90 days.
b. Temporary signs shall not exceed 12 square feet in size.

6. **BED AND BREAKFAST FACILITIES / HOME OCCUPATIONS:**
a. Home Occupation – 17.04.100 - A non-illuminated sign no larger than one (1) square foot.
b. Bed and Breakfast Facilities – 17.04.110 – One (1) non-illuminated sign not exceeding one and one-half (1 ½) square feet.

C. **OPEN SPACE/PUBLIC FACILITIES ZONE:**
a. Two (2) signs for each site or facility shall be allowed.
b. Each sign shall not exceed 24 square feet in size.

17.14.090 EXEMPTIONS
The following signs shall not require review under this ordinance:

A. **DIRECTIONAL SIGNS:** Directional signs less than six (6) feet above grade and less than twelve (12) square feet or six (6) square feet per side in compliance with the vision clearance and vehicle criteria.

B. **BANNERS:** Banners attached to the City of Hood River's classic light poles

C. **MEMORIAL TABLETS OR SIGNS:** Signs carved into a building or which are a part of materials which are an integral part of the building.

D. **TRAFFIC SIGNS:** Traffic, municipal, or directional signs for hospital or emergency services, legal notices, railroad signs, and danger signs.

17.14.100 PROHIBITED SIGNS
The following signs are prohibited within the Urban Growth Area for the City of Hood River:
A. **MOVING SIGNS**: Moving signs or flashing signs or any sign or structure which has any visible moving part or visible mechanical movement of any description or other apparent visible movement achieved by any means, including intermittent electrical pulsation or by action of normal wind currents, excepting clocks, barber poles, public service information signs and time or temperature signs.

B. **PORTABLE SIGNS**: Portable or bench signs, excluding sandwich boards located on private property.

C. **POLE AND TREE SIGNS**: Signs placed on, painted on, or affixed to any utility pole or tree.

D. **UNOFFICIAL SIGNS**: Unofficial signs which purport to be, or are an imitation of, or resemble official traffic signs or signals, or which attempt to direct the movement of traffic, or which hide from view any official traffic sign or signal.

E. **CAR SIGNS**: A sign placed on, affixed to, or painted on a motor vehicle, vehicle, or trailer, which is placed on public or private property for the primary purpose of providing a sign not otherwise permitted in this ordinance.

F. **FLAGS AND BANNERS**: Flags, banners, and objects designed to move with the wind which are located on a roof or project above a roof by more than 45 feet if located on a free-standing pole.

**17.14.110 NON-CONFORMING EXISTING SIGNS**

A. Non-conforming signs are those signs lawfully installed prior to the effective date of this ordinance, which do not conform to the standards of this code.

B. All nonconforming signs will be considered non-conforming, pre-existing structures and may be retained pursuant to the provisions of Article 65 (Non-Conforming Uses) of the Hood River County Zoning Ordinance.

**17.14.120 VARIANCE**
Relief may be requested from all sign regulations except for prohibited signs pursuant to the provisions of Article 66 (Variances) of the Hood River County Zoning Ordinance.

**17.14.130 PENALTIES**
Failure to comply with the provisions of this article will result in the initiation of enforcement proceedings pursuant to the provisions of Article 70 (Enforcement) of the Hood River County Zoning Ordinance.

**17.14.140 SEVERABILITY**
The invalidity of a section or subsection of this ordinance shall not affect the validity of the remaining sections or subsections.
CHAPTER 17.19 - TOWNHOUSES (Adopted July 21, 2003, HRC Ord. #249)

SECTIONS:
  17.19.10 Applicable Zones
  17.19.020 Criteria
  17.19.030 Townhouse Process

17.19.10 APPLICABLE ZONES
Townhouses are permitted in the following zones:
  R-2
  R-3
  C-1
  C-2

17.19.20 CRITERIA
An application for a townhouse project shall meet the following criteria:

1. Each townhouse in the townhouse project shall have a minimum width of sixteen (16) feet.

2. Each townhouse building shall contain no more than two townhouses in the R-2 zone; no more than four townhouses in the R-3, C-1 and C-2 zones.

3. The townhouse project shall have a building site of not less than 2,100 square feet per townhouse for the first two townhouses and a minimum of 1,500 square feet for each additional townhouse.

4. The site development standards for the proposed zone, setback requirements, building height restrictions and parking regulations shall be applied to the townhouse building(s) with the exception of minimum lot frontage.

5. A common access for parking is allowed and may take the form of an easement as long as a maintenance agreement is approved by the County Engineer and recorded with the plat.

6. Common access drives must be at least sixteen (16) feet wide with a minimum of 12 feet of paved area with 1 foot minimum shoulders on either side.

7. No parking in common access drives. Parking in designated parking areas only.

8. At the intersection of the easement and public dedicated street, there shall be no visual obstruction, see vision clearance standards.
9. Street Access Developments. With the exception of the conversion of duplexes existing on or before February 8, 2001, townhouses receiving access directly from a public or private street shall comply with all of the following standards. These standards are intended to minimize interruption of adjacent sidewalks by driveway entrances, slow traffic, improve appearance of the streets, and minimize paved surfaces for better storm water management.

a. When garages face the street, they shall either be:
   (1) Recessed behind the front elevation (i.e., living area or covered front porch) by a minimum of 4 feet; or,
   (2) Flush with the front elevation, provided there is a balcony or living area above the garage that is either flush with the front elevation or projects beyond it.

b. The maximum allowable driveway width facing the street is 12 feet per dwelling unit. The maximum combined garage frontage per unit is 50 percent of the total building frontage. For example, a unit with 24 feet of frontage onto the public street may have 12-feet of garage facing the street.

10. Each unit shall provide a minimum of 72 square feet of private outside open area (patio/deck/lawn). The minimum width or depth of the open area(s) shall be four feet.

11. Common Areas. "Common areas" (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowners association or other legal entity to be formed pursuant to covenants, conditions and restrictions for the townhouse project. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions shall be subject to review and approval by the Planning Director for compliance with this provision and shall be recorded prior to building permit approval.

12. If a townhouse is destroyed in any manner, it shall be replaced in compliance with the townhouse criteria, or the tax lots/parcels shall be legally combined to create a minimum 5,000 square foot parcel or to create a parcel the size of the parcel prior to the townhouse project.

13. Land survey requirements shall include a pre-construction outer boundary location so that setbacks can be measured, and a post construction pre-occupancy survey and platting so that private and common ownership can be identified and documented for recording.
14. The side yard setback for the common wall on a townhouse is reduced to zero.

17.19.030  TOWNHOUSE PROCESS  
A townhouse shall be processed as a partition, pursuant to the provisions of Title 16 - Land Divisions.
CHAPTER 17.20 - TRANSPORTATION CIRCULATION AND ACCESS MANAGEMENT
(Adopted July 21, 2003, HRC Ord. #249)
(Amended Nov. 21, 2011 HRC Ord. #306 – IAMP)

SECTIONS:
17.20.010 Applicability
17.20.020 Definitions
17.20.030 Access Management Standards
17.20.040 Bicycle Parking
17.20.050 Standards for Transportation Improvements
17.20.060 Traffic Impact Analysis

17.20.010 APPLICABILITY
This chapter implements the adopted Hood River County Transportation System Plan and the requirements of the Transportation Planning Rule (OAR 660-12). It also implements special planning requirements related to Oregon Department of Transportation facilities within the Hood River Urban Growth Area. The standards of this chapter are applicable to all proposed improvements to the public transportation system and to all development on the public transportation system.

17.20.020 DEFINITIONS
For the purposes of this Chapter the following definitions apply.
A. Access. A way or means of approach to provide pedestrian, bicycle, or motor vehicular entrance or exit to a property.
B. Access Connection. Any driveway, street, turnout or other means of providing for the movement of vehicles to or from the public roadway system.
C. Access Management. The process of providing and managing access to land development while preserving the regional flow of traffic in terms of safety, capacity, and speed.
D. Access Management Classification System. A ranking system for roadways used to determine the appropriate degree of access management. Factors considered include functional classification, the appropriate local government's adopted plan for the roadway, subdivision of abutting properties, and existing level of access control.
E. Accessway. A walkway that provides pedestrian and bicycle passage either between streets or from a street to a building or other destination such as a school, park, or transit stop. Accessways generally include a walkway and additional land on either side of the walkway, often in the form of an easement or right-of-way, to provide clearance and separation between the walkway and adjacent uses. Accessways through parking lots are generally physically separated from adjacent vehicle parking or parallel vehicle traffic by curbs or similar devices and include landscaping, trees, and lighting. Where accessways cross driveways, they are generally raised, paved, or marked in a manner that provides convenient access for pedestrians.
F. Bikeway. Any road, path, or way that is some manner specifically open to bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are shared with other transportation modes. The five types of bikeways are:
(1) **Multi-use Path.** A paved 8 to 12-foot wide way that is physically separated from motorized vehicular traffic; typically shared with pedestrians, skaters, and other non-motorized users.

(2) **Bike Lane.** A 4 to 6-foot wide portion of the roadway that has been designated by permanent striping and pavement markings for the exclusive use of bicycles.

(3) **Shoulder Bikeway.** The paved shoulder of a roadway that is 4 feet or wider; typically shared with pedestrians in rural areas.

(4) **Shared Roadway.** A travel lane that is shared by bicyclists and motor vehicles.

(5) **Multi-use Trail.** An unpaved path that accommodates all-terrain bicycles; typically shared with pedestrians.

G. **Cross Access.** A service drive providing vehicular access between two or more contiguous sites so the driver need not enter the public street system.

H. **Easement.** A grant of one or more property rights by a property owner to or for use by the public, or another person or entity.

I. **Joint Access (or Shared Access).** A driveway connecting two or more contiguous sites to the public street system.

J. **Nonconforming Access Features.** Features of the property access that existed prior to the date of ordinance adopting and do not conform with the requirements of this ordinance.

K. **Reasonable Access.** The minimum number of access connections, direct or indirect, necessary to provide safe access to and from the roadway, as consistent with the purpose and intent of this ordinance and any applicable plans and policies of the Hood River County.

L. **Right-of-Way.** Land reserved, used, or to be used for a highway, street, alley, walkway, drainage facility, or other public purpose.

M. **Stub-out (Stub-street).** A portion of a street or cross access drive used as an extension to an abutting property that may be developed in the future.

N. **Walkway.** A hard-surfaced area intended and suitable for pedestrians, including sidewalks and the surfaced portions of accessways.

**17.20.030 ACCESS MANAGEMENT STANDARDS**

This section shall apply to all development on arterials and collectors within the UGA and to all properties that abut these roadways as part of 17.16 Site Plan Review process.

1. **Site Plan Review Procedures and criteria for Access Management**
   A. All site plans are required to be submitted for review pursuant to the provisions of this title and shall show:

   1. Location of existing and proposed access point(s) on both sides of the road where applicable;
   2. Distances to neighboring constructed access points, median openings (where applicable), traffic signals (where applicable), intersections, and other transportation features on both sides of the property;
   3. Number and direction of lanes to be constructed on the driveway plus striping plans;
   4. All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.);
   5. Parking and internal circulation plans including walkways and bikeways;
6. A detailed description of any requested variance and the reason the variance is requested.

B. All site plans shall comply with the following access criteria:
   1. All proposed roads shall follow the natural topography and preserve natural features of the site as much as possible. Alignments shall be planned to minimize grading.
   2. Access shall be properly placed in relation to sight distance, driveway spacing, and other related considerations, including opportunities for joint and cross access.
   3. The road system shall provide adequate access to buildings for residents, visitors, deliveries, emergency vehicles, and garbage collection.
   4. An internal pedestrian system of sidewalks or paths shall provide connections to parking areas, entrances to the development, and open space, recreational, and other community facilities associated with the development. Streets shall have sidewalks on both sides. Pedestrian linkages shall also be provided to the peripheral street system.
   5. The access shall be consistent with the access management standards adopted in the Transportation System Plan.

B. Any application that involves access to the State Highway System shall be reviewed by the Oregon Department of Transportation for conformance with state access management standards.

C. Access within Interchange Area Management Plan (IAMP) Overlay Zone.

In addition to all other standards and requirements of this ordinance, parcels wholly or partially within the IAMP Overlay Zone are subject to the Access Management Plan in the applicable IAMP (Exit 62 or Exit 63/64). The following applies to land use and development applications for parcels within an adopted IAMP Overlay Zone that are subject to Chapter 16 (Land Division) or Chapter 17.10 (Site Plan Review) and that are shown as part of an “Access Management Block” subject to the recommendations of the Access Management Plan of the applicable IAMP (see Figure 9, Access Management Blocks, in the Exit 62 IAMP and Figures 10 and 11, Access Management Blocks, in the Exit 63/64 IAMP).

1. Access Approval.
   a. Access to streets and roads within the IAMP Overlay Zone shall be subject to joint review by the City of Hood River and the Oregon Department of Transportation (ODOT) and, where applicable by Hood River County. This coordinated review will be consistent with requirements of Section 17.03.090 and Chapter 16 (Land Division, General Design and Improvement Standards), when applicable.

   b. Approval of an access permit is an Administrative Action and is based on the standards contained in this Chapter, the provisions of Section 17.20.030(2) and (3) (Access Standards), and the Access Management Plan in the applicable IAMP. Where the recommendations of the Access Management Plan conflict with other access and spacing requirements in
Section 17.20.030 of the Zoning Ordinance, the applicable IAMP Access Management Plan shall govern.

2. Cross Access Agreement.
   a. Prior to approving access for lots that are identified in the Access Management Plan of the applicable IAMP, the County shall require that:
      i. The applicant demonstrate how cross access can be accomplished for sites contiguous to the subject property or properties, consistent with the circulation and planned local street network shown in the IAMP;
      ii. If access across an adjacent parcel or parcels is necessary for the development of the subject site, a signed cross access agreement is submitted with the application; and,
      iii. For applications reviewed as part of a subdivision approval process, necessary cross access easements are shown and recorded on the final plat. Access widths shall be consistent with applicable Public Works standards unless based on a Transportation Impact Study, developed pursuant to Section 17.20.060(C)(2) and approved by the County Engineer or his/her designee.
      iv. If a cross access agreement cannot be acquired from the owner(s) of sites contiguous to the subject property or properties, the applicant must demonstrate that access from the neighboring property will not be granted prior to consideration of an alternative to a cross access agreement.

3. Frontage Improvements to Public Streets. Development application approval will require public street frontage improvements pursuant to the Access Management Plan in the applicable IAMP and County requirements for constructing public improvements, including those in the Land Division Ordinance Section16.12.060, Public Facilities Standards.

ACCESS STANDARDS

2. Access Spacing. Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards and procedures of Hood River Municipal Code Chapter 13.28.

3. Joint and Cross Access
   A. Adjacent commercial or office properties classified as major traffic generators (e.g. shopping plazas, office parks), shall provide a cross access drive and pedestrian access to allow circulation between sites.

   B. A system of joint use driveways and cross access easements shall be established wherever feasible and shall incorporate the following:
      1. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards.
2. A design speed of 10 mph and a maximum width of 20 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;
3. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive;
4. A unified access and circulation system plan for coordinated or shared parking areas is encouraged.

C. Shared parking areas shall be permitted a reduction in required parking spaces if peak demands do not occur at the same time periods.

D. Pursuant to this section, property owners shall:
   1. Record an easement allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;
   2. Record an agreement that remaining access rights along the roadway will be dedicated to the County and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
   3. Record a joint maintenance agreement defining maintenance responsibilities of property owners.

E. The County may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:
   1. Joint access driveways and cross access easements are provided in accordance with this section.
   2. The site plan incorporates a unified access and circulation system in accordance with this section.
   3. The property owner enters into a written agreement with the County, which shall be recorded with respect to the subject property, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint use driveway.
   4. The County Engineer may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical.

4. **Driveway Design.** Driveways shall be designed pursuant to the requirements of the Hood River Municipal Code Chapter 13.28.

5. **Requirements for Phased Development Plans**
   A. In the interest of promoting unified access and circulation systems, development sites under the same ownership or consolidated for the purposes of development and comprised of more than one building site shall be reviewed as single properties in relation to the access standards of this ordinance. The number of access points permitted shall be the minimum number necessary to provide reasonable access to these properties, not the maximum available for that frontage. All necessary easements, agreements, and stipulations shall be met. This shall also apply to phased development plans. The owner and all lessees within the affected area are responsible for compliance with the requirements of this ordinance and both may be cited for any violation.
B. All access must be internalized using the shared circulation system of the principal development or retail center. Driveways shall be designed to avoid queuing across surrounding parking and driving aisles.

6. **Nonconforming Access Features.** Legal access connections in place as of (date of adoption) that do not conform with the standards herein are considered nonconforming features and shall be brought into compliance with applicable standards pursuant to the requirements of the Hood River Municipal Code Chapter 13.28.

7. **Reverse Frontage.** Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with the lower functional classification.

17.20.040 **BICYCLE PARKING**

For all uses subject to Site Plan Review, a minimum of 2 bicycle parking spaces per use shall be required. In addition, the following Special Minimum Standards shall be considered as supplemental requirements for the number of required bicycle parking spaces.

1. **Multi-Family Residences.** Every residential use of four (4) or more dwelling units shall provide at least one sheltered bicycle parking space for each unit. Sheltered bicycle parking spaces may be located within a garage, storage shed, basement, utility room or similar area. In those instances in which the residential complex has no garage or other easily accessible storage unit, the required bicycle parking spaces shall be sheltered under an eave, overhang, an independent structure, or similar cover.

2. **Parking Lots.** All public and commercial parking lots and parking structures shall provide a minimum of one bicycle parking space for every 10 motor vehicle parking spaces.

3. **Schools.** Elementary and middle schools, both private and public, shall provide one bicycle parking space for every 20 students and employees. High schools shall provide one bicycle parking space for every 20 students and employees. All spaces shall be sheltered under an eave, overhang, independent structure, or similar cover.

4. **Calculating the Number of Required Bicycle Parking Spaces.**

   1. Fractional numbers of spaces shall be rounded up to the next whole space.

For facilities with multiple uses (such as a commercial center), the bicycle parking requirements shall be calculated by using the total number of motor vehicle parking spaces required for the entire development.

17.20.050 **STANDARDS FOR TRANSPORTATION IMPROVEMENTS**

1. **Permitted Uses not subject to site plan review.** Except where otherwise specifically regulated by this ordinance, the following improvements are permitted outright:

   A. Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.
B. Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.
C. Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.
D. Landscaping as part of a transportation facility.
E. Emergency measures necessary for the safety and protection of property
F. Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan except for those that are located in exclusive farm use or forest zones.
G. Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

2. Uses Subject to Site Plan Review
   A. Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review.

An application for the above improvements is subject to review under Section 17.10 (Site Plan Review), however the decision criteria does not apply. In order to be approved the site plan permit shall comply with the Transportation System Plan and applicable standards of this title, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:
1. The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.
2. The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.
3. The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.
4. Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

B. Street and interchange improvements, including parking removal, access modifications in Access Management Blocks, new lanes, new streets, and signalization modifications. The site plan review shall include findings and solutions addressing the effect of traffic beyond the immediate vicinity of the proposal and how safety, mobility, the pedestrian system, the bike system, parking and economic enterprise will be protected and/or enhanced by the proposal. The following facility(ies) shall be considered in the study area for all traffic analysis unless modified by the County Engineer:
1. All access points and signalized and un-signalized intersections adjacent to the proposed site, and if the proposed site fronts an arterial or collector street the analysis shall address all intersections and driveways along the site frontage.
2. All intersections that receive site generated trips that comprise at least 10% or more of the total intersection volume.
3. All intersections needed for signal progression analysis.
4. In addition to these requirements, the County Engineer may determine any additional intersections or roadway links that may be adversely affected as a result of the proposed development.

17.20.060 Traffic Impact Analysis

A. Purpose. The purpose of this section of the code is to implement Section 660-012-0045(2)(e) of the State Transportation Planning Rule that requires the County to adopt a process to apply conditions to development proposals in order to protect and minimize adverse impacts to transportation facilities. This section establishes the standards for when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Analysis (TIA) must be submitted with an application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a TIA; and who is qualified to prepare the analysis.

B. Typical Average Daily Trips and Peak Hour Trips. The latest edition of the Trip Generation manual, published by the Institute of Transportation Engineers (ITE) shall be used as standards by which to gauge average daily and peak hour (weekday and/or weekend) vehicle trips, unless a specific trip generation study that is approved by the County Engineer indicates an alternative trip generation rate is appropriate. A trip generation study may be used to determine trip generation for a specific land use which is not well represented in the ITE Trip Generation Manual and for which a similar facility is available to count.

C. Applicability and Consultation. A Traffic Impact Analysis shall be required to be submitted to the County with a land use application when (1) a change in zoning or plan amendment is proposed or (2) a proposed development shall cause one or more of the following effects, which can be determined by field counts, site observation, traffic impact analysis, field measurements, crash history, Institute of Transportation Engineers Trip Generation; and information and studies provided by the local reviewing jurisdiction and/or ODOT:
1. The proposed action is estimated to generate 250 Average Daily Trips (ADT) or more, or 25 or more weekday AM or PM peak hour trips (or as required by the County Engineer);
2. An increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day
3. The location of the access driveway does not meet minimum intersection sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate, creating a safety hazard; or
4. The location of the access driveway does not meet the access spacing standard of the roadway on which the driveway is located; or
5. A change in internal traffic patterns that may cause safety problems, such as back up onto public streets or traffic crashes in the approach area.
The applicant shall consult with the County Engineer or his/her designee at the time of a pre-application conference about whether a TIA is required and, if required, the details of what must be included in the TIA.

D. Traffic Assessment Letter. If a TIA is not required as determined by Section 17.20.060.C, the applicant shall submit a Transportation Assessment Letter (TAL) to the County indicating that TIA requirements do not apply to the proposed action. This letter shall present the trip generation estimates and distribution assumptions for the proposed action and verify that driveways and roadways accessing the site meet the sight distance, spacing, and roadway design standards of the agency with jurisdiction of those roadways. Other information or analysis may be required as determined by the County Engineer. The TAL shall be prepared by an Oregon Registered Professional Engineer who is qualified to perform traffic engineering analysis.

The requirement for a TAL may be waived if the County Engineer determines that the proposed action will not have a significant impact on existing traffic conditions.

   1. Preparation. A Traffic Impact Analysis shall be prepared by an Oregon Registered Professional Engineer who is qualified to perform traffic engineering analysis and will be paid for by the applicant.
   2. Transportation Planning Rule Compliance. Amendments to the comprehensive plan and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan consistent with Section 660-012-0060 of the State Transportation Planning Rule.
   3. Pre-application Conference. The applicant will meet with the County Engineer prior to submitting an application that requires a Traffic Impact Analysis. The County has the discretion to determine the required elements of the TIA and the level of analysis expected.

F. Study Area. The following facilities shall be included in the study area for all Traffic Impact Analyses (unless modified by the County Engineer):
   1. All site-access points and intersections (signalized and unsignalized) adjacent to the proposed site. If the proposed site fronts an arterial or collector street, the analysis shall address all intersections and driveways along the site frontage and within the access spacing distances extending out from the boundary of the site frontage.
   2. Roads through and adjacent to the site.
   3. All intersections that receive site-generated trips that comprise at least 10% or more of the total intersection volume.
   4. All intersections needed for signal progression analysis.
   5. In addition to these requirements, the County Engineer may determine any additional intersections or roadway links that may be adversely affected as a result of the proposed development.
   6. Those identified in the IAMP Overlay Zone (see Subsection I).
G. When a Traffic Impact Analysis (TIA) is required, the TIA shall address the following minimum requirements:

1. The TIA was prepared by an Oregon Registered Professional Engineer; and
2. If the proposed development shall cause one or more of the effects in Section 17.20.060(C), above, or other traffic hazard or negative impact to a transportation facility, the TIA shall include mitigation measures that are attributable and are proportional to those impacts, meet the County’s adopted Level-of-Service standards, and are satisfactory to the County Engineer and ODOT, when applicable; and
3. The proposed site design and traffic and circulation design and facilities, for all transportation modes, including any mitigation measures, are designed to:
   a. Minimize the negative impacts on all applicable transportation facilities; and
   b. Accommodate and encourage non-motor vehicular modes of transportation to the extent practicable; and
   c. Make the most efficient use of land and public facilities as practicable; and
   d. Provide the most direct, safe and convenient routes practicable between on-site destinations, and between on-site and off-site destinations; and
   e. Otherwise comply with applicable requirements of the Urban Growth Area Zoning Ordinance (Article 17).
4. If the proposed development will increase through traffic volumes on a residential local street by 20 or more vehicles during the weekday p.m. peak hour or 200 or more vehicles per day, the impacts on neighborhood livability shall be assessed and mitigation for negative impacts shall be identified. A negative impact to neighborhood livability will occur where:
   a. residential local street volumes increase above 1,200 average daily trips; or
   b. the existing 85th percentile speed on residential local streets exceed 28 miles per hour.

H. Conditions of Approval. The County may deny, approve, or approve a development proposal with appropriate conditions needed to meet transportation operations and safety standards and provide the necessary right-of-way and improvements to develop the future planned transportation system. Factors that should be evaluated as part of land division and site development reviews, and which may result in conditions of approval, include:

1. Crossover or reciprocal easement agreements for all adjoining parcels to facilitate future access between parcels.
2. Access for new developments that have proposed access points that do not meet the designated access spacing policy and/or have the ability to align with opposing access driveways.
3. Right-of-way dedications for planned roadway improvements.
4. Street improvements along site frontages that do not have improvements to current standards in place at the time of development.
5. Construction or proportionate contribution toward roadway improvements necessary to address site generated traffic impacts, i.e. construction or modification of turns lanes or traffic signals.

I. Traffic analysis within an IAMP Overlay Zone. All development applications located within an IAMP Overlay Zone that are subject to the provisions of Chapter 17.10 Site Plan Review or Chapter 16 Land Division may be required to prepare a Traffic Impact Analysis. Hood
River County Transportation System Plan policies call for the County, in coordination with the City Hood River and ODOT, to monitor and evaluate vehicle trip generation impacts at Hood River interchanges and on street systems in interchange areas from development. This requirement will not preclude Oregon Department of Transportation, City of Hood River, or Hood River County from requiring analysis of IAMP study intersections under other conditions. Development approved under this article shall be subject to the following additional requirements.

1. The Traffic Impact Analysis must include an account of weekday p.m. peak hour site generated trips through IAMP study intersections. Intersections impacted by 25 or more weekday p.m. peak hour site generated trips, or weekend peak hour site generated trips, shall be analyzed for level of service and volume to capacity ratio during day of opening conditions.

2. The County shall provide written notification to ODOT and the City of Hood River when an application concerning property in the IAMP Overlay Zone and subject to Site Plan Review or Title 16 is received. This notice shall include an invitation to ODOT and the City to participate in the County’s pre-application conference with the applicant.

3. The County shall not deem the land use application complete unless it includes a Traffic Impact Analysis prepared in accordance with the applicable requirements of Section 17.20.060.

4. ODOT and the City of Hood River shall have 14 calendar days from the date a completion notice is mailed to provide written comments to the County. If ODOT does not provide written comments during this 14-day period, the County staff report may be issued without consideration of ODOT comments.

5. Monitoring Responsibilities. The details of monitoring responsibilities will be outlined in the adopted IAMP.