



## HOOD RIVER COUNTY COMMUNITY DEVELOPMENT

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TO: APPLICANT

FROM: THE PLANNING COMMISSION / PLANNING DIRECTOR

SUBJECT: YOUR RESPONSIBILITIES IN PRESENTING YOUR CASE TO THE PLANNING COMMISSION / PLANNING DIRECTOR (BURDEN OF PROOF )

Pursuant to provisions within the Hood River County Zoning and Subdivision Ordinances, applicants are required to provide written documented affirmation findings addressing the following Burden of Proof factors from Article 60 – Administrative Procedures of the County Zoning Ordinance. It is the Commission’s and Director’s expressed wish that all applicants be able to present their case without aid of professional advice, therefore, with County staff assistance and through addressing the following factors it is hoped that applicants will be able to present their case with enough facts to enable the Planning Commission or Director to render a decision.

Section 60.10 - THE BURDEN OF PROOF is placed upon the applicant to prove that:

- A. Granting the request is in the public’s interest; the greater the departure from present land use patterns, the greater burden on the applicant.
- B. The public’s interest is best carried out by granting the petition for the proposed action, and that interest is best served by granting the petition at this time.
- C. The proposed action is in compliance with the Comprehensive plan.
- D. The factors set forth in applicable Oregon Law were consciously considered. Also, consideration will be given to the following factors:
  - 1. The characteristics of the various areas of the County.
  - 2. The suitability of the subject area for the type of development in question.

3. Trends in land development.
4. Density of development.
5. Property values.
6. The needs of economic enterprises in the future development of the County.
7. Access.
8. Natural resources.
9. Public need for healthful, safe and aesthetic surroundings and conditions.

E. Proof of change in a neighborhood or community or mistake in the planning or zoning for the property under consideration are additional relevant factors to consider.

In all cases, the Planning Commission or Planning Director shall enter findings based upon the record before it, to justify its decision.