



Conditional Use Permit **(Home Occupation to Host Weddings and Related Wedding Events)**

Pursuant Article 73 of the Hood River County Zoning Ordinance, a home occupation to host weddings and related wedding events may be allowed in certain zones in the County, subject to the standards below.

For a complete application, a written narrative with supporting documentation should be provided explaining how your proposal complies with all of the following applicable criteria:

Section 73.20 – Definitions

- A. Established Bed & Breakfast (B&B): A use established as a B&B by a Conditional Use Permit approved under Article 56 (*Bed & Breakfast Facilities*) or Article 65 (*Non-Conforming Use*) of the Hood River County Zoning Ordinance, or otherwise lawfully established; and in operation for at least a year. B&Bs are allowed to be run by owners or lessees, only if residents, as per Article 56 of the County Zoning Ordinance.
- B. Established Farm: A parcel or parcels operating as a farm with a demonstrated capability of meeting the test for a ‘primary farm dwelling’ as per Article 7 (*Exclusive Farm Use*), Section 3.06(C) and (D) of the Hood River County Zoning Ordinance. The farm must be owner-operated.
- C. Established Winery: A winery which meets the standards established in ORS 215.452, or otherwise lawfully established. The winery must be owner-operated.
- D. Weddings: Private wedding events, hosted by the permit holder for a fee.

Section 73.25 - Conditional Uses

The following conditional uses are required to comply with applicable requirements of the zone in which the home occupation is located, as well as with provisions in Article 60 (*Administrative Procedures*), Article 72 (*Planning Director's Review Procedure*), and this Article:

- A. A home occupation to host weddings proposed in the following zones shall comply with applicable requirements of the zone in which it is located: Residential Zone (R-1); Residential Zone (R-2); Rural Residential Zone (RR); Rural Center Zone (RC); Historic Preservation Zone (HP); and Urban Growth Area. If the property is located adjacent to a Farm or Forest Zone, prior to operating the proposed event site, the applicant shall record a deed statement acknowledging the right of adjacent farm and nearby forest operators to employ accepted farm and forest management practices. Such practices include, but are not limited to: noise, dust, spray, smoke, etc.
- B. A home occupation to host weddings proposed in the Forest Zone (F-1) and Exclusive Farm Use Zone (EFU) shall comply with the following additional requirements:
 - 1. A home occupation proposed in the Forest Zone (F-1) shall also comply with provisions in Section 4.05 (Conditional Use Criteria) of Article 4 (Forest Zone) of the Hood River County Zoning Ordinance.
 - 2. A home occupation proposed in the Exclusive Farm Use Zone (EFU) shall comply with provisions in Section 3.05 (Uses Subject to a Conditional Use Permit) of Article 3 (Exclusive Farm Use Zone) of the Hood River County Zoning Ordinance, and ORS 215.296.

3. Prior to operating the proposed event site, the applicant shall record a deed statement acknowledging the right of adjacent farm and nearby forest operators to employ accepted farm and forest management practices. Such practices include, but are not limited to: noise, dust, spray, smoke, etc.
4. For farms and wineries, the wedding event site shall be located on property that comprises part of the farm operation or winery. If the approved wedding event site is located on a lot or parcel on which the principal dwelling for the farm or winery is not located, approval for the use of the site shall become null and void if the parcel is sold as a separate and discrete parcel from the farm operation.
5. Approval of a conditional use permit issued under Article 73 does not create an entitlement that would supercede or countermand the right to farm.
6. The use may be affected by ORS Chapter 477 ("*Fire Protection of Forests and Vegetation*"), which allows the State Forester to permit closures which restrict access in case of fire hazard on forestland.

Section 73.30 - Limitations on Use

In the event a Conditional Use Permit is granted, the following standards and limitations on use shall apply:

- A. Application for this conditional use permit is limited to the following, as defined in Section 73.20:
 1. Established Bed & Breakfast
 2. Established Farm
 3. Established Winery
- B. Frequency of events: No more than one event per day is allowed.
- C. Maximum number of guests: Shall be based on the capacity of the site, and shall be specified in the application. No more than 300 guests maximum are allowed at any one event.
- D. Duration of event: No event shall take place outside the hours of 7:00 am – 10:00 pm.
- E. Lighting: Exterior lighting shall not project into an adjoining residential area. Use of stadium-style, or other glaring lighting is prohibited. Lighting of accessible paths may be required, if necessary.
- F. Noise: It is unlawful for any person to make, continue, or cause to be made or continued, any noise, which unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace, or safety of a reasonable person of normal sensitivities present in the area.

Factors to consider in evaluating whether a noise is loud, disturbing, or excessive for the purposes of this section, shall include, but not be limited to the following:

- The volume of the noise;
- The intensity of the noise;
- The duration of the noise;
- Whether the noise is recurrent, intermittent, or constant;
- The time of day or night the noise occurs;
- Whether the nature of the noise is usual or unusual;
- Whether the origin of the noise is natural or unnatural;
- The nature and zoning of the area within which the noise emanates and where it is received;
- Whether the noise is produced by a commercial or noncommercial activity.

Noise shall be considered excessive and in violation of this ordinance if it meets one of the following criteria:

1. The noise is plainly audible from within any closed dwelling unit that is not the source of the sound; or
2. The sound peak pressure level of the noise, as measured on the A scale, shall not exceed sixty (60) dB(A) during the hours of 7:00 a.m. until 10:00 p.m. as measured at any of the complainant's property lines within a residential district or near a residential area.

Article 73's noise standards shall supercede the County's Noise Ordinance, if there is a conflict between the provisions in the two.

- G. **Parking:** It shall be in compliance with Article 51 (*Off-Street Parking & Loading*) of the Hood River County Zoning Ordinance. Parking in compliance with ADA (*Americans with Disability Act*) guidelines shall be required as per the Oregon Structural Specialty Code.
- H. **Fire & Emergency Vehicle Access:** Shall comply with Fire & Life Safety Requirements for Fire Department Access and Water Supplies.
- I. Operator shall ensure that only caterers licensed in the States of Oregon or Washington are contracted to provide food; caterers shall be bonded.
- J. Operator shall comply with all requirements of the Oregon Liquor Control Commission (OLCC), if alcohol is served during an event.
- K. Toilet facilities shall be portable with available hand-sanitizing or hand-washing facilities. Use of the dwelling's on-site septic facilities is not allowed for an event, except by residents or over-night guests of the facility.
- L. One temporary sign may be allowed in addition to the allowed Bed and Breakfast sign. The sign shall not exceed eight (8) square feet in size and shall be placed on private property on the day of the special event and shall be removed within 24 hours after the event.
- M. Additional standards to the above apply to the Hood River Urban Growth Area and Urban Density Residential Zones (*includes R-1; R-2; and RC zones located outside the UGA, and in urban density residential zones in designated unincorporated communities*). Excluding the Rural Residential Zone.
 1. **Parking:** No on-street parking is allowed, except for some limited parking in the R-1 zone of the Hood River UGA, as described in subsection 'e' below. The applicant shall create a parking plan to accommodate all vehicles based on the maximum number of guests proposed. (In order to calculate parking capacity for the number of guests, provide one space per 3 people; provide one space per regular or contract employee; and retain adequate parking for the primary use.) The following information shall be included in the plan; *incomplete plans will be rejected:*
 - a. The maximum number and type of vehicles anticipated, based on the maximum number of guests allowed (including spaces for the primary use; contract and regular employees; as well as guests of the event).

- b. The specific locations where vehicles can be lawfully parked and which will be available for parking [on-site, or off-site by formal agreement(s) with non-residential parking lot(s)] or any combination of these methods.
- c. The number of vehicles to be accommodated at each location.
- d. If off-site parking is proposed, include the following:
 - i. A signed statement of consent from the owner of that property(ies), including the terms of usage.
 - ii. Confirmation from the property owner(s) that adequate spaces are reserved for parking by the wedding event site.
 - iii. A parking and circulation plan for the use of that parking lot by the wedding event site, which addresses safety and includes the location for shuttle or valet pick-up.
 - iv. The types of services (*valet or shuttle*) that will be provided to transport guests to the wedding event site and back to their cars.

The County and applicable Fire District shall review the plan to determine consistency with these requirements and to determine if sufficient, safe parking is identified. It is the applicant's responsibility to communicate parking instructions consistent with the approved plan to all guests and contract or regular employees prior to the event.

Section 73.40 - Home Occupation Standards

In addition to the above requirements, the following Home Occupation Standards shall apply:

- A. As set forth in Section 73.20 (*Definitions*), the Home Occupation shall be: Operated by a resident or employee of a resident of the property on which the business is located.
- B. It shall employ on the site no more than five full-time or part-time persons.
- C. It shall be operated substantially in:
 - 1. The dwelling; or
 - 2. Other buildings or areas designated in the permit which are normally associated with uses permitted in the zone in which the property is located.
- D. It shall not unreasonably interfere with other uses permitted in the zone in which the property is located.
- E. Nothing in this section authorizes the governing body or its designate to permit construction of any structure that would not otherwise be allowed in the zone in which the home occupation is to be established.
- F. The existence of a home occupation shall not be justification for a plan and zone change.
- G. It shall be subject to site plan review, as per Section 73.50 of this Article.

- H. It shall comply with Section 73.10 (*Purpose & Intent*) and 73.20 (*Definitions*) of this Article.
- I. The home occupation shall be incidental, accessory and subordinate to the primary use as a B&B, winery, or farm. The event site shall cease to operate if the primary use is discontinued.
- J. The use will not take an outward appearance nor manifest any characteristics of a business or operation of a retail or wholesale nature; except for those characteristics normally associated with or allowed for a winery (*if the primary use is a winery*).
- K. There shall be no permanent visible evidence of conduct of a home occupation from any road or adjacent property.
- L. Only limited retail sales and sales accessory to services associated with the primary use or home occupation are permitted.
- M. Approval is personal to the applicant and shall not run with the land.
- N. If sale of the property is contemplated, applicant will inform the County Planning Department. If selling, leasing or allowing another individual to use the property and home occupation occurs, approval of the conditional use permit shall become null and void. Further use by other than the applicant requires additional review and approval by the Hood River County Planning Department.
- O. Permanent signage related to weddings and related events may only be included in the principal sign allowed, unless required by the State for the protection of the public's health, safety and welfare.
- P. The use shall not generate additional traffic or parking beyond what is permitted in the Conditional Use Permit.
- Q. The owner shall keep a record of the name and license number of the caterers used for each event for one year, for review upon request by County Environmental Health.

In the EFU zone, the following standards apply from Section 3.05 of the County Zoning Ordinance:

1. The use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and
2. The use will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.
3. The proposed use will be compatible with vicinity uses, and satisfies all relevant requirements of this Ordinance and the following general criteria:
 - a. The use is consistent with those goals and policies of the Comprehensive Plan which apply to the proposed use;
 - b. The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features;

- c. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
- d. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use (e.g., water, sewer and access); and
- e. The use is or can be made compatible with existing uses and other allowable uses in the area and does not negatively affect the health or safety of surrounding uses or residents.

In the Forest or Primary Forest zones, the following standards apply from Section 4.05 of the County Zoning Ordinance:

- 1. The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on surrounding lands devoted to forest or agriculture uses.
- 2. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.
- 3. The proposed use will be compatible with vicinity uses, and satisfies all relevant requirements of this Ordinance and the following general criteria:
 - a. The use is consistent with those goals and policies of the Comprehensive Plan which apply to the proposed use;
 - b. The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features;
 - c. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
 - d. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use (e.g., water, sewer and access); and
 - e. The use is or can be made compatible with existing uses and other allowable uses in the area and does not negatively affect the health or safety of surrounding uses or residents.

In all other zones, the following standards apply from Section 60.10 of the County Zoning Ordinance:

1. Granting the request is in the public interest; the greater departure from present land use patterns, the greater the burden of the applicant.
2. The public 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.
3. The proposed action is in compliance with the Comprehensive Plan.
4. The factors set forth in applicable Oregon Law were consciously considered. Also, consideration will be given to the following factors:
 - a. The characteristics of the various areas of the County.
 - b. The suitability of the subject area for the type of development in question.
 - c. Trends in land development.
 - d. Density of development.
 - e. Property values.
 - f. The needs of economic enterprises in the future development of the County.
 - g. Access.
 - h. Natural resources.
 - i. Public need for healthful, safe, and aesthetic surroundings and conditions.
5. 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 hearings body or officer shall enter findings based upon the record before it, to justify its decision.

ADMINISTRATIVE LAND USE APPLICATION



HOOD RIVER COUNTY COMMUNITY DEVELOPMENT

601 State Street
Hood River, OR 97031
PHONE 541-387-6840
FAX 541-387-6873
plan.dept@co.hood-river.or.us

PLANNING
File No.:
Date received:
Date issued:
Application Review Fee \$

TYPE OF LAND USE PERMIT:

Dwellings:

- Farm Operator Dwelling
 __Income __Acreage
- Relative Farm Dwelling
- Accessory Farm Dwelling
- Farm Lot of Record
- Forest Template Dwelling
- Forest Large Tract Dwelling
- Forest Lot of Record

Conditional Use:

- Non- Farm Dwelling
- Dependent Relative Dwelling
- Home Occupation
- Bed and Breakfast

Other:

- Variance
- Subdivision

- Plan and Zone Change
- Planned Unit Development
- Zone Boundary Adjustment
- Comprehensive Plan Amendment

- _____
- _____

SITE INFORMATION:

Township:	Range:	Section:	Tax Lot:	Parcel size: _____ ac.	Zoning: _____
Site Address: _____				City: _____	

Description of Proposed Development or Use: _____

APPLICATION CHECKLIST:

Unless otherwise noted, the following information is required as part of a complete application:

Completed application form _____	Project description _____
Applicant's & ALL property owners' signatures _____	Applicable criteria form / questionnaire _____
Site Plan - per attached example _____	Supporting documents (farm income, etc.) _____
Filing fee _____	

Only applications with the required information can be processed. Obtain a copy of the criteria and the questionnaire for your application type. The pertinent Hood River County Zoning Ordinance sections may be obtained from Hood River County Community Development or on-line through the county website at www.co.hood-river.or.us

Pursuant to Oregon Revised Statutes Chapter 215, Section 427, this department has 30 days to review the application for completeness and notify the applicant of any deficiencies.

SIGNATURES: All Owners must sign (Corporate or LLC owned parcels require authorized signatures)

Owner Name: _____ Signature req'd _____ Mailing Address: _____ City: _____ State: _____ Zip: _____ Phone: _____ E-mail: _____	Owner Name: _____ Signature req'd _____ Mailing Address: _____ City: _____ State: _____ Zip: _____ Phone: _____ E-mail: _____
Applicant if other than owner: _____ Signature req'd _____ Mailing Address: _____ City: _____ State: _____ Zip: _____ Phone: _____ E-mail: _____	<p><i>By signing, I acknowledge that the information provided in this application is accurate to the best of my knowledge. Signature of the property owner(s) indicates that the property owners(s) is/are aware that an application is being made on the subject property. Signature of the property owner(s) also authorizes the County planning staff reasonable access to the site in order to evaluate the application.</i></p>

SITE PLAN:

A site plan, drawn **TO SCALE** in black ink at a maximum scale of 1 inch = 100 feet, must be included with your submitted application. Please do not use highlighter, colors, or photographs/aerial photos since they are not easily reproducible. Site plans should be drawn on paper **NO LARGER THAN 11"x17"**.

If the parcel is large, planning staff suggests that you submit a detail site plan that shows only the portions of the parcel affected by the proposed development, together with a vicinity plan showing the overall site. If this option is pursued, please show at least two property lines and enough of the parcel or some adjacent features, such as roads, so that the planner and other viewers can locate the proposed development on the vicinity map.

Much of the required information may be obtained from the Hood River County webmap at www.co.hood-river.or.us - under "County Maps"

MINIMUM SITE PLAN INFORMATION REQUIREMENTS:

Please Note: Although most site plans can be drawn by the person making application, you may wish to hire a professional to prepare your site plan if your proposal is complex or the site is challenging. Site plans allow the planner and other interested parties to clearly understand the nature of the proposal and its relationship to the parcel, as well as surrounding parcels of land. Submitted site plans are considered legally binding documents. It is the responsibility of the applicant to know and accurately identify the subject parcel's property lines, as well as the location of any easements or rights-of-way.

- ⇒ Property Information - address and map and tax lot.
- ⇒ Property owner and applicant name.
- ⇒ Scale and north arrow.
- ⇒ Boundaries of parcel with dimensions.
- ⇒ Location, labeling, and size of existing and proposed buildings and structures.
- ⇒ Setback distance of proposed buildings and structures from property lines, roads, other structures, streams, ponds, & wetlands.
- ⇒ Location and width of access roads, driveways, turnouts, turnarounds, and parking areas.
- ⇒ Location of utility services, *including approved septic drainfields, and replacement field*.
- ⇒ All easements (access, utility, irrigation, etc.).
- ⇒ Significant slope or terrain features.
- ⇒ Vegetation type.
- ⇒ Portion of property in farm or forest use.
- ⇒ Vicinity map (if needed to augment your site plan).

Site plans not drawn to scale or failing to include the required information will not be accepted. See the sample site plan provided.

Using a piece of graph paper, such as that included within this application form, may be the simplest way to draw your plan to scale!

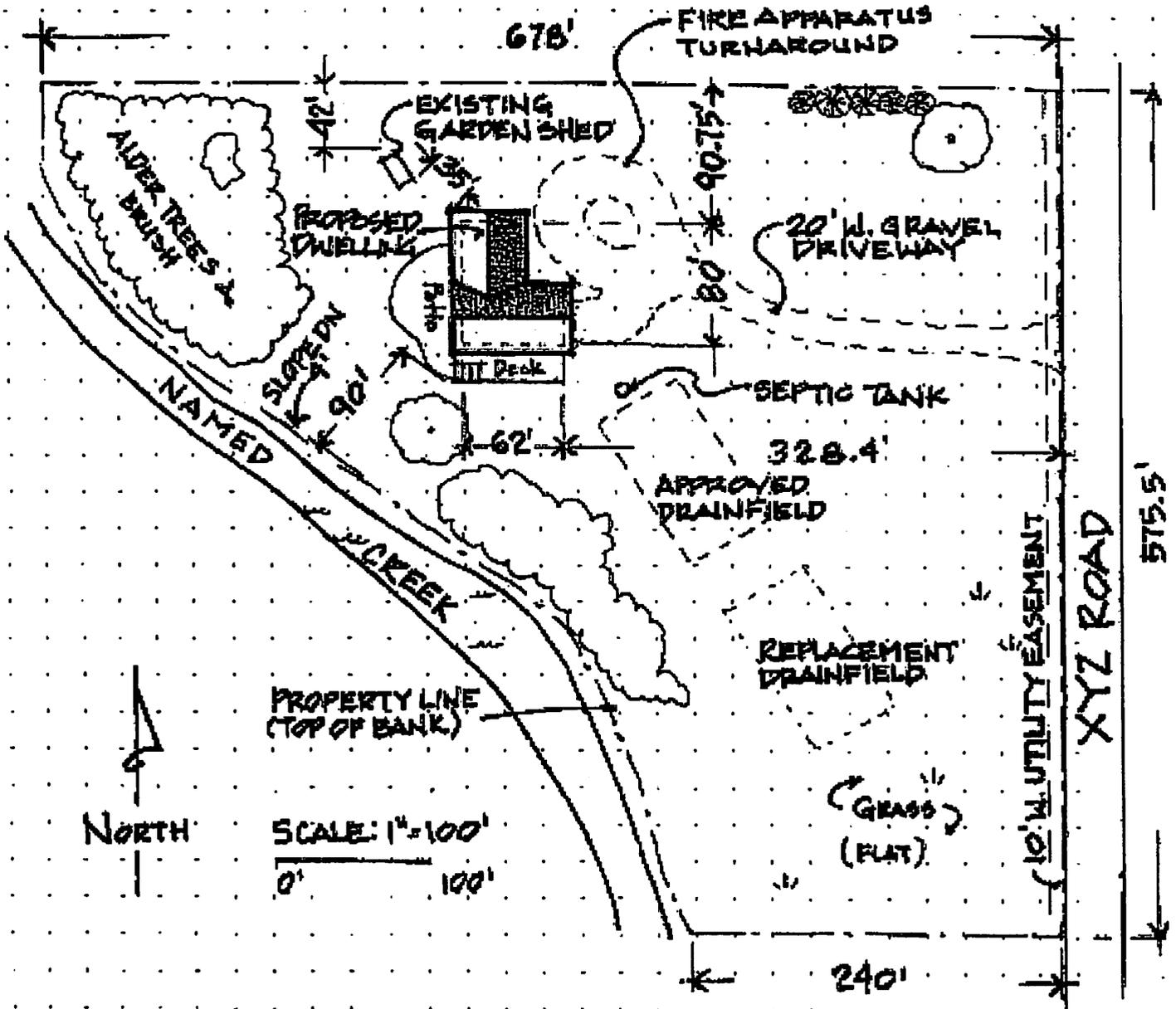
SITE PLAN EXAMPLE

Applicant: Joe and Jane Homeowner

Owner: Joe and Jane Homeowner

Property Address: 123 XYZ Road

Twn 3N Rng 8E Sec 10 TxLt 2010



Does your site plan show the following?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Property Information. | <input checked="" type="checkbox"/> Location of utilities, septic drainfields. |
| <input checked="" type="checkbox"/> Scale and north arrow. | <input checked="" type="checkbox"/> All easements (access, utility, irrigation, etc.). |
| <input checked="" type="checkbox"/> Boundaries of parcel with dimensions. | <input checked="" type="checkbox"/> Significant slope or terrain features. |
| <input checked="" type="checkbox"/> Existing and proposed structures. | <input checked="" type="checkbox"/> Vegetation type. |
| <input checked="" type="checkbox"/> Setback distances of proposed buildings. | <input checked="" type="checkbox"/> Portion of property in farm or forest use. |
| <input checked="" type="checkbox"/> Access roads, driveways, turnarounds, & parking. | <input checked="" type="checkbox"/> Vicinity map (if needed to augment your site plan). |

SITE PLAN

Applicant: _____ Owner: _____

Property Address: _____ Twn _____ Rng _____ Sec _____ TxLt _____

Does your site plan show the following?

- Property Information.
- Scale and north arrow.
- Boundaries of parcel with dimensions.
- Existing and proposed structures.
- Setback distances of proposed buildings.
- Access roads, driveways, turnarounds, & parking.
- Location of utilities, septic drainfields.
- All easements (access, utility, irrigation, etc.).
- Significant slope or terrain features.
- Vegetation type.
- Portion of property in farm or forest use.
- Vicinity map (if needed to augment your site plan).