



Lot-of-Record Dwelling - Forest

A Forest Lot-of-Record Dwelling may be allowed in the Forest (F-1) or Primary Forest (F-2) zones, subject to the applicable standards from Section 4.04(B), 4.04(F), 4.06, 4.07, and 4.09 of the Hood River County Zoning Ordinance.

For a complete application explain how your proposal complies with all of the following applicable criteria:

Section 4.04(B) – Forest Lot-of-Record Dwelling:

- A. The lot or parcel on which the dwelling will be sited was lawfully created and was acquired and owned continuously by the present owner as defined in Subsection (D):
 - 1. Since prior to January 1, 1985; or
 - 2. By devise or by intestate succession from a person who acquired and had owned continuously the lot or parcel since prior to January 1, 1985.
- B. The tract on which the dwelling will be sited does not include a dwelling.
- C. The lot or parcel on which the dwelling will be sited was part of a tract on November 4, 1993, no dwelling exists on another lot or parcel that was part of that tract.
- D. For purposes of this Subsection, “owner” includes the wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent or grandchild of the owner or a business entity owned by any one or combination of these family members.
- E. The dwelling must be located on a tract that is composed of soils not capable of producing 5,000 cubic feet per year of commercial tree species and is located within 1,500-feet of a public road as defined under ORS 368.001 that provides or will provide access to the subject tract. The road shall be maintained and either paved or surfaced with rock and shall not be:
 - 1. A United States Bureau of Land Management road; or
 - 2. A United States Forest Service road unless the road is paved to a minimum width of 18-feet, there is at least one defined lane in each direction and a maintenance agreement exists between the United States Forest Service and landowners adjacent to the road, a local government or a state agency.

- F. When the lot or parcel on which the dwelling will be sited lies within an area designated in an acknowledged comprehensive plan as habitat of big game, the siting of the dwelling shall be consistent with the limitations on density upon which the acknowledged comprehensive plan and land use regulations intended to protect the habitat are based.
- G. When the lot or parcel on which the dwelling will be sited is part of a tract, the remaining portions of the tract shall be consolidated into a single lot or parcel when the dwelling is allowed.
- H. An approved single-family dwelling under this section may be transferred by a person who has qualified under this section to any other person after the effective date of the land use decision. (*Please Note: transfer from the applicant may occur to only one subsequent party. The approval becomes null and void upon additional transfers.*)

Section 4.04(F) –Other Forest Zone Criteria:

- A. The landowner shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

Section 4.06 – Siting Standards for Dwellings and Structures: The following siting criteria or their equivalent shall apply to all new dwellings and structures in the F-1 and F-2 zones. These criteria are designed to make such uses compatible with forest operations, to minimize wildfire hazards and risks and to conserve values found on forest lands. The County shall consider the criteria in this section together with the requirements of Section 4.07 to identify the building site:

- A. Dwellings and structures shall be sited on the parcel so that:
 - 1. They have the least impact on nearby or adjoining forest or agricultural lands;
 - 2. The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;
 - 3. The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized;
 - 4. The risks associated with wildfire are minimized.
- B. Siting criteria satisfying Subsection (A) above may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.

- C. Dwellings shall comply with applicable provisions of Article 50 – Buffer Requirements.
- D. The applicant shall provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Type F or Type N streams as defined in the Forest Practices rules (OAR chapter 629-635-0200). For purposes of this section, evidence of a domestic water supply means:
1. Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water;
 2. A water use permit issued by the Water Resources Department for the use described in the application; or
 3. Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.
- E. As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.
- F. Approval of a dwelling shall be subject to the following requirements:
1. Approval of a dwelling requires the owner of the tract to plant a sufficient number of seedlings, saplings, poles, or trees on the tract, and if not to plant sufficient seedlings on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules OAR 629-610-0020;
 2. The planning department shall notify the County Department of Records and Assessment of the above condition at the time the dwelling is approved;
 3. The county governing body or its designate shall require as a condition of approval of a single-family dwelling under ORS 215.283 or 215.284 or otherwise in a farm or forest zone, that the landowner for the dwelling sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937; and

4. If the lot or parcel is more than 10-acres the property owner shall:
 - a. Submit a stocking survey report by a professional forester to the County Department of Records and Assessment and they will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules;
 - b. Upon notification by the County Department of Records and Assessment, it will be determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If it is determined that the tract does not meet those requirements, Records and Assessment will notify the owner that the land is not being managed as forest land. The County Department of Records and Assessment will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax.

Section 4.07 – Fire Siting Standards for Dwellings and Structures: The following fire siting standards or their equivalent shall apply to all new dwellings or structures in the F-1 and F-2 zones:

- A. The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that they have asked to be included within the nearest such district. If the governing body determines that inclusion within a fire protection district or contracting for residential fire protection is impracticable, the governing body may provide an alternative means for protecting the dwelling from fire hazards that shall comply with the following:
 1. The means selected may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable, given the site conditions;
 2. If a water supply is required for fire protection, it shall be a swimming pool, pond, lake, or similar body of water that at all times contains at least 4,000 gallons or a stream that has a continuous year round flow of at least one cubic foot per second;
 3. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use; and
 4. Road access shall be provided to within 15-feet of the water's edge for firefighting pumping units. The road access shall accommodate the turnaround of firefighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.

- B. Road access to the dwelling shall meet road design standards described in Section 4.09.
- C. A 50-foot primary fuel break plus a 100-foot secondary fuel break shall be cleared and maintained surrounding all dwellings and structures. Land owned or controlled by the owner that is too small to accommodate the fuel breaks shall be subject to Subsection (G). The primary fuel break shall not contain vegetation that will produce flame lengths in excess of one foot. The secondary fuel break shall reduce vegetation so that the intensity and likelihood of crown fires and crowning is reduced. Secondary fuel breaks shall be increased on the downslope side: 50-feet for 10% slope; 75-feet for 20°/a slope; 100-feet for 25% slope; or 150-feet for 40% slope.

Fire Siting Standards for Dwellings and Fire Safety Design Standards handouts are available at the Planning Department.

- D. The dwelling shall have a fire retardant roof.
- E. The dwelling shall not be sited on a slope of greater than 40 percent.
- F. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.
- G. Exceptions to Section 4.07 may be approved if equivalent fire protection standards are submitted by a qualified forest fire professional. Exceptions to Section 4.07.A must include the water standards and road standards of Section 4.07.B. Submittals require approval by the Planning Director.

Section 4.09 – Road Standards: New dwellings and structures shall be subject to the following applicable standards:

- A. Roads shall be built and maintained to provide a minimum 20-foot width of all weather surface and a vertical clearance of 13-feet 6 inches.

Fire Siting Standards for Dwellings and Fire Safety Design Standards handouts are available from the County Planning Department.

- B. Driveways shall be built and maintained to provide a minimum 16-foot width of all weather surface and a vertical clearance of 13-feet 6 inches.
- C. The all weather surface, bridges, culverts, and other structures in the road bed shall be constructed and maintained to support gross vehicle weights of 50,000 pounds.

- D. Grades shall not exceed an average of 8%, with a maximum of 12% on short pitches. Variance may be granted by the fire service having responsibility for the area when topographic conditions make these standards impractical.
- E. Cul-de-sacs, dead-end driveways and dead-end roads over 150-feet in length shall have turnarounds of not less than 48-foot radius.
- F. Driveways in excess of 200-feet shall provide 20-foot wide by 40-foot long turnouts at a maximum spacing of half the driveway length or 400-feet, whichever is less.
- G. Driveways shall be marked with the residence's address unless it is clearly visible on the residence from the road. The numbers shall be 4 inches high and of reflective material.

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!

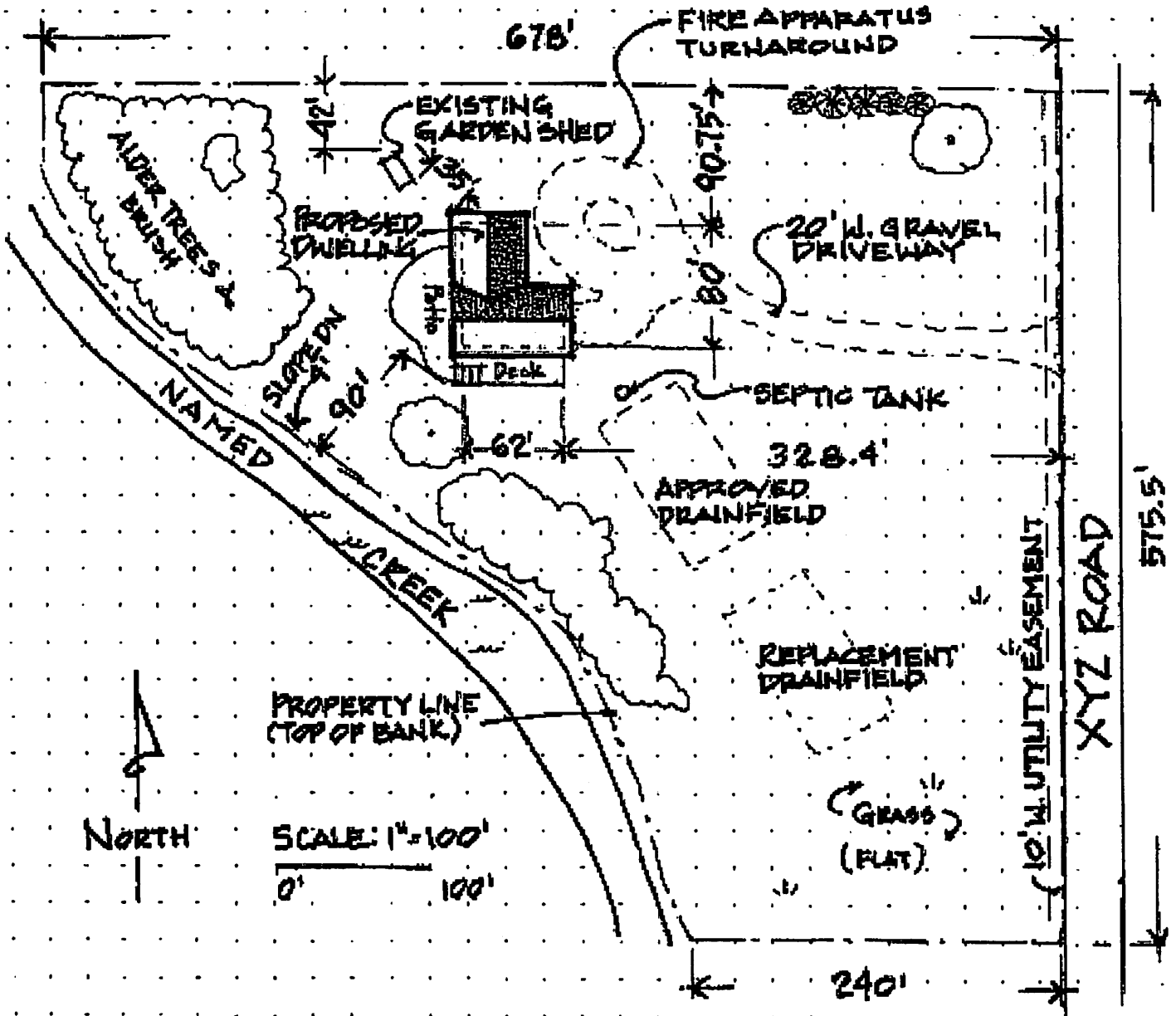
SITE PLAN EXAMPLE

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).