



## **Conditional Use Permit (Temporary Hardship Dwelling)** **(Exclusive Farm Use Zone)**

A temporary hardship dwelling in conjunction with an existing residence may be established for a relative in the Exclusive Farm Use zone, subject to applicable standards from Section 7.40(E) of the Hood River County Zoning Ordinance and applicable portions of Oregon Administrative Rules (OAR) 660-033-0130(10). 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:

1. Justification that the relative is dependent upon care by either a relative or a person medically certified to care for such a person on a full time basis;
2. The relative with the hardship, relative providing care, or medically certified person shall be the primary full time resident;
3. The dwelling shall be temporary and removed or demolished within three months of the end of the hardship. In the case of an existing building, the building shall be removed, demolished, or returned to an allowed nonresidential use within the allotted three month period;
4. Medical doctor confirmation of the hardship;
5. The hardship is based on medical care or on the care for an aged or infirm person;
6. The dwelling shall be a single section manufactured dwelling, recreational vehicle, or existing building in conjunction with an existing dwelling, pursuant to OAR 660-033-0130(10);
7. Subject to applicable provisions in Article 16 (*Manufactured Home Placement Standards*);
8. The dwelling shall use the same septic system used by the existing dwelling, if that system is adequate;
9. Compliance with the County Sanitarian or the State Department of Environmental Quality; and
10. The County shall review the permit every two years. Upon written request, the permit may be extended for two additional years if the conditions with which the application was originally approved have not changed, as confirmed by a new letter from the dependent relative's doctor.

### **Section 7.40 – Conditional Use Criteria**

1. The proposed use will not force a significant change in or significantly increase the cost of accepted farming or forest practices on lands devoted to farm or forest use; and subject to ORS 215.296.
2. County governing body or its designate shall require as a condition of approval of a single-family dwelling under ORS 215.283 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.

Section 60.10 – Burden of Proof:

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.