



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 (B&B) 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 ‘principal farm operator dwelling’ as per Article 7 (Exclusive Farm Use), Section 7.50(A) 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 5.25 (Conditional Use Criteria) of Article 5 (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 7.40 (Uses Subject to a Conditional Use Permit) of Article 7 (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.
- e. In addition to the above, Lakecliff Bed & Breakfast (B&B) may allow parking during weddings on Westcliff Drive west of Lakecliff B&B's eastern property line and east of the I-84 Interchange, with parking on the south side of the street, subject to review and approval by Oregon Department of Transportation (ODOT), as well as applicable local agencies. Any parking for the use on Westcliff Drive shall be located on the south side of the street, outside of the fog lines, off of the paved surface and parallel to the roadway. No head-in or angled parking will be allowed. In addition, the first car parked on Westcliff Drive shall be located 50 feet east of the Westcliff Drive/Cascade Avenue intersection. There shall be a parking attendant. No parking for the use shall be allowed on Westcliff Drive east of Lakecliff B&B's eastern property line. This provision is expressly conditioned upon the applicant obtaining a Conditional Use Permit for a home occupation to host weddings.

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.

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.