

## Westside Concept Plan Potential Code Amendments

*All edits are preliminary and subject to change.*

*City to determine what standards apply in the Westside Area or city-wide.*

### CHAPTER 17.01 - GENERAL PROVISIONS

*Legislative History: Ord. 1522 (1982); Ord. 1488 (1980); Ord. 1653 (1992); Ord. 1658 (1992); Ord. 1662 (1992); Ord. 1690 (1993); Ord. 1717 (1995); Ord. 1734 (1997); Ord. 1774 (1999); Ord. 1904 (2006); Ord. 1912 (2006); Ord. 1925 (2006); Ord. 1937 (2007); Ord. 1994 (2011); Ord. 2004 (2013); Ord. 2026 (2016); Ord. 2036 (2017)*

#### SECTIONS:

- 17.01.010 Title
- 17.01.020 Purpose
- 17.01.030 Compliance with Title Provisions
- 17.01.040 Interpretation
- 17.01.050 Relationship to Other Regulations
- 17.01.060 Definitions

17.01.010 Title. This title shall be known as the Zoning Ordinance of the City of Hood River and shall be referred to herein as "this title."

17.01.020 Purpose. This title has been designed in accordance with the goals, policies, and most appropriate statements of the intent of the City's Comprehensive Plan. It is the purpose of this title, therefore, to provide the principal means for the implementation of the Comprehensive Plan.

#### 17.01.030 Compliance with Title Provisions

- A. No permit shall be issued by the Building Official for the construction, reconstruction, or change of use of a structure or lot that does not conform to the requirements of this title.
- B. A plot plan showing the proposed construction or structural alteration shall be required. The applicant shall be responsible for the accuracy of the plot plan.

#### 17.01.040 Interpretations

A. The Planning Director or other city official, as designated by the City Council, shall have the initial authority and responsibility to interpret and enforce all terms, provision, and requirements of the Zoning Ordinance. If requested, the Planning Director shall make an interpretation in writing. The Director's interpretation does not have the effect of amending the provisions of this Title. Any interpretation of this Title shall be based on the following considerations:

1. The Comprehensive Plan;
2. The purpose and intent of the Zoning Ordinance as applied to the particular section in question; and

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3. The opinion of the City Attorney.

B. Written Interpretation. If an interpretation is requested in writing, it shall be issued within fourteen (14) days after receiving the request. The interpretation becomes effective twelve (12) days after it is mailed or delivered to the requestor, unless an appeal is filed.

C. Appeals. Within twelve (12) days of the mailing of the interpretation, the requestor may appeal the Zoning Ordinance interpretation to the Planning Commission per the appeals procedure outlined in Review Procedures (Chapter 17.09), with the exception that written notice of the hearing is provided only to the appellant when the request does not concern any specific property.

D. Interpretations on File. The Planning Director shall keep on file a record of all Zoning Ordinance interpretations.

17.01.050 Relationship to Other Regulations. Where this title imposes a greater restriction upon the use of building or premises, the provisions of this title shall govern.

17.01.060 Definitions. As used in this title, the singular includes the plural and the masculine includes the feminine and neuter. The word "may" is discretionary, but the word "shall" is mandatory. The following words and phrases shall have the meanings given them in this section.

**Commentary:**

Definitions of abutting and adjacent are common and can be helpful, but creating such over-arching definitions is outside the scope of this project.

**ACCESS** means

1. The way or means by which pedestrians and vehicles enter and leave property.
2. A way or means of approach to provide pedestrian, bicycle, or motor vehicular entrance or exit to a property.

**ACCESS CONNECTION** means any driveway, street, turnout or other means of providing for the movement of vehicles to or from the public roadway system.

**ACCESS MANAGEMENT** means the process of providing and managing access to land development while preserving the regional flow of traffic in terms of safety, capacity, and speed.

**ACCESS MANAGEMENT CLASSIFICATION SYSTEM** means a ranking system for roadways used to determine the appropriate degree of access management. Factors considered include functional classification, the appropriate local government's adopted

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plan for the roadway, subdivision of abutting properties, and existing level of access control.

**ACCESSORY DWELLING UNIT** means a separate dwelling unit contained within or detached from a single-family dwelling on a single lot, containing 800 square feet or less, excluding any garage area or accessory buildings, and sharing a driveway with the primary dwelling unless from an alley. A recreational vehicle is not and cannot be used as an accessory dwelling unit.

**ACCESSORY USE OR ACCESSORY STRUCTURE** means a use or structure incidental and subordinate to the main use of the property and located on the same lot as the main one.

**ACCESSWAY** means a walkway that provides pedestrian and bicycle passage either between streets or from a street to a building or other destination such as a school, park, or transit stop. Accessways generally include a walkway and additional land on either side of the walkway, often in the form of an easement or right-of-way, to provide clearance and separation between the walkway and adjacent uses. Accessways through parking lots are generally physically separated from adjacent vehicle parking or parallel vehicle traffic by curbs or similar devices and include landscaping, trees, and lighting. Where accessways cross driveways, they are generally raised, paved, or marked in a manner that provides convenient access for pedestrians.

**Commentary:**

The definitions below are needed for the affordable housing density bonus and parking reduction standards in 17.04.170.

**AFFORDABLE HOUSING DEVELOPMENT** means a development containing one or more affordable housing units that is subject to an affordable housing development agreement with the City pursuant to HRMC 17.04.170(2).

**AFFORDABLE HOUSING UNIT** means a housing unit meeting one of the following thresholds:

1. In the case of dwelling units for sale, the mortgage, amortized interest, taxes, insurance, and condominium or association fees, if any, shall constitute no more than 30 percent of gross annual household income for a family at 80 percent of the median gross household income.
2. In the case of dwelling units for rent, the rent and utilities shall constitute no more than 30 percent of gross annual household income for a family at 60 percent of the median gross household income.

**ALLEY** means a street, which affords only a secondary means of access to the property.

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**ALTERATION** means to remove, add to, or otherwise change the physical appearance of any part or portion of the EXTERIOR of a historic landmark.

**ARCHITECTURAL SIGNIFICANCE** means that the historic landmark

1. Portrays the environment of a group of people in an era of history characterized by a distinctive architectural style;
2. Embodies those distinguishing characteristics of an architectural type;
3. Is the work of an architect or master builder whose individual work has influenced the development of the City; or
4. Contains elements of architectural design, detail, materials, or craftsmanship that represent a significant innovation.

**BED AND BREAKFAST FACILITY** means a single-family dwelling which conducts transient rental of rooms with or without a morning meal.

**BIKEWAY** means any road, path, or way that is some manner specifically open to bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are shared with other transportation modes. The five types of bikeways are

1. **Multi-use path** means a paved ten (10) to twelve (12) foot wide way that is physically separated from motorized vehicular traffic, typically shared with pedestrians, skaters, and other non-motorized users.
2. **Bike lane** means a four (4) to six (6) foot wide portion of the roadway that has been designated by permanent striping and pavement markings for the exclusive use of bicycles.
3. **Shoulder bikeway** means the paved shoulder of a roadway that is four (4) feet or wider, typically shared with pedestrians in rural areas.
4. **Shared roadway** means a travel lane that is shared by bicyclists and motor vehicles.
5. **Multi-use trail** means an unpaved path that accommodates all-terrain bicycles, typically shared with pedestrians.

**BUILDING** means a structure used or intended for supporting or sheltering any use or occupancy.

**BUILDING FACE** means all the window and wall area of a building on one (1) plane.

**BUILDING HEIGHT** means a vertical distance above a reference datum measured to the highest point of a building. The reference datum shall be selected by either of the following, whatever yields the greater building height:

1. The elevation of the highest adjoining sidewalk or upper ground surface within a five (5) foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than ten (10) feet above the lowest grade.

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2. An elevation ten (10) feet higher than the lowest grade when the sidewalk or ground surface described in item one (1) above is more than ten (10) feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building.

**BUILDING OFFICIAL** means the officer or other designated authority charged with the administration and enforcement of the Oregon Structural Specialty Code (OSSC) or his duly authorized representative.

**BUILDING SITE** means one or more lots or parcels grouped together to form a tract of land to be used for building one or more structures. The building site lines shall be those lines, which bound the total area, exclusive of any public existing dedicated street.

**CARETAKER'S RESIDENCE** means a dwelling unit necessary for the security and/or operation requirements of an on-site industrial use.

**CENTER** means a group of establishments planned, developed, and managed as a unit with non-segregated, off-street parking and circulation provided on the property.

**CENTRAL BUSINESS DISTRICT** means the area enclosed by the following streets, including adjacent properties:

North:	Industrial Avenue, continuing east to Front Street
South:	Sherman Avenue
East:	Front Street
West:	8th Street for the C-1 zone only

**CHANGE OF USE** means any use that substantially differs from the previous use of a building, structure, or land. Factors to consider when identifying a change of use include the effects on parking, drainage, circulation, landscaping, building arrangements, and nuisance factors including, but not limited to, traffic, lighting, and noise.

**CHILDCARE CENTER** means the provision for child day care of thirteen (13) or more children through the age of 12 in any 24-hour period and could include a public or private school.

**CITY** means the City of Hood River.

**CITY PLANNING DEPARTMENT** means the department of the City that processes applications; provides professional planning advice to the Planning Commission, City, and Council; and administers the City's zoning and subdivision ordinances and Comprehensive Plan.

**CITY COUNCIL** means the Hood River City Council.

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### **Commentary:**

This section adds definitions for new housing types that are addressed in 17.04.

**CLUSTER SUBDIVISION** means a subdivision that will preserve an on-site natural feature in a separate tract, subject to HRMC 17.04.160.C.

**COHOUSING DEVELOPMENT** means a residential development consisting of multiple dwelling units clustered around a common open space or common building(s), subject to HRMC 17.04.190, except where such development meets the definition of multifamily dwellings, group residential, or a cluster subdivision pursuant to HRMC 17.04.160(C).

### **Commentary:**

In contexts other than a zoning code, cohousing is often described as an intentional community that is defined more by shared values and the social and organizational features of the community than by a particular physical form. This type of definition is not well-suited to a zoning code, because it is based around features that don't directly relate to land use. Cohousing can take many forms, but typically includes housing for multiple households clustered around a shared space that includes both open space and common indoor facilities (e.g. communal kitchen and dining area, shared laundry facilities, and recreational spaces). The same can also be true of certain apartment or condominium developments or subdivisions that share certain on-site amenities and open space. This makes it difficult to identify a definition of cohousing that is not overly inclusive of other forms of housing. (Overlapping definitions could create confusion and uncertainty about whether a given development is or is not permitted in a zone.) Development based on cohousing principles may meet the definition for another housing type (e.g. multifamily dwellings if all the units are in one building, cluster subdivisions if all the units are detached and on their own lots with a shared open space, or group residential if each household does not have its own dwelling unit). If that is the case, it will be classified as that housing type and regulated like other housing of that type. The definition above seeks to capture only forms of cohousing that do not meet other definitions, to ensure that the existing definitions are not overly limiting of the potential for development based on cohousing principles. However, the definition of group residential is so broad that it may be challenging to have a cohousing development that does not also meet that definition. Proposed standards for cohousing development are included in HRMC 17.04.190.

Another approach is to use the Planned Development process and standards in HRMC 17.07 to enable flexibility for the layout, arrangement, and ownership mechanisms of development based on cohousing principles, without creating an additional definition or specific standards. (The Planned Development option is still available even if a new definition is created.)

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**COMMERCIAL USE** means any activity involving the sale of goods or services that does not involve manufacturing, processing, warehousing, or outside storage.

**CONDOMINIUM UNIT** means a part of the property consisting of a building or one or more rooms occupying one or more floors of a building or one or more rooms occupying one or more floors of a building or part or parts thereof, intended for any type of independent ownership, the boundaries of which are described pursuant to paragraph (c) of subsection (1) of ORS 91.509, and with a direct exit to a public street or highway to a common area or areas leading to a public street or highway. An area used for the temporary parking or storage of automobiles, boats, campers, or other similar recreational vehicles or equipment may be considered a unit even though consisting of air space only without any building or structure when such area is auxiliary to a condominium in which the remainder of the units are in or are a part of a building or buildings.

**Commentary:**

The definition of constrained land below is used in calculating minimum density. Constrained land is included in the calculation of maximum density, but excluded from the calculation of minimum density. This means that density can be transferred from constrained land, but this is not required.

Staff notes that a policy discussion is needed on tree retention. The City's primary tree preservation requirements are in HRMC 16.12.040, triggered by land division, but they don't really mandate protection of significant trees.

**CONSTRAINED LAND** means land occupied by significant wetlands or significant riparian areas regulated under HRMC Chapter 17.22, land within the dripline of significant trees, steep slopes greater than 25%, and cultural heritage sites.

**CONTIGUOUS LAND** means two (2) or more parcels, excluding platted subdivisions, under a single ownership which are not separated by an intervening parcel of land under a separate ownership.

**Commentary:**

The definition of Cottage Court below is based on similar cottage housing codes from Redmond and Kirkland, WA, and Bend, OR.

**COTTAGE DEVELOPMENT** means a cluster of four to 12 cottage dwelling units arranged around a common open space.

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**COTTAGE DWELLING UNIT** means a small, detached dwelling unit that is part of a cottage court development, subject to HRMC 17.04.180.

**CROSS ACCESS** means a service drive providing vehicular access between two (2) or more contiguous sites so the driver need not enter the public street system.

**DEMOLISH** means to raze, destroy, dismantle, deface or, in any other manner, cause partial or total ruin of a designated historic landmark, individually or within a Historic District.

**DISTRICT** means a geographic area possessing a significant concentration, linkage, continuity, or design relationship of historically significant sites, structures, landscape features, or objects unified by past events or physical development.

**Commentary:**

The definition below is needed to specifically address drive-through and drive-up uses in the Westside Overlay Zone. It is sourced from the Oregon Model Development Code for Small Cities.

**DRIVE-THROUGH/DRIVE-UP FACILITY.** A facility or structure that is designed to allow drivers to remain in their vehicles before and during an activity on the site. Drive-through facilities may serve the primary use of the site or may serve accessory uses. Examples are drive-up windows; automatic teller machines; coffee kiosks and similar vendors; menu boards; order boards or boxes; gas pump islands; car wash facilities; auto service facilities, such as air compressor, water, and windshield washing stations; quick-lube or quick-oil change facilities; and drive-in theaters. All driveways, queuing and waiting areas associated with a drive-through/drive-up facility are similarly regulated as part of such facility.

**DUPLEX** means a building divided into two (2) living units.

**DWELLING UNIT** means a single unit providing complete, independent living facilities for one (1) or more person, including permanent provisions for living, sleeping, eating, cooking, and sanitation. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units unless the additional cooking facilities are clearly accessory, such as an outdoor grill.

**EASEMENT** means a grant of one (1) or more property rights by a property owner to or for use by the public or another person or entity.

**ENTITY** means any use functioning independently.



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**EXTERIOR** means all outside features of a historic landmark, individually or within a historic district.

**FAMILY** means one (1) or more persons, excluding servants, related by blood, marriage, legal adoption, or legal guardianship, occupying a single non-profit housekeeping unit and using common housekeeping facilities; a group of not more than five (5) unrelated persons living together as a single non-profit housekeeping unit and using common housekeeping facilities.

**FAMILY DAY CARE** means care of twelve (12) or fewer children either full- or part-time, including resident family members, as accessory to any residential use. Family day care is subject to the definition of “home occupation” in this chapter.

**FENCE** means a structure with air on both sides erected for the purpose of providing landscaping, defining an area, confinement of people or animals, protection of privacy, screening, and/or restriction of access.

**FENCE, SIGHT OBSCURING** means a fence or planting arranged in such a way as to obscure vision.

**FLOOD LIGHT** means a wide spectrum of non-shielded light covering a large area.

**Commentary:**

The City should consider adding a definition for floor area. That may become more important when limiting floor area for cottage units, since every square foot will matter to a builder. However, creating such over-arching definitions is outside the scope of this project.

**GRADE** has the meaning set forth in the most current version of the City of Hood River Engineering Standards adopted pursuant to Title 16.

**Commentary:**

The definition of Group Residential below may need clarification to differentiate it from co-housing.

**GROUP RESIDENTIAL** means residential occupancy of dwelling units by groups of more than five (5) persons who are not related by blood, marriage, legal adoption or legal guardianship, and where communal kitchen and dining facilities are provided. Typical uses

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include the occupancy of rooming houses, cooperatives, halfway houses, and intermediate care facilities.

**HARD SURFACING** means asphalt, concrete, grasscrete, or other similar surface that is accepted by the City engineer.

**HEARING BODY** means the Landmarks Review Board members, Planning Commission, or City Council, as applicable.

**HEARING BODY MEMBERS** means the Landmarks Review Board, Planning Commissioners or City Council members, as applicable.

**HEIGHTS BUSINESS DISTRICT, THE** means the parcels in the C-1 and C-2 zones between May, Belmont, 10<sup>th</sup>, and 14<sup>th</sup> streets.

**HISTORIC LANDMARK** means a district, corridor, ensemble, building, portions of building, site, landscape feature, cemetery, bridge, sign, plaque, archaeological site or artifact, or other objects of historical and/or architectural significance, locally, regionally, or nationally designated by the Landmarks Board and City Council under this ordinance.

**HISTORIC SIGNIFICANCE** means those historic landmarks, which have a relationship to events or conditions of the human past. The historic resource

1. Has character, interest or value, as part of the development, heritage or cultural characteristics of the City, State, or Nation;
  2. Is the site of a historic event with an effect upon society;
  3. Is identified with a person or group of persons who had some influence on society;
- or
4. Exemplifies the cultural, political, economic, social, or historic heritage of the community.

**HOME OCCUPATION** means the occupation carried on by a resident of a dwelling unit as an accessory use within the dwelling unit or within an accessory building which is incidental or secondary to the residential use.

**HOSTED HOMESHARE** means the transient rental of a portion of a dwelling while the homeowner is present.

**HOSTEL** means any establishment having beds rented or kept for rent on a daily basis to travelers for a charge or fee paid or to be paid for rental or use of facilities and which are operated, managed, or maintained under the sponsorship of a non-profit organization that holds a valid exemption from federal income taxes under the federal law. (See ORS 446.310.)

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**INCIDENTAL AND ESSENTIAL** means a use which is subordinate and minor in significance and size to the primary use, and which has an integral relationship to the primary use.

**INDUSTRIAL OFFICE USE** means activities that, while conducted in an office-like setting, are more compatible with industrial activities, businesses, and districts. Their operations are less service-oriented than traditional office uses and focus on the development, testing, production, product training and support, processing, packaging, or assembly of goods and products, which may include digital products. They primarily provide products to other businesses. They do not require customers or clients to visit the site; any such visits are infrequent and incidental.

**INDUSTRIAL USE** means any activity involving the manufacture, processing, warehousing, or outside storage of products to be transported elsewhere for retail sale and is more intensive than Light Industrial uses because of noise, odor and truck traffic.

**JOINT ACCESS (OR SHARED ACCESS)** means a driveway connecting two (2) or more contiguous sites to the public street system.

**LANDMARKS BOARD** means the Hood River Landmarks Review Board.

**LIGHT INDUSTRIAL USE** means industrial service, research and development, manufacturing, processing, fabrication, packaging, assembly of goods, and warehousing.

**LOADING SPACE** means an off-street space within a building or on the same lot with a building for the temporary parking of a commercial vehicle or truck while loading or unloading merchandise or materials, and which space has access to a street or alley.

**LOT** means a specific tract of land within a platted subdivision.

**LOT AREA** means the total area of the lot or parcel measured in the horizontal plane within the lot or parcel boundary lines inclusive of public easements, private roads, and the easement of access to other properties.

**LOT OF RECORD** means a parcel or lot duly recorded by the Hood River County Department of Records and Assessments at the time of the adoption of the ordinance codified in this title.

**LUBA** means The State of Oregon Land Use Board of Appeals.

**MANUFACTURED HOME** means a structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities that is intended for human occupancy, that is being used for residential purposes, and that was constructed in

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accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

**MATCHING or LIKE MATERIALS** means materials that duplicate the original material in size, shape, composition, and texture as closely as possible.

**MOBILE HOME (SINGLE WIDE)** means a vehicle or structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities; is intended for human occupancy; and is being used for residential purposes.

**MOBILE HOME (DOUBLE/TRIPLE/QUAD WIDE etc.)** means a factory-built home that is the result of the combination of joining (at the time it is placed on the property) of two (2) or more sections, to which wheels may be attached for the purpose of moving it to a concrete foundation.

**MANUFACTURED DWELLING PARK** means any place where four (4) or more manufactured dwellings (as defined in ORS 446.003 (26)) are located within 500 feet of one another on a lot, tract, or parcel of land under the same ownership; the primary purpose of which is to rent space, keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities; or to offer space free in connection with securing the trade or patronage or such person. "Manufactured dwelling park" does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the municipality unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.190.

**Commentary:**

The definition below is needed for the affordable housing density bonus. It is drawn from the American Planning Association and Smart Growth America model code for affordable housing and inclusionary zoning.

**MEDIAN GROSS HOUSEHOLD INCOME** means the median income level for the Hood River County, as established and defined in the annual schedule published by the Secretary of the U.S. Department of Housing and Urban Development, adjusted for household size.

**MULTI-ENTITY COMPLEX** means any structure within which more than one (1) entity is located or will be conducted.

**MULTI-FAMILY DWELLING** means a building designed or used exclusively for the occupancy of four (4) or more families living independently of each other and having separate housekeeping facilities.

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### **Commentary:**

The definition below is needed for the calculation of maximum and minimum density. Future streets and private roads in excess of 20 percent of the net site area are not removed, in order to avoid penalizing development with connected local street patterns, which have a higher percentage of the land area used for streets.

**NET SITE AREA** means the area of the building site less the area of future streets and private roads (including private drives that serve more than two (2) dwelling units), up to a maximum of 20 percent of the building site area.

**NON-CONFORMING ACCESS FEATURES** means features of the property access that existed prior to the date of ordinance adopting and do not conform to the requirements of this ordinance.

**NON-CONFORMING STRUCTURE OR USE** means a lawful existing structure or use at the time the ordinance codified in this title, or any amendment thereto, becomes effective that does not conform to the requirements of the zone in which it is located.

**NON-RESIDENTIAL USE** means an institutional use, public facility, or similar use in the residential (R-1, R-2, and R-3) zone.

**NON-TRANSIENT RENTAL** means to rent a dwelling unit or room(s) for compensation on a month-to-month basis, or for a longer period.

**OAR** means Oregon Administrative Rules.

**OCCUPATION** means an endeavor for profit.

**ORS** means Oregon Revised Statutes.

**OSSC STANDARDS** means the Oregon Structural Specialty Code Standards promulgated by the International Conference of Building Officials, as amended and adopted by this jurisdiction.

**OWNER** means the owner of record or his authorized agent.

**PARCEL** means a tract of land that is created by a partitioning of land.

**PARKING SPACE** means a rectangle not less than eighteen (18) feet long and nine (9) feet wide for use by a vehicle.

**PERSON** means a natural person, firm, partnership, estate, receiver, syndicate, branch of government, or any group or combination acting as a unit.

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**PLANNING COMMISSION** means the Hood River City Planning Commission.

**PLANNING DIRECTOR** means the director of the Planning Department or designee.

**PROFESSIONAL OFFICE** means a use involving professional services such as medical care, consulting, legal services, and other similar services.

**PROJECTION** means

1. The distance by which a sign extends over public property or beyond the building line; or
2. Architectural features such as cornices, eaves, canopies, sunshades, gutters, chimneys, and flues, which shall not encroach more than three (3) inches for each foot of required setback.

**PUBLIC FACILITY OR USE** means a facility or use which is necessary for the public health, safety, and welfare; including police, fire protection, sewage collection and treatment, storm drainage systems, water distribution and treatment, public health services, public recreational programs and facilities, energy generation and distribution, telephone systems, solid waste disposal, transportation services, library services, and community government.

**PUBLIC PARK** means an open or enclosed tract of land set apart and devoted for the purposes of recreation, ornament, light, and air for the general public.

**QUASI-JUDICIAL HEARING** means a hearing wherein the hearing body is required to apply general standards and criteria to a specific set of facts in order to determine the conformance of the facts to the applicable criteria, which results in a determination that will directly affect a small number of identifiable persons.

**QUORUM** means a majority of the members of the hearing body. A member who is present at the hearing but is disqualified from voting or abstains from voting shall be counted as being present for purposes of constituting a quorum of the hearing body.

**REASONABLE ACCESS** means the minimum number of access connections, direct or indirect, necessary to provide safe access to and from the roadway, as consistent with the purpose and intent of this ordinance and any applicable plans and policies of the City of Hood River.

**RECREATIONAL VEHICLE** means a vehicle or trailer designed for highway use that is intended or used for human occupancy to be used temporarily for recreational purposes.

**RESIDENTIAL DEVELOPMENT** means single-family dwellings, manufactured home, duplexes, triplexes, townhouses, residential condominiums, multi-family dwellings, accessory

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dwelling units, group residential facilities, and similar structures. In some circumstances the use of residential development for non-residential uses may be approved.

**RESIDENTIAL OR RESIDENTIAL USE** means the occupancy of a dwelling unit on a non-transient basis. Uses where tenancy is arranged on a transient basis are not considered residential.

**RESIDENTIAL CARE FACILITY** means a treatment or training facility duly licensed by the State of Oregon which provides residential care alone or in conjunction with treatment or training for six (6) to fifteen (15) individuals who need not be related. Staff persons required to meet State Licensing requirements shall not be counted in the number of facility residents and need not be related to each other or the residents.

**REHABILITATION** means the return of property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use and preserves the property's historic value.

**RESTORATION** means the process of accurately recovering the form and details of a property and its setting as they appeared at a particular historic period by means of the removal of later work or the replacement of missing earlier work.

**RETAINING WALL** means a wall or other structure erected for the purpose of holding back or in place soil, rock, and/or other material and designed for the purpose of resisting lateral and other forces from the material being held back or in place.

**RIGHT-OF-WAY** means

1. The area between the boundary lines of an alley, easement, street, or highway.
2. Land reserved, used, or to be used for a highway, street, alley, walkway, drainage facility, or other public purpose.

**ROOF LINE** means the ridge on a gable, peaked roof, or the parapet or fascia of a flat roof. A mansard roof is considered a gable roof for the purposes of this definition.

**ROOMING HOUSE** means a building where the non-transient rental of lodging without meals, is provided to over five (5) people.

**SETBACK** means a line established by ordinance beyond which a structure may not be built. A legal setback line may be a property, vision, or vehicle clearance line.

**SIGN** means any identification, description, illustration, symbol, or device that is free-standing, affixed, painted, or bas relief upon an awning, building, structure, or land, which communicates a message or idea, or identifies, or directs attention to a product, place, activity, person, institution, or entity.

## Westside Concept Plan Potential Code Amendments

*All edits are preliminary and subject to change.*

*City to determine what standards apply in the Westside Area or city-wide.*

**SINGLE-FAMILY DWELLING** means a building designed or used exclusively for the occupancy of one (1) family and having housekeeping facilities for only one (1) family.

**SINGLE-FAMILY DWELLING, DETACHED** (Detached Single Family Dwelling) means a detached single-family dwelling unit located on its own lot.

**STANDING** means the status of a person who has submitted oral testimony at a hearing or written testimony in conjunction with a hearing or administrative action. A person with standing shall be considered a party.

**STREET** means the entire width between the right-of-way lines of every public way for pedestrian, bicycle, and vehicular traffic.

**Commentary:**

The definition below was added to support the residential design standards.

**STREET-FACING** means parallel to, or within 45 degrees of, a street right-of-way line. A building elevation is not considered street-facing if it is separated from the street by another building or another portion of the same building that is of equal or greater height.

**STRUCTURE** means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

**STUB-OUT (STUB-STREET)** means a portion of a street or cross access drive used as an extension to an abutting property that may be developed in the future.

**SUBDIVIDE LAND** means the act of dividing an area or tract of land into four (4) or more lots within a calendar year, when such area or tract exists as a unit or contiguous units of land under a single ownership at the beginning of such year.

**SUBDIVISION** means the act of subdividing land or an area or tract of land, subdivided as defined in this section.

**TOWNHOUSE** (attached single family) means a single-family dwelling unit located on its own lot that shares one or more common or abutting walls with one or more single family dwelling units on adjacent lot(s).

**TOWNHOUSE BUILDING** means a structure that includes two or more townhouses.



## Westside Concept Plan Potential Code Amendments

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**TOWNHOUSE PROJECT** means one or more townhouse buildings constructed on a building site where the land has been divided to reflect the townhouse property lines and the commonly owned property, if any.

**TRANSIENT RENTAL** means to rent a dwelling unit or room(s) for compensation on less than a month-to-month basis.

**TRIPLEX** means a building designed or used exclusively for the occupancy of three (3) families living independently of each other and having separate housekeeping facilities for each family.

**USE** means the proposed purpose for which land or structure is designed, arranged, or intended, or for which it is occupied or maintained.

**VACATION HOME RENTAL** means the transient rental of an entire dwelling unit.

**VEHICLE CLEARANCE** means the triangular area formed at a corner or parcel by the intersection of a dedicated public right-of-way (improved or unimproved) and an alley, driveway, parking lot, or loading area and a straight line joining said lines through points fifteen (15) feet back from their intersection. This vehicle clearance area shall provide an area of unobstructed vision.

**WALKWAY** means a hard-surfaced area intended and suitable for pedestrians, including sidewalks and the surfaced portions of accessways.

**WALL** means a barrier created for the same purposes as a fence, but excludes retaining walls.

**WATERFRONT AREA** means the area of the City west of the Hood River (SR-35) Bridge, north of I-84, and east of the Hook, including the Hook.

**YARD** is an unobstructed area from the ground upwards, except as otherwise provided in this title.

**YARD, FRONT** means a yard extending from a building to the front lot line.

**YARD, REAR** means a yard extending from a building to the rear lot line.

**YARD, SIDE** means a yard extending from a building to the side lot line. When a parcel has two (2) or more front yards, the remaining yards are to be considered side yards.

**ZONE** means one of the classifications of permitted uses into which the land area of the City is divided.

**Westside Concept Plan Potential Code Amendments**

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**ZONING MAP** means the official map that identifies and delineates boundaries of the City's zoning classifications.

**ZONING ORDINANCE** means Titles 16 and 17 of this Code.