

## *Appendix C: Housing and Affordability*

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1. Memo: Questions about the Housing Needs Analysis
2. Housing Basis Memo
3. Housing Implementation for the Westside Area Concept Plan

DATE: September 28, 2017  
TO: Joe Dills  
FROM: Beth Goodman  
SUBJECT: HOOD RIVER: QUESTIONS ABOUT THE HOUSING NEEDS ANALYSIS

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The Hood River Westside Area Concept Plan project is developing the framework for development of an area within Hood River. The project includes plans for infrastructure development and changes to Hood River’s zoning code. The starting point for the Westside Area Concept Plan is the Hood River Housing Needs Analysis, completed by ECONorthwest in 2015.

One of the questions that has come up during the public discussions of the Westside Area Concept Plan is whether the City should revisit the Housing Needs Analysis (HNA) because new population forecasts for the city show slower population growth than the population forecast used in the HNA.

This memorandum addresses this question and describes the results of the HNA as they apply to planning in the Westside Area Concept Plan process.

## Context for discussion

Before discussing the findings of the HNA and their implications for future planning in Hood River, it is useful to consider the requirements of Goal 10 and the changes to the population forecast for Hood River.

### Requirements of Goal 10

Hood River’s HNA was developed to meet the requirements of Goal 10.<sup>1</sup> The key requirements of Goal 10 are that cities: (1) provide appropriate types and amounts of land within their urban growth boundary to accommodate growth of needed housing types<sup>2</sup> and (2) that cities provide opportunities for development of housing that meets the needs of household of all income levels. As we discuss in the memorandum below, Hood River’s residential land base was insufficient to accommodate expected residential growth (requiring assumptions about growth

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<sup>1</sup> The requirements of Goal 10 are described in Oregon Administrative Rule 660-008, ORS 197.295 to 197.314, and ORS 197.475 to 197.490.

<sup>2</sup> Goal 10 defines needed housing types as “housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels.” ORS 197.303 defines needed housing types as:

- (a) Housing that includes, but is not limited to, attached and detached single-family housing and multifamily housing for both owner and renter occupancy;
- (b) Government-assisted housing;
- (c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490; and
- (d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions.

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of multifamily housing in commercial zones) and did not provide sufficient opportunities for development of housing to meet all income levels. The Hood River Housing Strategy, completed as part of the HNA project, described potential actions to address these issues, such as allowing a wider-range of housing types in single-family zones, re-zoning land to provide opportunities for multifamily development, and policies to increase development of affordable housing.

### **New population forecasts**

The HNA is based on the forecast that was the City's official forecast at the time the HNA was adopted. It showed that the Hood River Urban Growth Boundary (UGB) would grow from 9,317 people in 2015 to 13,845 people in 2035. This is an increase of 4,528 people at an average annual growth rate of 2.0%.

In the time since the HNA was adopted, Portland State University's Population Research Center developed a new, official population forecast for the Hood River UGB. This forecast shows that the Hood River UGB will grow from 9,675 people in 2016 to 12,576 people in 2035. Adjusting the forecast to a 20-year period<sup>3</sup> shows that Hood River's UGB will have 12,725 new people by 2036. This is an increase of 3,050 people at an average annual growth rate of 1.4%.

The difference in population increase between the forecast used in the HNA and in the new forecast is 1,478, with less growth in the new forecast.

The HNA shows that the increase of 4,528 people will result in demand for 1,985 new dwelling units. Using the same methodology and assumptions to convert between growth of people and dwelling units, the new population forecast shows growth of 1,337 new dwelling units, about 648 fewer dwelling units than the HNA.

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<sup>3</sup> This adjustment was done consistent with the methodology specified in the following file (from the PSU PRC's Oregon Population Forecast Program website):  
[http://www.pdx.edu/prc/sites/www.pdx.edu/prc/files/Population\\_Interpolation\\_Template.xlsx](http://www.pdx.edu/prc/sites/www.pdx.edu/prc/files/Population_Interpolation_Template.xlsx)

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## Potential impact of the new forecast on Hood River's housing needs

The question at hand is whether assuming a 1.4% average annual growth rate "changes everything" from the population growth rate of 2.0% in the HNA. Should the City re-evaluate housing needs before undertaking completion of the Concept Plan or implementing actions such as re-zoning?

As discussed above, growth of 1.4% annually over a 20-year period results in about 1,500 fewer people and about 650 fewer new households than the HNA assumes. Using the assumptions used to model housing growth and residential land sufficiency in the HNA, this slower rate of population growth results in a larger surplus of all residential land (described below) but a slower growth rate does not address the fundamental problems with Hood River's housing market in the short-term or in the long-term. These problems are:

- **Insufficient housing to meet current needs.** There is currently not enough housing to meet the needs of people currently living in Hood River now or people who would like to live in Hood River. Some dimensions of this need include:
  - Hood River has a deficit of affordable housing for existing residents.
    - About 32% of households in Hood River are cost burdened, including 40% of renters.<sup>4</sup>
    - Housing costs in Hood River have increased substantially since 2000, making it more difficult to find affordable rental and ownership housing opportunities.<sup>5</sup>
    - Hood River has a deficit of housing affordable to people who earn less than \$25,000 (about 200 units) and a deficit for people earning \$35,000 to \$100,000 (about 550 units).<sup>6</sup> Housing for people in these income groupings will include relatively dense housing types such as: smaller single-family houses, cottages, townhouses, market-rate apartments, and government-subsidized apartments. These needs are for people who already live in Hood River but cannot afford their current housing (are cost burdened).
  - Anecdotal information from employers and employees in Hood River indicates that finding housing, much less affordable housing, is difficult and sometimes impossible. A number of large employers testified during the HNA hearings about the difficulty that professionals in Hood River (such as teachers, nurses,

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<sup>4</sup> Hood River Housing Needs Analysis, Figure B-25.

<sup>5</sup> Hood River Housing Needs Analysis, pages B-47 through B-50.

<sup>6</sup> Hood River Housing Needs Analysis, Table B-14.

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tech workers, and others) have in finding housing, much less housing that they can afford within their salaries. People from the farmworker community testified that finding lower- and moderate-income housing in Hood River is all but impossible. These accounts fit with the finds in the data analysis that Hood River does not have enough housing to meet the needs of current residents and workers at businesses in Hood River.

- **Growth in population will increase the need for denser housing types.** The description above does not begin to address the housing needs of future residents, who are part of the people who would move to Hood River in either forecast scenario (between 3,000 to 4,500 new people) over the next 20 years. It is very likely that the housing needs of these households will be similar to housing needs of existing households. These new residents will also need housing that is relatively dense, such as: smaller single-family houses, cottages, townhouses, market-rate apartments, and government-subsidized apartments. These types of housing are underrepresented in Hood River.
  - The HNA shows that 69% of new residents in Hood River will have income below 120% of Hood River County's Median Family Income (\$76,800 in 2015). These households range from very low income (and can afford only very inexpensive housing) to middle income households (and can afford higher-cost rentals or lower-cost houses as homeowners).<sup>7</sup>
  - Assuming that 69% of new residents have income below 120% of the Median Family Income, between 2,100 new residents (1.4% forecast) and 3,100 new residents (2% forecast) will need these denser housing types.
- **Growth of second homes may continue to consume residential land.** The PSU forecast does not account for growth of second homes. While the City has new rules to limit growth of second homes, additional growth of second homes will require new land, consuming land that would otherwise be available for primary homes.

Another consideration in the implementation of the recommendations from the HNA, such as the Westside Area Concept Plan, are the character of Hood River's vacant land inventory and potential constraints on future expansion of the City's UGB.

- **Most vacant residential land is concentrated on the western side of Hood River.** The majority of vacant residential land is located on Hood River's western side, with much of that land within the Westside Concept Plan Area. The HNA showed 318 acres of vacant and partially vacant residential land. The Westside Area includes 60% of the City's vacant/partially vacant land (189 acres).<sup>8</sup>

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<sup>7</sup> Hood River Housing Needs Analysis, Table 7.

<sup>8</sup> Hood River Housing Needs Analysis, Chapter 2, Residential Buildable Lands Inventory

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- **Timing of development of land in Hood River.** The land within the Westside Concept Plan Area may be more likely to develop over the next 5 to 10 years than other larger areas within Hood River.
    - One of the other larger areas for development is 66 acres in farm deferrals. While we are not aware of the landowners' current plans for their lands, a concern during the HNA was development of this land and whether the landowners would choose to develop this area over the 20-year planning period. By State law, we considered this land buildable.
    - Planning for infrastructure in the Westside Concept Plan Area is further along than it is for many other larger areas within Hood River, such as the areas in farm deferral.
    - The current and future need for housing underline the importance of the Westside Concept Plan Area for providing development opportunities in Hood River over the near-term (next 5 years) and long-term (10-20 years). The Westside Area provides the largest area with development potential (vacant land) and planning for infrastructure to support new development.
  - **Hood River already has a deficit of land for multifamily development, no matter which growth rate is used.** While the HNA found that Hood River had sufficient land to accommodate growth, it also identified a deficit of land for multifamily land. It addressed this deficit by assuming: (1) more residential development would occur in commercial zones, (2) the City would allow a wider range of housing (from smaller single-family lots to townhouses to multifamily housing), and (3) the City would identify opportunities for development of multifamily housing through policy changes and re-zoning land. These actions are described in the Hood River Housing Strategy.
    - The HNA shows that Hood River is already (in 2015) unable to accommodate its need for high density housing on R-3 land (of which there is only 18 acres vacant).
      - The HNA makes an automatic land-use efficiency assumption that 12 acres of C-2 land would develop at densities higher than densities in R-3 to accommodate the need for multifamily housing.
      - Even at a lower growth rate (1.4%), Hood River would need to accommodate some of its multifamily need (93 dwelling units) on C-2 land. Even at this growth rate, the City will need to continue to adjust policies to accommodate multifamily housing.
  - **Hood River could consider opportunities to increase infill and redevelopment to meet these needs.** Another way to accommodate growth of some of these housing types (such as smaller-single-family units, townhouses, or apartments) is through infill or redevelopment. Infill is additional development on lots with existing housing, such as building more housing on underutilized land (e.g., a one-acre lot with one house on it). Redevelopment is demolition of existing housing and building new, denser housing

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(e.g., on a lot zoned for medium and high density, demolition of a single-family house and development of a multifamily structure).

Infill and redevelopment were considered as a way to meet the city's housing needs during the HNA process. They were not pursued as policy recommendation because of potential disruption to existing neighborhoods.

Another important consideration in implementation of the recommendations of the HNA and the Housing Strategy is the long-term availability of land in Hood River. Most cities can expand their UGB as they grow and need more land. Hood River, however, is surrounded by the Columbia River Gorge National Scenic Area and by farmland. Expansion in either of these areas will be extremely complicated and difficult.

- Expanding into the National Scenic Area will require coordination with the Columbia River Gorge Commission, an agency with representatives from Oregon, Washington, each of the six counties within the National Scenic Area, and the U.S. Forest Service. Expansion into the National Scenic Area may require federal legislation to authorize an expansion of urban uses into the Area.
- State law discourages expansion onto farmlands and requires that all other alternatives, such as increasing development capacity within the existing UGB or expansion onto non-farmlands, be exhausted or found infeasible before expansion onto farmlands. Expansion onto farmlands will require coordination with local and regional stakeholders, some of whom strongly oppose expansion onto farmlands.
- Given the complexities of any UGB expansion and the added complexities of expanding Hood River's UGB, the HNA recommends strongly that the City consider policies to use land within Hood River's UGB efficiently. The policies proposed in the Westside Concept Plan are exactly the types of policies recommended in the HNA.
- If the City grows faster than the PSU forecast,<sup>9</sup> then the City will need to begin planning for a UGB expansion in 5 to 7 years. Waiting to plan for UGB expansion for 10 to 15 would be unwise because it is possible (and perhaps probable) that the process for obtaining a UGB expansion will take a decade or more. If, instead the City grows at 1.4%, the City would have longer before it would need a UGB expansion.
  - The HNA shows that Hood River has capacity for 2,460 new dwelling units on its vacant residential land, including development of multifamily housing on 12 acres of C-2 land.
    - At an average annual growth rate of 2%, all of Hood River's residential capacity would be consumed in 25 years.

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<sup>9</sup> Hood River's population growth rate between 1990-2013 and between 2000-2013 was about 2%. The City's growth since 1990 has been remarkably consistent, maintaining an average of 2% per year.

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- At an average annual growth rate of 1.4%, Hood River's residential capacity would be consumed in 37 years.

## Conclusions

The discussion above describes why it is important for Hood River to plan for a different type of housing than the City has had in the past. Planning for these types of housing will require the City to take the actions recommended in the HNA and the Housing Strategy, regardless of which of the two population projections are used. Many of these recommendations are present in the Westside Concept Plan, such as allowing a wider-variety of housing types in residential zones and rezoning lower density land to allow medium and high-density development.

As the author of Hood River's HNA and dozens of other HNAs for cities of all sizes across the state, I am confident that revisions to the HNA with the 1.4% growth rate will not change the key conclusions of the HNA. Those conclusions are:

- While Hood River has enough land to accommodate growth at the expected growth rate (whether 1.4% or 2%), the City has unmet housing needs.
- Current residents are unable to find affordable housing and employers report that availability of housing is a barrier (even for recruiting people with middle- and high-wages). Future residents are likely to have the same problems.
- Hood River has a deficit of land for multifamily housing, which the HNA addresses through assuming that about half of multifamily development will occur in C-2. Even with the lower forecast, about 90 multifamily units would need to be located in C-2 because of the small amount of vacant R-3 land.
- The City should consider land-use efficiency policies to address these unmet needs to: (1) provide opportunities for development of a wider range of housing affordable to lower-, moderate-, and middle-income households, (2) provide opportunity for multifamily housing, and (3) delay the need to expand the UGB. The City should take the additional actions described in the Housing Strategy.



# Memorandum



8/9/2017

**To:** Hood River Westside Area Concept Plan Advisory Committees  
**Cc:** Project Management Team  
**From:** Joe Dills and Andrew Parish, Angelo Planning Group  
**Re:** How Hood River's Housing Needs Analysis and Strategies Have Been Used in the Draft Concept Plan

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## INTRODUCTION

The purpose of this memorandum is to describe how previous work adopted by the City of Hood River on the topics of buildable lands and housing needs have been used in the Westside Area Concept Plan. This memorandum describes key planning concepts and assumptions in the Westside Area Concept Plan that were direct and indirect outcomes of previously-adopted work.

## HOUSING NEEDS ANALYSIS

City of Hood River Housing Needs Analysis (HNA), adopted September 2015, is made up of these documents:

- "Housing Needs Analysis" summary document;
- "Housing Needs Analysis 2015 to 2035" technical report, which includes a Buildable Lands Inventory and provides a methodology to meet specific statewide regulations; and
- "Hood River Housing Strategy," which makes recommendations for how to meet the City's identified housing needs.

The City adopted the Housing Needs Analysis summary report and comprehensive plan policies as part of Goal 10 of the Hood River Comprehensive Plan.

### Overall Findings

The Housing Needs Analysis documents examine trends in population, housing inventory, and buildable land of Hood River, and find that the City has just enough land to accommodate projected residential growth over the 20 year planning period (2015 through 2035).

The report notes several key caveats to its land and housing capacity findings:

- Hood River has limited opportunities for future expansion of the UGB<sup>1</sup>,
- The City has a very limited supply of residential land for multifamily development. The HNA recommends that the City consider rezoning single-family land (in R-1 and R-2 designations) for multifamily uses. In the absence of adding multifamily land as part of the HNA adoption, the report

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<sup>1</sup> The city is surrounded by the Columbia River Gorge National Scenic Area and by farmland. Expansion into either of these areas will be extremely complicated and difficult.

assumed that about 42% of new multifamily development would be accommodated on commercial (C-2) land.<sup>2</sup>

- There is an existing deficit of affordable housing in Hood River, both for low-income and workforce affordable housing. As noted on Page 49: “the median home value was 6.4 times median income in 2013, up from 4.5 in 2000. More than a third of Hood River households are unable to afford the fair market rent (\$845) on a two-bedroom rental in Hood River. In addition, half of the workers at businesses in Hood River live outside of the city or in nearby communities.”
- Much of the buildable residentially-designated land in the Urban Growth Area is in agricultural use (about 20 percent according to Table 2 of the HNA), and the timing of development of these properties (subject to the desires of individual property owners and other market factors) may impact the availability of residential units for the City.

The findings of the HNA, including the factors described above, inform the strategies and recommended actions of the Hood River Housing Strategy.

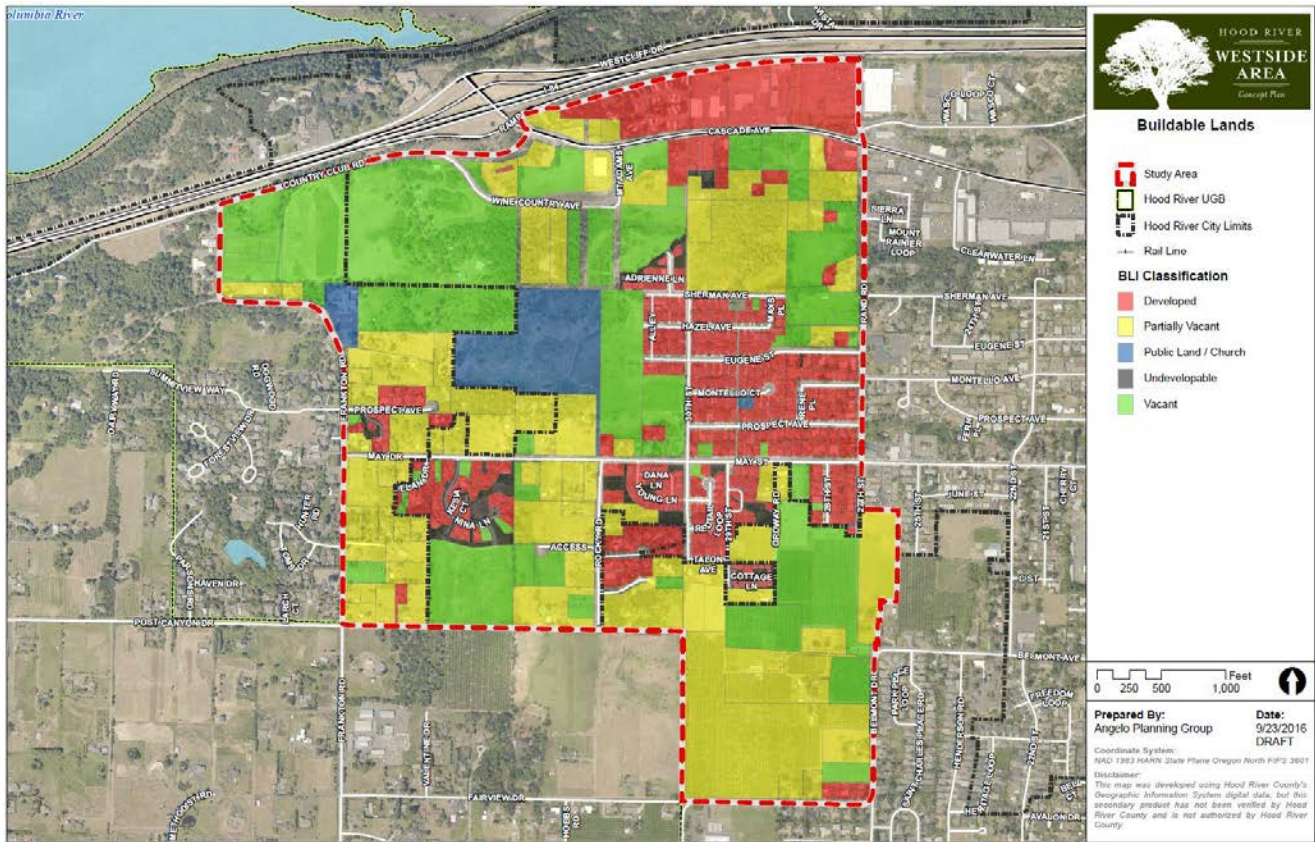
### Buildable Lands

The Hood River Residential Buildable Lands Inventory is a component of the Housing Needs Analysis that focuses on what land is available for residential uses. The inventory classifies land as either “vacant,” “partially vacant,” or “developed.” One notable finding that requires clarification is that “More than half of the capacity in residential Plan Designations is from partially vacant land. [The HNA assumes] that, over the 20-year period, much of the partially vacant land will infill and develop at urban densities.” (page 42). In the HNA, “Partially Vacant” refers to land that has an existing use but still has capacity to accommodate additional residential development. In the Westside Area, much of the land falls into this category because there are parcels with a single home on many acres. Partially vacant lands are assumed to eventually subdivide and develop in accordance with their Plan designation (See Figure 1 below which is based on the 2015 Buildable Lands Inventory.)

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<sup>2</sup> Table 5 of the HNA describes the allocation of needed housing by type and zoning designation through 2035. A total of 694 multifamily dwelling units are expected to be developed in the R-2, U-R-2, R-3 and C-2 zone. Of this number, 297 units, or 42 percent of the citywide need, is accommodated within the General Commercial (C-2) zone. The HNA cites the EOA, which identified a surplus of C-2 land beyond the land needed to accommodate growth over the 20-year period, though the EOA also shows a deficit of C-1 office land. Since adoption of the HNA, the City has approved or is reviewing a combined total of about 50 housing units in C-2 lands, located outside the Westside Area.

Figure 1 - Westside Area Buildable Lands



## HOUSING IN THE WESTSIDE AREA CONCEPT PLAN

### Westside Area Concept Plan: Draft Land Use Program

Housing supply and mix was first addressed in the Westside Area Planning in the January 12, 2017 "Draft Land Use Program" from ECONorthwest, who also prepared the City's Housing Needs Analysis. The central questions of that memorandum are: (1) what mix of uses is appropriate in the Westside Area, given existing development and zoning patterns, potential changes to city policy and zoning, and housing and employment land needs across the city; and (2) How can changes to the land use designations help address the City's need to provide more workforce and affordable housing? The land use program explains how the draft programs attempt to implement key concepts from prior efforts:

The Westside Area Concept Plan offers an opportunity to evaluate the following policy changes in the Westside Area:

- Identify land to rezone to allow additional multifamily development.
- Consider allowing a wider range of housing types.
- Evaluate reducing minimum lot sizes in the R-1 and R-2 zones.
- Identify publicly-owned properties that could be used for affordable housing.<sup>3</sup>

<sup>3</sup> See ECONorthwest memorandum - "Hood River Westside Area Concept Plan: Draft Land Use Program." January 12, 2017.

To implement these strategies, the Land Use Program memorandum provided a base scenario and two initial alternatives to begin to prepare the concept plan: the Base Case, which examines the effect of making no changes to current zoning designations or code in the Westside Area; the "Moderate increase in workforce and affordable housing" alternative, and the "Strong increase in workforce and affordable housing" alternative. These alternatives identified the range of land uses by type, density, and mix of residential development; capacity for a range of housing types; potential development of parks; opportunities for mixed use development; commercial land needed to provide services to households in the Westside Area; and commercial and industrial development.

The Technical Advisory Committee and Project Advisory Committee reviewed these alternatives, and they were the subject of an in-person and on-line open house. Subsequent refinement of these alternatives located the recommended land uses on particular parcels within the Westside Area to combine the land use program with frameworks for streets, bicycle and pedestrian paths, parks and open space, and water, stormwater, and sewer infrastructure.

### Implementing the Hood River Housing Strategy

The Hood River Housing Strategy reiterates the major findings of the HNA and provides policy recommendations. Table 1 below lists the actions identified in the Hood River Housing Strategy and their applicability to the Westside Area Concept Plan. For potential code changes noted below, it is recognized that the City will evaluate whether changes should be uniquely applied in the Westside Area, or applied citywide. The Westside project’s draft code recommendations will be a toolbox to work from.

Table 1: Implementing the Housing Strategy

Strategy 1: Increase the efficiency of use of land within the Hood River UGB	
<p><b>Action 1.1:</b> Identify land to rezone to allow additional moderate-and high-density single family detached and multifamily development. Specifically:  <i>"The City should focus on land that is vacant, along transportation corridors, in areas with current or planned water and wastewater service, and in a location that will not disrupt existing neighborhoods."</i></p>	<p>The Westside Area Concept Plan implements this action by re-designating roughly 30 acres of R-1/R-2 land to R-3. The proposed R-3 lands are:</p> <ul style="list-style-type: none"> <li>• On parcels that are mostly or entirely vacant vacant acreage</li> <li>• Distributed among each of the three planned neighborhoods of the Westside, so multi-family is not concentrated in one area</li> <li>• Located on collector and arterial streets</li> <li>• Within walking distance of Westside Elementary and the proposed future school in the Middle Terrace neighborhood</li> <li>• Along or within ¼ mile of future transit service</li> <li>• Primarily in undeveloped area so that transitions to adjacent uses and neighborhoods can be designed</li> <li>• All readily served by planned water and sewer services</li> </ul> <p>The Plan also includes selected areas where existing R-2 lands would be revised to a new “R-2A” designation. With code changes, these lands will be available for a range of housing types, including clustered development, duplexes, and</p>

	townhomes.
<b>Action 1.2:</b> Allow townhouses as a permitted use in R-2 and R-3	Allowed, subject to standards.
<b>Action 1.3:</b> Reduce the lot size in the R-1 zone to 5,000 Square Feet	Changes to minimum lot size in R-1 have not been discussed by the Committees. The project team views retention of the existing R-1 minimum lot size as consistent with transect strategy for the Westside.
<b>Action 1.4:</b> Reduce lot size in the R-2 zone  <i>"The City should consider allowing a minimum lot zone of between 4,000 and 2,500 square feet."</i>	The Westside Area Concept Plan evaluated two options to implement Action 1.4, reducing the minimum lot size from today's 5,000 SF to either 4,000 SF or 3,000 SF. To date, the plan has envisioned the creation of a new zone called "R-2A" rather than reducing the minimum lot size for all existing properties zoned R-2. R-2A would have a minimum lot size of 4,000 square feet. R-2's minimum lot size would be retained at the current 5,000 square feet.
<b>Action 1.5:</b> Revise Planned Unit Development (PUD) Ordinance	No changes are proposed for the PUD code. New provisions such as lot size flexibility, cottage clusters, etc. are proposed and would be available to applicants proposing PUDs.
<b>Action 1.6:</b> Develop a cottage code to allow development of denser single-family detached housing	Provisions for cluster subdivisions, cottage court developments, and co-housing are part of the working code amendments.
<b>Action 1.7:</b> Revise Accessory Dwelling Units ordinance	No changes are proposed as part of the Westside project.
<b>Action 1.8:</b> Revise Manufactured Park Standards	No changes are proposed as part of the Westside project.
<b>Strategy 2: Regulate and Manage Secondary and Short Term Rental Housing</b>	
This strategy is being implemented through a separate process	
<b>Strategy 3: Develop Affordable Housing</b>	
<b>Action 3.1:</b> Identify publicly-owned properties that could be used for affordable housing and partner with the Mid-Columbia Housing Authority to develop affordable housing	The Westside Area contains a parcel owned by Hood River County. The Concept Plan explicitly calls out the parcel for the development of affordable housing and provides streets, parks and open space, bicycle and pedestrian access, and other infrastructure to support the site.
<b>Action 3.2:</b> Establish a policy that notifies and allows local governments or qualified nonprofits the right of first refusal on surplus or tax delinquent private properties.	The Westside Area Concept Plan does not address this action.

<b>Action 3.3:</b> Explore or encourage flexibility and variances to parking standards...	The Westside Area Concept Plan will include zoning code changes to encourage "missing middle" and affordable housing products, including suggested revisions to parking standards.
<b>Action 3.4:</b> Consider and encourage use of Tax Increment Financing in the Urban Renewal Areas	The Westside Area is not an urban renewal area, and the Concept Plan does not address this action.
<b>Action 3.5:</b> Work with a nonprofit in development of a community land trust to support development primarily of owner-occupied housing	The Mid-Columbia Housing Authority is represented on the Technical Advisory Committee of this project, and discussions of "land banking" have taken place. A Comprehensive Plan implementation strategy is proposed supporting land banking in the Westside Area.
<b>Action 3.6:</b> Identify sources of funding to support government-subsidized affordable housing development.	The Concept Plan process has included conversations about a wide array of tools to support affordable housing development. These tools are within the proposed Comprehensive Plan implementation strategies
<b>Action 3.7:</b> Develop a tax program...to promote development of affordable and market-rate multifamily housing.	
<b>Action 3.8:</b> Develop a program to defer systems development charges and other fees for affordable housing development.	
<b>Action 3.9:</b> Evaluate the need for and benefit of an affordable housing ordinance.	
<b>Action 3.10:</b> Develop policies to encourage the use of durable, long-lasting building materials and energy efficient designs for development of affordable housing.	The Concept Plan does not address this action.

### Housing Mix in the Revised Land Use Plan (8.7.17) and Citywide

As part of the Westside Area Concept Plan process, the project team evaluated development potential under various plan alternatives based on assumptions for housing density and development types from the Land Use Programs memo and Housing Needs Analysis. Table 2 describes the estimated capacity and housing mix of the Westside Area under the Revised Land Use Plan (8.7.17), which is depicted in Figure 1. Housing capacity estimates are used to ensure adequate public infrastructure will be available to serve new development. However, actual development may be less intense than the infrastructure is planned to accommodate.

Table 3 adds this estimated capacity of the Westside Area to the citywide totals used in the HNA. Note that the citywide count of dwelling units is based on the American Communities Survey (ACS)<sup>4</sup>, which has a margin of

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<sup>4</sup> 2009-2013 American Community Survey 5-Year Estimates; B25024

error of roughly 7% for the City of Hood River. Housing mix planning and estimates are not an exact science. Rather, they are planning policy applied to the land that are implemented through a combination of market forces and public and private investments. In this context, the proposed housing mix for the Westside Area would move the City very close to the overall HNA target of 55% single family detached, 10% single family attached, and 35% multifamily units overall. This table also does not take into account any possible future development of other areas of the City outside the Westside.

Figure 1. Map of the Revised Land Use Framework – 8.7.2017

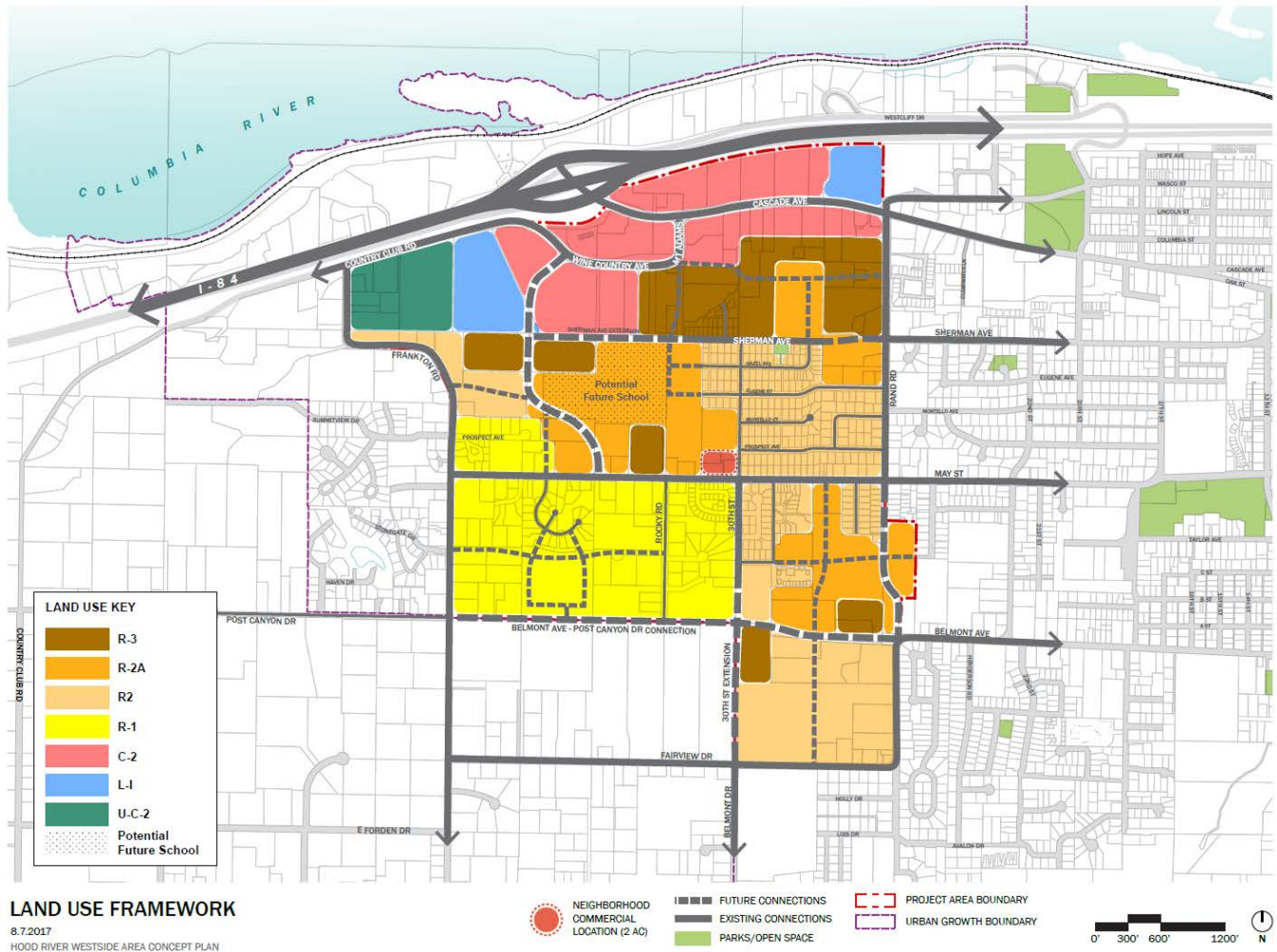


Table 2. Housing mix in the Revised Land Use Framework – 8.7.17.

Zoning Designation	Gross Density	Acres (Minus Assumed Parks)	Total Units (Including approved developments)	Unit Types*		
				SFD	SFA	MF
R1	5.3	41.8	<b>206</b>	206	0	0
R2	7.7	37.0	<b>288</b>	158	75	55
R2A	8.4	51.05	<b>429</b>	227	116	86
R3	20.3	38.93	<b>790</b>	0	158	632
<b>TOTAL</b>	-	<b>168.78</b>	<b>1713</b>	591	349	773
				<b>35%</b>	<b>20%</b>	<b>45%</b>
SFD = Single Family Detached; SFA = Single Family Attached (Townhouse); MF = Multi-family including duplexes, triplexes and apartments.						

Table 3. Citywide Housing Mix

Citywide (source: ACS 2009-2013)			
SFD	SFA	MF	TOTAL
2,187	121	1,233	3,541
61.8%	3.4%	34.8%	
Westside Area Plan			
SFD	SFA	MF	TOTAL
593	342	768	1,703
New Citywide			
SFD	SFA	MF	TOTAL
<b>2,780</b>	<b>463</b>	<b>2,001</b>	<b>5,244</b>
<b>53%</b>	<b>9%</b>	<b>38%</b>	



# Memorandum



Updated December 19, 2017

**To:** Technical and Project Advisory Committees  
**Cc:** Project Management Team  
**From:** Joe Dills and Andrew Parish, Angelo Planning Group  
**Re:** Housing Implementation for the Westside Area Concept Plan

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## INTRODUCTION

The purpose of this memo is to provide initial information related to an important question that has been raised by participants in the Westside Area Concept Plan (Concept Plan) process: “How will workforce and affordable housing objectives be implemented by the Concept Plan?” From the perspective of advocates for a strong approach to delivering workforce and affordable housing, the question has taken several forms, such as: “How will the Concept Plan assure workforce and affordable housing is built” and “Are there ways to include in the plan specific price point targets for the planned units in order to ensure that affordable housing is actually built, not just allowed by the zoning?” These are important questions for the TAC and PAC to discuss.

This memo is intended as an issue-recognition and thought-starter memo. It is not a research paper on housing implementation. Four topics are addressed in this memo:

- What are the stated objectives for workforce and affordable housing for the Concept Plan?
- What are the strategies in the Concept Plan?
- What can zoning do to deliver workforce and affordable housing?
- Besides zoning, what other opportunities are there?

## OBJECTIVES

The Concept Plan is funded by a grant from Oregon’s Transportation and Growth Management (TGM) Program. The grant has 21 objectives, covering Land Use, Housing, Infrastructure, and Implementation (see Attachment A). The Housing objectives are:

### *Housing*

- Facilitate development of variety of housing types including affordable and workforce housing for long-term residents.
- Increase the supply of affordable and workforce housing for fulltime residents while ensuring features are incorporated that make neighborhoods livable, attractive, and desirable.

- Identify land to be rezoned for additional moderate- and high-density single-family and multifamily housing consistent with City Housing Strategy Action 1.1. The objective is not simply to increase density, but to recommend appropriate density in appropriate locations.
- Develop implementing code provisions for the project including to incentivize affordable and workforce housing.
- Recommend finance strategies for the provision of affordable and workforce housing.

In addition, the Vision Statement and Guiding Principles for the project also reference housing. The full vision statement is copied below and guiding principles are attached (see Attachment B).

*The Westside Area will grow to become an interconnected community of great neighborhoods, an attractive gateway of commercial and mixed use activity, and an affordable and diverse area of the City. The Westside’s hallmarks will be:*

- *Housing options that provide choices for all income levels, life stages, and cultures within Hood River*
- *Streets, trails, and paths that are walkable, connected, and green*
- *Neighborhood design that celebrates the landforms, views, and magnificent landscape of Hood River*
- *Open spaces and parks that support community gathering and a connection to nature*

*The Westside Area will be an integral part and extension of the larger Hood River community.*

In short, the Concept Plan is intentionally ambitious, comprehensive, and places a priority on workforce and affordable housing.

## CONCEPT PLAN STRATEGIES

What are the strategies in the Concept Plan? They include:

- Increase housing capacity.
  - Existing zoning (Base Case) – assumes maximum of 1133 new dwellings
  - Concept Plan Scenarios – present a range from 1,579 to 1,713 new housing units (an increase of 39% to 51%)
- Increase the amount of “missing middle” housing.<sup>1</sup>
  - Base Case – 14% Multifamily; 9% Attached Single-Family; 77% Detached Single-Family
  - Concept Plan Scenario A – 45% Multifamily; 20 % Attached Single-Family; 35% Detached Single-Family
- Diversify the mix of housing in each of the three planned neighborhoods. In Scenario A, R-3 zoned lands are increased and distributed to each of the Middle Terrace, Upper Terrace and West Neighborhoods.
- Inclusion of Neighborhood Commercial sites to help reduce reliance on auto travel.

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<sup>1</sup> Based on assumptions by zone in the Hood River Housing Needs Analysis, Table 5

- e. Emphasis on walkable and connected neighborhoods to reduce reliance on auto travel.
- f. Integration of land use with planned transit.
- g. Reduction in cost per unit for infrastructure. This is a potentially significant cost-saving strategy for land development. For water, sewer and storm water utilities, the cost of infrastructure to serve the Westside area is relatively fixed, but the number of dwellings generating infrastructure funding revenue is substantially increased.
- h. Support development of the County-owned 2-acre parcel for affordable housing.
- i. Potential housing bonuses for a guarantee of workforce and affordable housing (sometimes called “voluntary inclusionary zoning”).
- j. Potential code changes (e.g. minimum density requirements). Please see draft Concept Plan Report for other residential code strategies and commercial code strategies.

The above-listed strategies focus on housing capacity, land development efficiency and flexibility, removing barriers, and providing incentives. It is implicit in the above strategies that the City will continue to work with partners such as Mid-Columbia Housing Authority, Aging in the Gorge Alliance, Oregon Housing and Community Services, and Oregon Regional Solutions.

## ZONING AND AFFORDABLE HOUSING

What can Hood River’s land use regulations do to deliver workforce and affordable housing in the Westside Area, consistent with the vision for the Concept Plan?

The answer to the above question begins with the City stating its goals for the Westside, and how the City views such implementation from a city-wide perspective. For brevity in this memo, the Westside application is discussed below. As noted above, this is a vast and complex topic. The purpose here is only to introduce policy options for discussion by the project committees.

If the goal is to ensure that all or part of the Westside’s housing is built at price points that meet workforce and affordability targets in Hood River, the primary tool is called **inclusionary zoning**. As stated in a recent report by the City of Portland, where inclusionary zoning has been adopted as a tool in the zoning code, statutory authority for inclusionary zoning is relatively new to Oregon:

“In March 2016, the Oregon State Legislature passed Senate Bill 1533 which permits cities and counties to adopt land use regulations or impose conditions for approval of permits to require affordable housing of up to 20 percent of units in multi-family structures in exchange for one or more developer incentives that are identified in SB 1533. In addition to the inclusion rate cap of 20 percent of units in a project, SB 1533 creates a project size threshold of 20 or more multi-family units and income level restrictions of a mandatory inclusionary housing program for 80 percent or higher Median Family Income (MFI).”<sup>2</sup>

So, the practical questions are: is the City’s goal to assure workforce and affordable housing through zoning, and if so, does it want to determine how inclusionary zoning would be adopted in Hood River? This is clearly a big question for City policy makers and the community to discuss. Development of such a program is beyond the scope of the Westside Area Concept Plan, but could be recommended for further consideration if the

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<sup>2</sup> Inclusionary Housing Zoning Code Project, City of Portland, page 1, <https://www.portlandoregon.gov/bps/article/590320>

community wants to evaluate it. The City of Portland needed approximately one year to develop an inclusionary housing program, informed by a panel of housing experts.

If the goal is to support and encourage that workforce and affordable housing is built in the Westside area, then the tools are the draft strategies listed above in a – j. Strategies a – j are examples of zoning amendments that are within the scope of the Westside Area Concept Plan project.

A key point is that the two goals discussed above are not mutually exclusive. Rather, they are two points along a continuum of policy approaches where multiple complementary tools could be employed by the City. A hybrid policy approach could be to:

- a. Adopt zoning code updates that supports and encourages workforce and affordable housing for the Westside (or the city as a whole), through strategies such as a – j above.
- b. Work with project partners to assure delivery of affordable housing on project-specific basis (e.g. the 2-acre parcel owned by Hood River County, and others like it).
- c. Consider participating in other proactive programs, incentives and advocacy efforts, such as:<sup>3</sup>
  - Construction Excise Tax for affordable housing development
  - Community land trust for affordable, owner-occupied housing
  - Advocacy for government (federal, state, local) subsidies for affordable housing
  - System Development Charge waivers or significant reductions (example: 75% reduction)
  - Defer payment of System Development Charges to date of occupancy
  - Property tax exemption for low-income housing<sup>4</sup>
  - Property tax exemption for non-profit corporation, low-income housing
  - Property tax exemption for multi-unit housing
  - Property tax exemption for housing in distressed areas
  - Property tax freezes on rehabilitated housing
  - Affirmatively further fair housing<sup>5</sup>
  - Partnership with employers to create housing solutions for workers in Hood River

## CASE STUDIES

Attachment C describes affordable housing strategies and programs underway in several other Oregon cities.

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<sup>3</sup> Source: Mid-Columbia Housing Authority and Columbia Cascade Housing Corporation, edited for clarity. Some actions may be by entities other than the City. Feasibility research has not been conducted for this memo.

<sup>4</sup> See also Hood River Housing Strategy #3, regarding Multiple Unit Limited Tax Exemption Program, and Appendix B which notes the Vertical Housing Tax Abatement for mixed use.

<sup>5</sup> Additional information available at:

[https://www.huduser.gov/portal/sites/default/files/pdf/AFFH\\_Final\\_Rule\\_Executive\\_Summary.pdf](https://www.huduser.gov/portal/sites/default/files/pdf/AFFH_Final_Rule_Executive_Summary.pdf)

## Attachment A

### Hood River Westside Area Concept Plan

#### Transportation and Growth Management Grant - Objectives

##### *Land Use*

- Develop a Concept Plan, anticipating near-term development in the Gateway area.
- Apply smart growth development strategies including those defined in the Transportation and Growth Management *Smart Development Code Handbook*: 1) efficient use of land resources, 2) full utilization of urban services, 3) mixed use, 4) transportation options and 5) detailed, human scaled design. Smart growth development strategies must be implemented to reduce reliance on automobiles for short trips within the Project area, and between the Project Area and surrounding development.
- Evaluate the potential for additional neighborhood commercial and mixed-use development to serve residents in the Project Area.
- Integrate existing and potential school sites as nodes and focal points; and provide community park(s) and open space.
- Result in a plan that when implemented results in attractive and resilient development.

##### *Housing*

- Facilitate development of variety of housing types including affordable- and workforce housing for long-term residents.
- Increase the supply of affordable- and workforce housing for fulltime residents while ensuring features are incorporated that make neighborhoods livable, attractive, and desirable.
- Identify land to be rezoned for additional moderate- and high-density single-family and multifamily housing consistent with City Housing Strategy Action 1.1. The objective is not simply to increase density, but to recommend appropriate density in appropriate locations.
- Develop implementing code provisions for Project including to incentivize affordable and workforce housing.
- Recommend finance strategies for the provision of affordable and workforce housing.

##### *Infrastructure*

- Identify transportation facilities needed for circulation of motor vehicles, pedestrian and bicycle connectivity.
- Improve efficiency in use of land and public infrastructure.
- Encourage use of alternative modes of transportation; including planning pedestrian and bicycle facility networks.
- Integrate stormwater infrastructure in open spaces and creeks where appropriate while attempting to protect and enhance the creeks' natural resource values.
- Determine the transportation infrastructure costs for planned projects including updating the 2011 City TSP projects within the Project Area and County TSP, as needed.

- Recommend updates to the 2011 City TSP and 2011 County TSP project lists and associated System Development Charges (“SDC”) based on street-, pedestrian- and bicycle projects identified as part of the Project.
- Identify infrastructure cost estimates and methods to distribute on-site and off-site infrastructure costs.

### *Implementation*

- Recommend changes to the UGA to facilitate plan implementation.
- Recommend conditions under which annexation can occur.
- Recommend 2011 City TSP and County TSP amendments and refinements in order to facilitate the Project recommendations.
- Prepare recommendations for City and County Planning Commission, City Council, and County Board consideration respectively, including City and County Comprehensive Plan and Zoning designations, Comprehensive Plan Policy and zoning ordinance amendments, and facility standards to implement the Preferred Alternative for land use and transportation for the Westside Concept Plan.

## Attachment B

### Hood River Westside Area Concept Plan

#### Vision and Guiding Principles

#### Vision

***The Westside Area will grow to become an interconnected community of great neighborhoods, an attractive gateway of commercial and mixed use activity, and an affordable and diverse area of the City. The Westside’s hallmarks will be:***

- ***Housing options that provide choices for all income levels, life stages, and cultures within Hood River***
- ***Streets, trails, and paths that are walkable, connected, and green***
- ***Neighborhood design that celebrates the landforms, views, and magnificent landscape of Hood River***
- ***Open spaces and parks that support community gathering and a connection to nature***

***The Westside Area will be an integral part and extension of the larger Hood River community.***

#### Guiding Principles

The Hood River Westside Area Concept Plan will:

- A. Create livable neighborhoods that make good use of the Westside’s limited land supply.
- B. Create well-planned and commercially successfully mixed use districts in the Westside gateway area.
- C. Create a plan that works for all ages and abilities of the community.
- D. Provide a range of densities and housing types, increasing affordable housing choices in Hood River.
- E. Incorporate natural features and a sense of place into each neighborhood and district.
- F. Include open space and parks integrated in neighborhoods.

- G. Provide a connected transportation network with walkable, bike-friendly, and green streets.
- H. Promote active and healthy living through community design.
- I. Plan land uses and transportation facilities so the area may be served by fixed route transit in the future.
- J. Integrate Westside Elementary School and future new schools as key community places.
- K. Promote human-scaled building designs.
- L. Plan for efficient water, sewer, and stormwater infrastructure, utilizing green practices for stormwater management.
- M. Provide a realistic infrastructure funding strategy

### Guiding Process Principles:

The planning process will:

- N. Provide an open and transparent planning process.
- O. Embrace cultural and community diversity throughout the plan and planning process.

## Attachment C

### Case Studies – Affordable Housing Strategies in Other Oregon Communities

At the April 26, 2017 PAC meeting, committee members requested information about how other communities in Oregon are addressing affordable housing. Case studies from three communities are listed below, along with links to further information. Strategies listed in these documents generally fall into two buckets: Those that are implemented through the land use framework of the comprehensive plan and development code, and those that are programs or partnerships outside of that framework.

#### The Dalles

The [2017 City of The Dalles housing strategy report](#) summarizes a variety of local housing issues and the strategies that are recommended to address them.

##### Comprehensive Plan/Development Code strategies:

- Updating the City’s Comprehensive Plan. These updates include expanded goals and policies related to providing an increased variety of housing types, the locations of high-density housing, and affordable/workforce housing goals and policies.
- Amending the City’s Land Use and Development Ordinance (LUDO). These amendments include revising standards to ensure compact, multi-family development is feasible on a wider range of sites, adding density or height bonuses for affordable housing, reduce minimum parking requirements where it may support affordable housing, enabling Accessory Dwelling Units, cottage cluster housing, and cohousing. The report also recommends looking into inclusionary zoning requirements and short-term rental regulations, but acknowledges that these require further study.
- Future planning for new residential development and redevelopment. These strategies include limiting single-family housing in high density zones, incentivizing high-density housing where appropriate through expedited development review or SCD waivers, and expanding areas of RM zoned land.

##### Other Strategies

- Non-regulatory and funding strategies include: Information sharing with housing developers and other community partners to streamline the development process, support for local and regional housing efforts, and providing funding for key projects where possible.

In addition to this report, an “Implementation Roadmap” was prepared to provide timetables, key decisions, and other considerations to putting these strategies into action.

#### Newberg

The City of Newberg’s [2009 Affordable Housing Action Plan](#) lists the following steps:

##### Comprehensive Plan/Development Code strategies:

- Amend Newberg Comprehensive Plan Goals and Polices. Language is included that defines affordable housing, and lists various aspirational “should” language.



- Retain existing supply of affordable housing. This strategy centers around rehabilitating housing and discouraging conversion of manufactured dwelling parks.
- Insure an adequate land supply for affordable housing. This strategy includes re-zoning land to medium- and high-densities that can accommodate the development of more affordable housing.
- Change development code standards. The plan calls for revisiting development code standards that result in lower-density and less efficient development. Changes suggested include a “Flexible Development Track” to provide flexibility on some standards for developers who commit to affordable housing. Many specific code changes are suggested in this strategy.
- Amend development fee schedule to reduce fees for affordable housing.

#### Other strategies:

- Develop and support public and private programs. This strategy lists several suggestions including creating a housing trust fund, providing property tax abatements, expand home ownership and counseling program, partnerships with non-profits, supporting local Community Development Corporations, and a handful of other miscellaneous items.

### Tillamook

A 2017 Tillamook County report titled “[Creating a Healthy Housing Market for Tillamook County](#)” makes the following recommendations:

#### Comprehensive Plan/Development Code strategies:

- Zoning Changes. Selected re-designation of appropriate areas throughout the county from exclusive single-family zones to allow for multifamily development.
- Affordable housing incentive. The report recommends allowing a developer to increase densities or bonuses for the inclusion of affordable/workforce housing.
- Accessory Dwelling Units. Allowing ADU’s in more coastal communities. According to the report, these laws face the same challenges and concerns as Hood River – concern about short-term rentals and appropriateness of ADU’s in some neighborhoods.

#### Other Strategies:

- Employer-Assisted Housing. The report recommends pursuing employer-led housing development for their workforces through staff support, fast-tracking development approvals, and changes to zoning regulations. Employers may also be able to offer land or other property rather than developing housing on their own.
- Public-private partnership. The report suggests examining opportunities to use publicly-owned land in partnership with developers and non-profit partners in order to produce below-market-rate housing. This may be similar to what is suggested for the Hood River County-owned parcel in the Westside Area.
- SDC Deferral. Tillamook is considering a strategy of deferring payment of Systems Development Charges for low- or moderate-income housing units for 5-10 years, eliminating some upfront costs associated with housing construction.
- Restructure Transient Lodge Tax (TLT) to allow funds to go toward workforce housing development. Tillamook County Commissioners may pursue “tourism based workforce housing” as an expense associated with tourism and apply some of the TLT revenue towards seed money for workforce housing development.

- Community-wide Land Trust. A community land trust (CLT) is an independent, not-for-profit corporation. Typically, CLTs acquire land or are deeded land from a municipality or county to provide land for housing development that meets one or more local needs, including affordability. The CLT does not sell the land, but rather leases land to those who intend to build a house on the property. In this way, the CLT keeps the cost of homeownership to a minimum by taking land costs out of the mortgage equation
- Construction Excise Taxes. Tillamook County is also planning for August 2017 adoption of both commercial and residential Construction Excise Taxes in the amount of 1% of the value of improvements, as authorized by the 2016 passage of Senate Bill 1533. As currently drafted, the tax imposed on residential improvements will be distributed as follows:
  - 15% of net revenue will be remitted to the Oregon Department of Housing and Community Services to fund home ownership programs;
  - 50% of net revenue will be transferred to the Community Development Workforce Housing Fund to fund finance-based incentives for programs that require affordable housing; and
  - 35% of net revenue will be transferred to the Community Development Workforce Housing Fund to support the production and preservation of affordable housing units at, and below, 80% median family income.

Further, the current draft calls for 100% of net revenues received from the tax imposed on commercial improvements to be distributed to the Community Development Workforce Housing Fund to support the production and preservation of workforce housing units at or below 200% median family income.

## *Appendix D: Draft Code Amendments*

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1. Overview Memorandum
2. Chapter 17.01 – General Provisions
3. Chapter 17.03 – Land Use Zones
4. Chapter 17.04 – Supplementary Provisions
5. Chapter 17.16 – Site Plan Review
6. Chapter 17.19 – Townhouse Projects
7. Chapter 17.23 – Accessory Dwelling Units (ADU)

# Memorandum



12/28/2017

**To:** Hood River Westside Area Concept Plan Project Advisory Committee and Interested Parties  
**Cc:** Project Management Team  
**From:** Joe Dills and Becky Hewitt, Angelo Planning Group  
**Re:** Development Code Implementation for the Westside Area Concept Plan: Public Review Draft 1

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## OVERVIEW

The project team has drafted amendments to the Hood River Zoning Ordinance to implement the Hood River Westside Area Concept Plan. Some potential changes are specific to the Westside Area and others could be applied citywide, if the City so chooses.

This memorandum summarizes the draft code concepts. The ideas are organized below by topic, with the purpose and intent for the change followed by a summary of how the change is implemented in the draft code amendments.

## RESIDENTIAL ZONES AND DEVELOPMENT

### Maximum and Minimum Density for Land Divisions

#### *Purpose and intent:*

- Provide a method to calculate the maximum number of lots that can be created through a land division that is more predictable (easier to estimate before a detailed layout is complete) and offers some flexibility on the size of individual lots within a subdivision without changing the total number of lots permitted (“lot size averaging”).
- Establish a minimum number of lots that can be created through a land division to ensure efficient use of residential land.

#### *Draft Code Concept Summary:*

- Calculate the maximum and minimum number of lots in a way that allows, but does not require, density transfers from significant natural resource areas and other constrained land by including constrained land when calculating maximum, but not minimum, density and allowing smaller lot sizes when constrained land is preserved in its own tract.
- Account for right-of-way dedication for future streets in a way that encourages providing a connected local street network (which may require more land for right-of-way).
- For land divisions (except for townhouse projects, which have their own density standards), regulate the number of lots/parcels that can be created rather than dwelling units so that new regulations don’t interfere with existing standards allowing duplexes and townhomes.

- Set maximum density for each zone based on current minimum lot size standards.
- Set minimum density for each zone in a way that does not create “gaps” in the allowed density between different residential zones (e.g. the minimum for one zone is the same as or just above the maximum of the lower density zone).

## Lot Size Standards

### *Purpose and intent:*

- Reduce the minimum lot size for certain housing types in certain zones to enable more efficient use of residential land

### *Draft Code Concept Summary:*

- Allow a small amount of lot size flexibility for single family detached housing in the R-1 and R-2 zones without changing the overall density
- Create a new R-2.5 zone for use in the Westside Concept Plan area with a lower minimum lot size of 4,000 square feet (vs. 5,000 square feet for R-2) for a single family home, duplex, or townhome building (with two attached units)
- Reduce the minimum lot size for single family detached housing in the R-3 zone to allow small-lot detached housing. (Minimum density requirements apply.)
- Slightly reduce the minimum lot size for duplexes, triplexes, multifamily and townhomes in the R-3 zone

## Affordable Housing Incentives

### *Purpose and intent:*

- Provide affordable housing incentives in the form of modified development standards that make it easier to build affordable housing (including projects consisting of all affordable housing units as well as mixed income projects).

### *Draft Code Concept Summary:*

- Make incentives available to projects that provide a certain level of affordability (housing costs are no more than 30% of the annual household income for a household making less than 60-80% of the county median income).
- Require that projects that take advantage of the incentives enter into legal agreements with the City that ensure that affordability is delivered and maintained over a certain period of time (e.g. 20-50 years).
- Offer a density bonus that increases with the number of affordable units up to some maximum (e.g. up to 25-50% above the maximum for the zone – the amount of the bonus is a policy judgement).
- Offer reduced parking requirements for affordable housing units.

## Flexibility and Innovative Housing Types

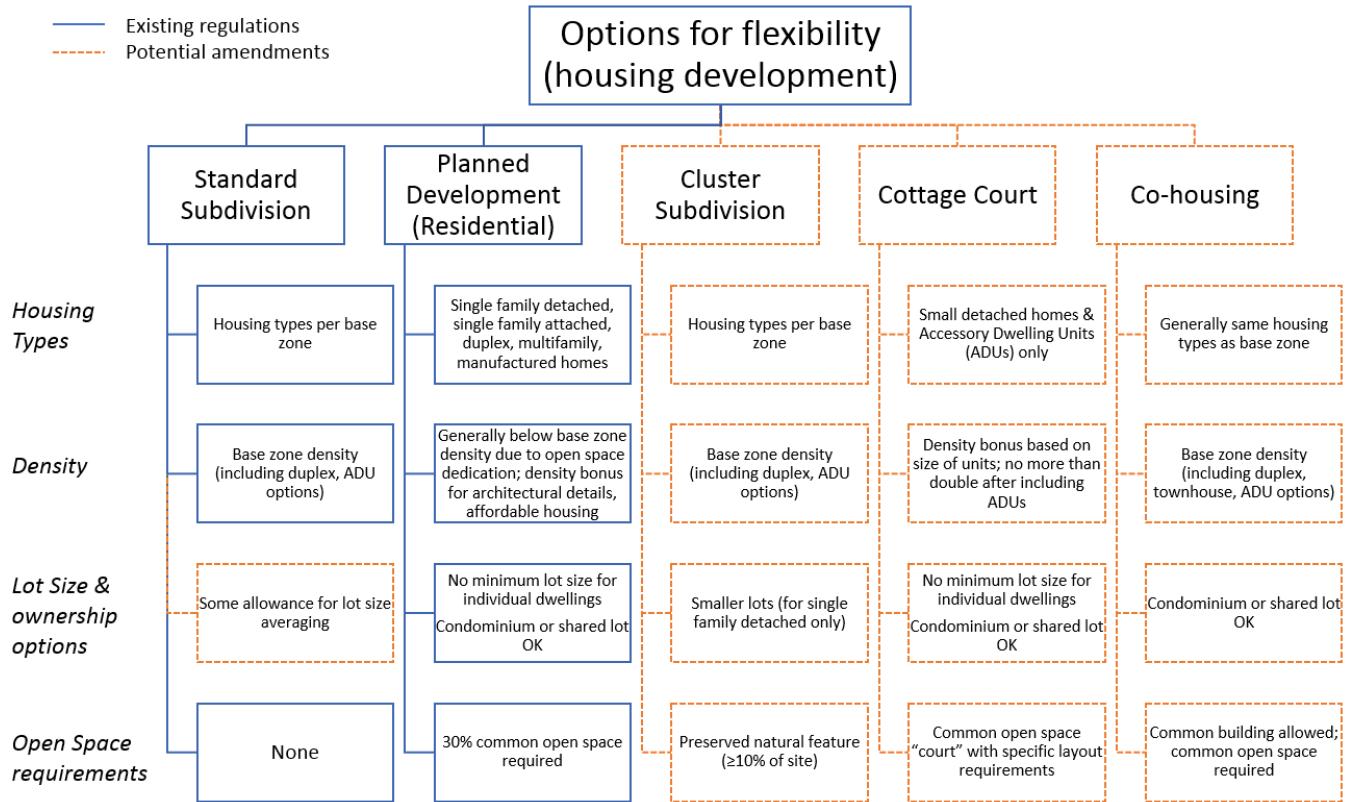
### *Purpose and intent:*

- Ensure that cohousing, cluster housing, cottage housing and other innovative housing types are clearly permitted by the code without the need to go through a Planned Development process (which can be time-consuming, expensive and requires a public hearing).
  - Cluster subdivisions are intended to allow reduced lot sizes for developments that will preserve an on-site natural feature, without changing overall density of the development.

## DRAFT CODE AMENDMENTS

- Cottage court housing standards are intended to enable small detached homes in clusters around a common green as an alternative to standard subdivisions.
- Cohousing standards are intended to provide flexibility for cohousing developments to arrange various types of units on a common lot, to include a common house and shared open space in lieu of private yards, and to cluster parking rather than provide individual driveways.

*Public Review Draft 1 Summary:*



- Allow cluster subdivisions in the R-1, R-2, and R-2.5 zones
- Allow Cottage Court developments in the R-1, R-2, and R-2.5 zones
- Allow Co-housing in the R-2.5 and R-3 zones

## Housing Mix

*Purpose and intent:*

- Ensure a mix of housing occurs in larger projects in the R-2.5 and R-3 zones in the Westside area where both detached and attached housing is allowed

*Draft Code Concept Summary:*

- Require that housing types other than single family detached occupy a certain minimum percentage of the land area in subdivisions over 10 acres in the R-2.5 and R-3 zones in the Westside area. The threshold size of 10 acres is intended to allow enough acreage and planned homes to make it workable to provide mix of housing types in the same project.

## Residential Design Standards

### *Purpose and intent:*

- Establish simple, clear and objective design standards for single family homes in the Westside Overlay Zone that:
  - Enhance public safety by ensuring views of the street from inside the residence;
  - Provide for a pleasant pedestrian environment by preventing garages and vehicle areas from dominating the views of the neighborhood from the sidewalk; and
  - Support the creation of architecturally varied homes, blocks and neighborhoods that enhance the character of the development.

### *Draft Code Concept Summary:*

- Require windows facing the street
- Require main entrances to be facing the street or open onto a porch, and not to be recessed too deeply from the front of the house
- Limit the width of garage entrances facing the street and require them to be recessed slightly from the front of the house
- Require use of architectural details that create visual interest (e.g. dormers, eaves, balconies, bay windows, etc.), with options to pick from a list
- Don't allow houses next to each other or across the street to use the same street-facing elevation, in order to ensure some variety in home designs

## PROTECTING NATURAL FEATURES

### Steep Slopes

#### *Purpose and intent:*

- Support retention of the terrace edges in the Westside area to protect property from natural hazards.

#### *Draft Code Concept Summary:*

- Require that development avoid impacts to areas with slopes greater than 25% within the Westside Overlay Zone (except for required roads and utilities).

### Henderson Creek

#### *Purpose and intent:*

- Require a setback from Henderson Creek for open space and trail opportunities.

#### *Draft Code Concept Summary:*

- Require a setback (25 feet) from the centerline of Henderson Creek
- Allow density to transfer from the setback area through lot size flexibility standards and cluster subdivision provisions.

## STREETS, TRAILS, AND PARKS

*Purpose and intent:*

- Ensure that the streets, bicycle and pedestrian connections, and neighborhood parks identified in the Westside Concept Plan frameworks are implemented through development

*Draft Code Concept Summary:*

- Require development within the Westside Overlay Zone to provide streets and bicycle/pedestrian connections consistent with the Transportation System Plan and Westside Area Concept Plan Streets Framework and Bicycle and Pedestrian Connections Framework
- Amendments to the Transportation System Plan and/or subdivision standards (Article 16) may be needed to implement the connectivity, street, and bicycle/pedestrian connection concepts developed through the Concept Plan.
- Provide general direction and methods for establishment of neighborhood parks

## COMMERCIAL DEVELOPMENT AND DESIGN STANDARDS

*Purpose and intent:*

- Ensure that new commercial development is pedestrian-oriented, attractive, and creates interesting streetscapes.

*Draft Code Concept Summary:*

- Apply existing standards for commercial buildings in the C-2 zone that address entrances from the street, maximum setbacks, landscaping, and building design more broadly (e.g. to all commercial development in the Westside Overlay zone, rather than only development with buildings between 25,000 and 50,000 square feet).
- Prohibit new drive-up and drive-through uses and facilities within the Westside Overlay Zone and limit expansion of existing facilities
- Prohibit other uses which are auto-oriented and do not contribute to an active pedestrian environment (e.g. car washes, new gas stations). (Existing uses would be grandfathered.)
- Create a new Neighborhood Commercial zone for a 2-acre site northwest of 30<sup>th</sup> and May.



## 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

## 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.*

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

## 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.*

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.

## 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.*

**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.

## 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.*

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.

## 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.*

### **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.)

## 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.*

**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.

## 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.*

**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.



## 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.*

**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

## 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.*

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.)

## 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.*

**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

## 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.*

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.

## 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.*

### **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.

## 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.*

**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

## 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.*

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

*All edits are preliminary and subject to change.*

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

**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.

## Westside Concept Plan Potential Code Amendments

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### CHAPTER 17.03 - LAND USE ZONES

*Legislative History: Ord. 1488 (1980); Ord. 1498 (1981); Ord. 1559 (1985); Ord. 1565 (1985); Ord. 1660 (1992); Ord. 1661 (1992); Ord. 1663 (1992); Ord. 1668 (1992); Ord. 1669 (1992); Ord. 1670 (1992); Ord. 1671 (1992); Ord. 1672 (1992); Ord. 1681 (1993); Ord. 1682 (1993); Ord. 1690 (1993); Ord. 1691 (1993); Ord. 1698 (1994); Ord. 1717 (1995); Ord. 1718 (1995); Ord. 1921 (1996); Ord. 1974 (1997); Ord. 1774 (1999); Ord. 1810 (2001); Ord. 1816 (2001); Ord. 1817 (2001); Ord. 1819 (2001); Ord. 1820 (2001); Ord. 1903 (2006); Ord. 1904 (2006); Ord. 1912 (2006); Ord. 1920 (2006); Ord. 1925 (2006); Ord. 1928 (2007); Ord. 1933 (2007); Ord. 1994 (2011); Ord. 2001 (2011); Ord. 2004 (2013); Ord. 2015 (2014); Ord. 2026 (2016); Ord. 2036 (2017)*

#### SECTIONS:

- 17.03.010 Urban Low Density Residential Zone (R-1)
- 17.03.020 Urban Standard Density Residential Zone (R-2)
- 17.03.025 Urban Moderate Density Residential Zone (R-2.5)
- 17.03.030 Urban High Density Residential Zone (R-3)
- 17.03.040 Office/Residential Zone (C-1)
- 17.03.045 Neighborhood Commercial (NC)
- 17.03.050 General Commercial Zone (C-2)
- 17.03.060 Light Industrial Zone (LI)
- 17.03.070 Industrial Zone (I)
- 17.03.080 Open Space/Public Facilities Zone (OS/PF)
- 17.03.090 Environmental Hazard Zone (EH)
- 17.03.110 Columbia River Recreational Commercial Zone (RC)
- 17.03.120 Interchange Area Management Plan (IAMP) Overlay Zone
- 17.03.130 Waterfront Overlay Zone
- 17.03.140 Westside Overlay Zone

#### **Commentary:**

For sake of brevity, zones that do not apply within the Westside Concept Plan Area and are not proposed to change in any way are not included in this document. They are shown with asterisks (\*\*\*) below the heading for the zone.

#### 17.03.010 Urban Low Density Residential Zone (R-1)

##### **A. Permitted Uses.**

1. Detached single family dwellings for residential use and accessory structures
2. Manufactured homes for residential use
3. Mobile home parks
4. Residential care facilities

## Westside Concept Plan Potential Code Amendments

*All edits are preliminary and subject to change.*

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5. Transportation facilities pursuant to 17.20.050(A)
6. Public parks, playgrounds, and related facilities in an approved subdivision, subject to site plan review
7. Accessory uses permitted when accessory to residential use:
  - a. Accessory dwelling units subject to HRMC 17.23
  - b. Family day care subject to HRMC 17.04.100
  - c. Home Occupations subject to HRMC 17.04.100
  - d. Hosted homeshares and vacation home rentals subject to HRMC 17.04.115

**B. Conditional Uses.** In the R-1 zone the following uses are allowed subject to the provisions of Chapter 17.06:

1. Planned unit developments
2. Schools and child care centers
3. Public parks, playgrounds, and related facilities
4. Utility or pumping substations
5. Religious Institutions

### **Commentary:**

The draft amendments below are intended to: (a) clarify how the number of permitted lots is determined; and, (b) integrate the concept of minimum density. The intent is here is to clarify the method, without changing the maximum densities permitted in the current code, to help predict density without needing a detailed site layout. The concept of minimum density is intended to support efficient use of land and housing affordability.

The code provisions below retain the zone's minimum lot size, and define the zone's maximum and minimum density (in units per acre). The maximum is derived from a simple calculation of an acre divided by the minimum lot size. The minimum is set based on a percentage that will yield reasonable density and a logical lower limit for the zone. For R-1, the minimum is 4 units per acre, or about 65% of maximum.

The rules for density calculation (deducting streets, constrained lands, etc.) are new standards in 17.04.150. Section 17.04.160 provides standards for flexibility on lot size to allow lot size averaging (without increasing density). Section 17.04.160 also includes provisions for clustering smaller lots to avoid constrained lands while maintaining overall density.

The density numbers below are draft and intended for review by the Planning Commission and City Council.

### **C. Site Development Requirements.**

1. Minimum Lot Size: The minimum lot or parcel size shall be 7,000 square feet, except as provided in HRMC 17.04.070 and HRMC 17.04.160.

## Westside Concept Plan Potential Code Amendments

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2. ~~The minimum requirements for building sites are as follows:~~ Density standards for building sites:

a. ~~The maximum number of lots or parcels that may be created by a land division is determined as specified in HRMC 17.04.150, using a maximum density of 6.2 lots or parcels per acre.~~

b. ~~The minimum number of lots or parcels that may be created by a land division is determined as specified in HRMC 17.04.150, using a minimum density of 4 lots or parcels per acre.~~

~~a.c.~~ Mobile home parks shall have a minimum of 7,000 square feet of building site area per dwelling unit.

~~b.~~ Per dwelling, unit a minimum of 7,000 square feet.

3. Minimum building site frontage:

~~e.a.~~ A minimum frontage of fifty (50) feet on a dedicated public street.

~~d.b.~~ A minimum frontage of thirty (30) feet on a public dedicated cul-de-sac.

~~2.4.~~ Lot Coverage: Pursuant to 17.04.120

**D. Setback Requirements.** The minimum setback requirements shall be as follows:

1. No structure shall be placed closer than ten (10) feet from the nearest public right-of-way line of a dedicated public street.
2. Garages that directly face adjacent streets shall be at least twenty (20) feet from the nearest public right-of-way lines of the dedicated public streets. Garages so constructed to not face an adjacent street may be ten (10) feet from the nearest right-of-way line of the dedicated public street. Detached garages so constructed to not face an adjacent public dedicated alley may be five (5) feet from the right-of-way line.
3. Side yard/rear yard.
  - a. No structure shall be placed closer than six (6) feet from the side property line.
  - b. Structures greater than twenty-eight (28) feet in height shall be eight (8) feet from the side property line.
  - c. No structure shall be placed closer than ten (10) feet from the rear property line.
  - d. Projections may not encroach more than three (3) inches for each foot of required yard setback width.

**E. Maximum Building Height.** Thirty-five (35) feet for all uses except residential development; twenty-eight (28) feet for all residential development.

**F. Parking Regulations.**

1. Individual dwelling units shall be provided with at least two (2) parking spaces on the building site, one (1) of which may be within the required front yard setback area.
2. Parking spaces utilizing access from a public dedicated alley may be located within the setback area.
3. All parking areas and driveways shall be hard surfaced prior to occupancy, under the following circumstances:

## 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.*

- a. New construction
- b. Change of use
- c. New or expanded parking area

G. **Signs.** All signs shall be in conformance with the sign regulations of this title.

### 17.03.020 Urban Standard Density Residential Zone (R-2)

#### A. **Permitted Uses.**

1. Detached single-family dwellings for residential use and accessory structures
- ~~2.~~ Cottage Court developments subject to 17.04.180
- ~~2.3.~~ Cohousing development, subject to 17.04.190

#### **Commentary:**

The proposed amendment above would allow cottage court development (small detached homes clustered around a common open space) in the R-2 zone. Cottage cluster housing tends to be accepted within predominately single family neighborhoods because it is similar in scale and form to typical detached homes, without increasing the permitted density. As with the other draft amendments in Chapter 17.03, the City should discuss whether cottage courts are appropriate city-wide, or zones within the Westside Overlay Zone.

- ~~3.~~ Duplexes for residential use
- ~~4.~~ 5. Manufactured homes for residential use
- ~~5.~~ 6. Mobile home parks subject to 17.12
- ~~6.~~ 7. Residential care facilities
- ~~7.~~ 8. Group residential, if less than fifteen (15) persons
- ~~8.~~ 9. Transportation facilities pursuant to 17.20.050(A)
- ~~9.~~ 10. Public parks, playgrounds, and related facilities in an approved subdivision, subject to site plan review
- ~~10.~~ 11. Accessory uses permitted when accessory to residential use:
  - a. Accessory dwelling units subject to HRMC 17.23
  - b. Bed and breakfast facilities subject to HRMC 17.04.110
  - c. Family day care subject to HRMC 17.04.100
  - d. Home Occupations in accordance with HRMC 17.04.100
  - e. Hosted Homeshares and vacation home rentals subject to HRMC 17.04.115
- ~~11.~~ 12. Townhouse projects for residential use including:
  - a. Two (2) townhouses subject to HRMC 17.19
  - b. ~~F~~four (4) or more townhouses subject to HRMC 17.16 and HRMC 17.19

## Westside Concept Plan Potential Code Amendments

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### B. Conditional Uses.

1. Planned unit developments
2. Schools and child care centers
3. Public parks, playgrounds, and related facilities
4. Utility or pumping substations
5. Religious institutions

### C. Site Development Standards. Except for townhouse projects which are subject to HRMC 17.19, the minimum site development requirements are as follows:

#### Commentary:

Proposed amendments below set separate minimum lot size standards for single family detached vs. duplex. Although both have the same default minimum lot size, lots for single family detached homes are proposed to have more flexibility. A duplex would still be allowed on any lot meeting the minimum lot size standard (as is currently true), but the new lot size reductions would not apply to duplexes.

#### 1. Minimum Lot Size:

- a. The minimum lot or parcel size for a detached single family dwelling shall be 5,000 square feet, except as provided in HRMC 17.04.070 and HRMC 17.04.160.
- b. The minimum lot or parcel size for a duplex shall be 5,000 square feet, except as provided in HRMC 17.04.070. The provisions of HRMC 17.04.160 do not apply to duplexes.

#### Commentary:

As with the R-1 zone, the proposed density standards below are intended to increase clarity and predictability of the number of lots that will result from a subdivision without needing to lay it out in detail. See Commentary box at the beginning of the R-1 zone.

The maximum density is based on the minimum lot size of 5,000 square feet. The minimum density is set at the maximum density of the R-1 zone in order to avoid creating “gaps” where a certain density is not allowed (except by using bonuses) within any zone.

The density numbers below are draft and intended for review by the Planning Commission and City Council.

#### 2. Density standards for building sites: ~~The minimum requirement for building sites: per detached single family dwelling unit or duplex, a minimum of 5,000 square feet.~~

## Westside Concept Plan Potential Code Amendments

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- a. The maximum number of lots or parcels that may be created by a land division (excluding townhouse projects) is determined as specified in HRMC 17.04.150, using a maximum density of 8.7 lots or parcels per acre.
- b. The minimum number of lots or parcels that may be created by a land division is determined as specified in HRMC 17.04.150, using a minimum density of 6.2 lots or parcels per acre.
- a.c. Mobile home parks shall have a minimum of 5,000 square feet of building site area per dwelling unit.

### 1.3. Minimum building site frontage:

- a. ~~3.~~—A minimum frontage of fifty (50) feet on a dedicated public street.
- b. ~~4.~~—A minimum frontage of thirty (30) feet on a dedicated public cul-de-sac.

### ~~2.4.~~—~~5.~~—Lot Coverage: Subject to HRMC 17.04.120.

- D. **Setback Requirements.** The minimum setback requirements shall be as follows:
1. No structure shall be placed closer than ten (10) feet from the nearest public right-of-way line of a dedicated public street.
  2. Garages that directly face adjacent streets shall be at least twenty (20) feet from the nearest public right-of-way lines of the dedicated public streets. Garages so constructed to not face an adjacent street may be ten (10) feet from the nearest right-of-way line of the dedicated public street. Detached garages so constructed to not face an adjacent public dedicated alley may be five (5) feet from the right-of-way line.

#### **Commentary:**

Per staff, the stormwater advisory committee is likely to suggest reconsidering standards such as garage setbacks (above) in order to minimize impervious surfaces.

3. Side yard/ rear yard.
  - a. No structure shall be placed closer than five (5) feet from the side property line.
  - b. Structures greater than twenty-eight (28) feet in height shall be eight (8) feet from the side property line.
  - c. No structure shall be placed closer than ten (10) feet from the rear property line.
  - d. Projections may not encroach more than three (3) inches for each foot of required yard setback width.

- E. **Maximum Building Height.** Thirty-five (35) feet for all uses except residential development; twenty-eight (28) feet for all residential development.

#### F. **Parking Regulations.**

1. Each dwelling unit shall be provided with at least two (2) parking spaces on the building site, one (1) of which may be in the required front yard setback area.
2. Parking spaces utilizing access from a public dedicated alley may be located within the setback area.



## Westside Concept Plan Potential Code Amendments

*All edits are preliminary and subject to change.*

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3. All parking areas and driveways shall be hard surfaced prior to occupancy, under the following circumstances:
  - a. New construction
  - b. Change of use
  - c. New or expanded parking area
4. Bicycle parking as required by 17.20.040.

G. **Signs.** All signs shall be in conformance with the sign regulations of this title.

### 17.03.025 Urban Moderate Density Residential Zone - (R-2.5)

#### **Commentary:**

The proposed new R-2.5 zone would be applied within the Westside plan area, although the City may want to apply it elsewhere. This zone is intended to allow a slightly higher density and slightly broader range of housing types than are allowed in the R-2 zone.

The minimum lot size is proposed to be 4,000 (vs. 5,000 square feet in the R-2 zone). The maximum density has been set to match the 4,000 square foot minimum lot size, which yield a maximum density of 10.9 lots per acre. The minimum density is the same as the R-2 zone (6.2 lots per acre) to avoid creating a gap between R-1 and R-2.5. The R-2.5 zone is also proposed to allow cohousing development in addition to the uses allowed in the R-2 zone. See Commentary box at the beginning of R-1 for an overview of density calculation standards.

The density numbers below are draft and intended for review by the Planning Commission and City Council.

#### **A. Permitted Uses.**

1. Detached single-family dwellings for residential and accessory structures
2. Duplexes for residential use
3. Cottage Court developments subject to 17.04.180
4. Cohousing developments subject to 17.04.190
5. Manufactured homes for residential use
6. Mobile home parks subject to 17.12
7. Residential care facilities
8. Group residential, if less than fifteen (15) persons
9. Transportation facilities pursuant to 17.20.050(A)
10. Public parks, playgrounds, and related facilities in an approved subdivision, subject to site plan review
11. Accessory uses permitted when accessory to residential use:
  - a. Accessory dwelling units subject to HRMC 17.23

## 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.*

- b. Bed and breakfast facilities subject to HRMC 17.04.110
- c. Family day care subject to HRMC 17.04.100
- d. Home Occupations in accordance with HRMC 17.04.100
- e. Hosted Homeshares and vacation home rentals subject to HRMC 17.04.115
- 12. Townhouse projects for residential use including:
  - a. Two (2) townhouses subject to HRMC 17.19
  - b. Four (4) or more townhouses subject to HRMC 17.16 and HRMC 17.19

### **B. Conditional Uses.**

- 1. Planned unit developments
- 2. Schools and child care centers
- 3. Public parks, playgrounds, and related facilities
- 4. Utility or pumping substations
- 5. Religious institutions

### **C. Site Development Standards.** Except for townhouse projects which are subject to HRMC 17.19, the minimum site development requirements are as follows:

- 1. Minimum Lot Size:
  - a. The minimum lot or parcel size for a detached single family dwelling shall be 4,000 square feet, except as provided in HRMC 17.04.070 and HRMC 17.04.160.
  - b. The minimum lot or parcel size for a duplex shall be 4,000 square feet. The provisions of HRMC 17.04.070 and HRMC 17.04.160 do not apply to duplexes.
- 2. Density standards for building sites:
  - a. The maximum number of lots or parcels that may be created by a land division (excluding townhouse projects) is determined as specified in HRMC 17.04.150, using a maximum density of 10.9 lots or parcels per acre.
  - b. The minimum number of lots or parcels that may be created by a land division is determined as specified in HRMC 17.04.150, using a minimum density of 6.2 lots or parcels per acre.
  - c. Mobile home parks shall have a minimum of 4,000 square feet of building site area per dwelling unit.
- 3. Minimum building site frontage:
  - a. A minimum frontage of fifty (50) feet on a dedicated public street.
  - b. A minimum frontage of thirty (30) feet on a dedicated public cul-de-sac.
- 4. Lot Coverage: Subject to HRMC 17.04.120.

### **D. Setback Requirements.** The minimum setback requirements shall be as follows:

- 1. No structure shall be placed closer than ten (10) feet from the nearest public right-of-way line of a dedicated public street.
- 2. Garages that directly face adjacent streets shall be at least twenty (20) feet from the nearest public right-of-way lines of the dedicated public streets. Garages so constructed to not face an adjacent street may be ten (10) feet from the nearest

## 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.*

right-of-way line of the dedicated public street. Detached garages so constructed to not face an adjacent public dedicated alley may be five (5) feet from the right-of-way line.

### 3. Side yard/ rear yard.

- a. No structure shall be placed closer than five (5) feet from the side property line.
- b. Structures greater than twenty-eight (28) feet in height shall be eight (8) feet from the side property line.
- c. No structure shall be placed closer than ten (10) feet from the rear property line.

#### **Commentary:**

With smaller lot sizes, the City may want to consider allowing a reduced rear setback, such as a 5 foot rear setback.

- d. Projections may not encroach more than three (3) inches for each foot of required yard setback width.

### E. **Maximum Building Height.** Thirty-five (35) feet for all uses except residential development; twenty-eight (28) feet for all residential development.

#### **Commentary:**

The City's existing parking requirements for the R-2 zone, which are repeated for the R-2.5 zone below, do not clearly specify the parking required for uses other than dwelling units (e.g. group residential, care facilities). The City may want to provide clarification on those requirements in both zones.

### F. **Parking Regulations.**

1. Each dwelling unit shall be provided with at least two (2) parking spaces on the building site, one (1) of which may be in the required front yard setback area.
2. Parking spaces utilizing access from a public dedicated alley may be located within the setback area.
3. All parking areas and driveways shall be hard surfaced prior to occupancy, under the following circumstances:
  - a. New construction
  - b. Change of use
  - c. New or expanded parking area
4. Bicycle parking as required by 17.20.040.

#### **Commentary:**

Two parking spaces per unit for a duplex, townhouse, or cottage cluster project may be challenge. In addition, parking requirements should be specified for other uses

## 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.*

allowed in the zone (e.g. group residential, care facilities); however, this issue affects all residential zones and establishing parking requirements for such uses is beyond the scope of this project.

### G. Signs. All signs shall be in conformance with the sign regulations of this title.

#### 17.03.030 Urban High Density Residential Zone (R-3)

##### A. Permitted Uses.

1. Detached single-family dwellings for residential use and accessory structures
2. Duplexes and triplexes for residential use

##### Commentary:

The proposed amendment above would allow cohousing development (see definition in 17.01.060) city-wide in the R-3 zone. However, if this causes concern, it could be limited to the R-2.5 zone or to the Westside Overlay Zone.

Note that cottage housing is not proposed to be listed as a permitted use in the R-3 zone, because small-lot detached housing is already allowed up to a fairly high density in the zone without being subject to the cottage housing limitations, and the small size of the cottage housing units is not necessary or particularly appropriate in a zone that also allows 3-story multifamily housing.

3. Multi-family dwellings for residential use, subject to HRMC 17.16
4. Manufactured homes for residential use
5. Mobile home parks subject to HRMC 17.12
6. Residential care facilities
7. Group residential, if fifteen (15) or more persons, subject to site plan review
8. Transportation facilities subject to HRMC 17.20.050(A)
9. Public parks, playgrounds, and related facilities in an approved subdivision, subject to site plan review
10. Accessory uses permitted when accessory to residential use:
  - a. Accessory dwelling units subject to HRMC 17.23
  - b. Bed and breakfast facilities subject to HRMC 17.04.110
  - c. Family day care subject to HRMC 17.04.100
  - d. Home Occupations to subject to HRMC 17.04.100
  - e. Hosted homeshares and vacation home rentals subject to HRMC 17.04.115
11. Townhouse projects for residential use including:
  - a. Three (3) or fewer townhouses subject to HRMC 17.19
  - b. Four (4) or more townhouses subject to HRMC 17.16 and HRMC 17.19.

##### B. Conditional Uses.

## 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.*

1. Hospitals, sanitariums, rest homes, nursing or convalescent home
2. Schools and child care centers
3. Public parks, playgrounds, and related facilities
4. Utility or pumping substations
5. Religious institutions
6. Planned unit developments
7. Professional offices
8. Hostels

C. **Site Development Standards.** Except for townhouse projects which are subject to HRMC 17.19, the minimum site development requirements are as follows:

1. **Minimum Lot Size:** The minimum lot or parcel size shall be ~~5,000~~ 1750 square feet. Adjustments to the minimum lot or parcel size under HRMC 17.04.160 are prohibited.

### **Commentary:**

The proposed amendments above add flexibility to the R-3 Zone. They reduce the minimum lot size for detached housing in the R-3 zone significantly to allow more diversity of housing types/form, while holding the maximum and minimum density constant. Specifically, the intent is to allow small-lot detached housing at densities comparable to the allowed density for attached housing types in R-3. With this approach, a given R-3 could include a mix of apartments, townhomes, and detached cottages. A 1,750 square foot minimum lot size would enable single family detached housing up to nearly 20 units per acre (see below). A 20'x87.5' lot would meet this lot size standard, as would a 22'x80' lot or a 35'x50' lot. A minimum lot size of 2,000 square feet would match the proposed minimum for two townhouses in the R-3 zone, but would limit the maximum density for detached housing to about 17.4 units per acre (see below).

Note that larger minimum lot size standards for other uses, such as multi-family, duplex, triplex, etc., are not needed, because the required land area is established through the density calculations below rather than listing the requirement as a lot size standard.

### 2. Density standards for building sites:

- a. The maximum number of lots or parcels that may be created by a land division (excluding townhouse projects) is determined as specified in HRMC 17.04.150, using a maximum density of 20 lots or parcels per acre.
- a.b. The minimum number of lots or parcels that may be created by a land division is determined as specified in HRMC 17.04.150, using a minimum density of 14 lots or parcels per acre.

## Westside Concept Plan Potential Code Amendments

*All edits are preliminary and subject to change.*

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### **Commentary:**

The proposed maximum density is based on the minimum lot size, above. The proposed minimum density is based on a maximum average lot size between 2,500 square feet and 3,000 square feet. The goal of setting such a high minimum density for detached housing is to ensure that the available land in the high density zone is developed efficiently with housing that is likely to be more affordable due to lower land costs. There are plenty of opportunities in the R-2 and R-2.5 zones for detached housing on 4,000 square foot and larger lots. The minimum density may need to be even higher than shown above to ensure efficient use of the R-3 zone and to encourage attached housing.

- c. Mobile home parks shall have a minimum of 2,500 square feet of building site area per dwelling unit.
- d. Multi-family dwellings, duplexes, and triplexes shall have a minimum of 4,000 square feet of building site area for the first two dwelling units, and 1,500 square feet for each additional dwelling unit.

### **Commentary:**

The proposed amendments above increase the maximum density for multifamily, duplex, and triplex slightly, by reducing the required land area for the first two units. The proposed areas above would match the proposed minimum land area per unit for townhomes in the R-3 zone (see 17.19). The land area per unit requirements above translate to about 22 to 28 units per acre, depending on the size of the development. This is in line with typical garden apartment densities.

~~B. Minimum requirement for building sites: Per detached single dwelling unit or duplex, a minimum of 5,000 square feet. Each unit thereafter shall require an additional 1,500 square feet.~~

### 3. Minimum building site frontage:

- a. ~~3.~~ A minimum frontage of ~~fifty-eighteen~~ (18) feet on a dedicated public street.
- b. ~~4.~~ A minimum frontage of ~~thirty-fifteen~~ (3015) feet on a dedicated public cul-de-sac.

### **Commentary:**

The proposed reductions in minimum frontage above are intended to enable smaller detached lots that are more like townhouse lots for detached homes. If the lot size is set below 2,000 square feet for detached housing, the minimum frontage should be reduced to 18'.

~~2.4.5.~~ Lot Coverage: Subject to HRMC 17.04.120

## 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.*

### **Commentary:**

With smaller lots for detached dwellings, the City may want to drop lot coverage standard in R-3, which already don't apply to multifamily. However, even in the absence of maximum lot coverage standards, stormwater management requirements (LID) may affect maximum coverage depending upon how developers choose to address stormwater standards.

### **D. Setback Requirements.** The minimum setback requirements shall be as follows:

1. No structure shall be placed closer than ten (10) feet from the public right-of-way line of a public dedicated street.
2. Garages that directly face adjacent streets shall be at least twenty (20) feet from the nearest public right-of-way lines of the public dedicated streets. Garages so constructed to not face an adjacent street may be ten (10) feet from the nearest right-of-way line of the dedicated public street. Detached garages so constructed to not face an adjacent public dedicated alley may be five (5) feet from the right-of-way line.
3. Side yard/rear yard.
  - a. No structure shall be placed closer than five (5) feet from the side property line.
  - b. Structures greater than twenty-eight (28) feet in height shall be eight (8) feet from the side property line.
  - c. No structure shall be placed closer than five (5) feet from the rear property line.
  - d. Projections may not encroach more than three (3) inches for each foot of required yard setback width.
  - e. Structures greater than 28 feet in height shall be ten (10) feet from the rear property line.

### **E. Maximum Building Height.**

- ~~a.~~ Thirty five (35) feet for all uses except residential development; Twenty-eight (28) feet for all residential development **except multifamily dwellings.** Residential development other than multifamily dwellings may be conditionally permitted up to thirty-five (35) feet subject to HRMC 17.06.
- ~~a-b.~~ Multi-family dwellings **and all non-residential uses** are permitted up to thirty-five (35) feet. All other residential development may be conditionally permitted up to thirty five (35) feet subject to HRMC 17.06.

### **Commentary:**

The proposed changes above are for clarification only and do not change the maximum building height standards.

### **F. Parking Regulations.**

## 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.*

### **Commentary:**

Public Review Draft 1 of the code amendments proposed parking reductions for detached dwellings, duplexes and triplexes in R-3, changing the standard to be based on the number of bedrooms. This was suggested because: (1) the amount of parking required dramatically affects affordability; and (2) units at higher densities often have fewer bedrooms.

This suggested raised concerns from commenters, who cited parking shortages in many neighborhoods in Hood River. Those amendments have been removed in this draft of the code update.

1. All individual dwelling units, duplexes, and triplexes shall be provided with two (2) parking spaces for each unit on the building site, one (1) of which may be within the required front yard setback area.
2. Multi-family dwellings shall be required to furnish one and one-half (1½) off-street parking spaces per dwelling unit on or adjacent to the building site.
3. Required setback areas, except setbacks from a right-of-way line of a dedicated public street, may be utilized for off-street parking for multi-family dwellings.
4. Parking spaces utilizing access from a public dedicated alley may be located within the setback area.
5. All parking areas and driveways shall be hard surfaced prior to occupancy, under the following circumstances:
  - a. New construction
  - b. Change of use
  - c. New or expanded parking area
6. Bicycle parking as required by HRMC 17.20.040.

G. **Signs.** All signs shall be in conformance with the sign regulations of this title.

H. **Landscaping.** All landscaping shall be in conformance with the landscape standards in this title.

### 17.03.040 Office/Residential Zone (C-1)

#### **A. Permitted Uses.**

1. Detached single-family dwellings for residential use and accessory structures
2. Duplexes and triplexes for residential use
3. Manufactured homes
4. Home occupation
5. Bed and breakfast facilities
6. Family day care
7. Residential care facility
8. Group residential, if less than fifteen (15) persons
9. Transportation facilities pursuant to 17.20.050(A)



## Westside Concept Plan Potential Code Amendments

*All edits are preliminary and subject to change.*

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10. Hosted homeshares subject to Section 17.04.115
11. Vacation homes rentals subject to Section 17.04.115
12. Townhouse projects for residential use with 3 or fewer townhouses subject to HRMC 17.19

### **B. Permitted Uses Subject to Site Plan Review.**

1. Professional offices
2. Change of use
3. Parking lots of four (4) or more spaces, new or expanded, and or the equivalent of paving equal to four (4) or more parking spaces
4. Multi-family dwellings for residential use
5. Group residential, if fifteen (15) or more persons
6. Transportation facilities pursuant to 17.20.050(B)
7. Townhouse projects for residential use with 4 or more townhouses subject to HRMC 17016 and HRMC 17.19

### **C. Conditional Uses.**

1. Hospitals, sanitariums, rest homes, nursing or convalescent homes
2. Schools and child care centers
3. Public parks, playgrounds and related facilities
4. Utility or pumping substations
5. Religious institutions
6. Planned unit developments
7. Public facilities and uses
8. Hostels

### **D. Site Development Requirements.** Exempt for townhouse projects which are subject to HRMC 17.19, the minimum site development requirements are as follows:

1. The minimum lot or parcel size shall be 5,000 square feet.
2. Minimum requirement for building sites: Per detached single dwelling unit or duplex, a minimum of 5,000 square feet. Each unit thereafter shall require an additional 1,500 square feet.
3. A minimum frontage of fifty (50) feet on a dedicated public street.
4. A minimum frontage of thirty (30) feet on a dedicated public cul-de-sac.
5. Lot Coverage: Subject to HRMC 17.04.120

### **E. Setback Requirements.**

1. Professional offices: The standards outlined in the R-3 zone apply.
2. Residential development or a combination of professional offices and residential development: The standards outlined in the R-3 zone apply.

### **F. Maximum Building Height.** Thirty-five (35) feet.

### **G. Parking Regulations.**

## 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.*

1. Professional Offices:
  - a. One (1) off-street parking space shall be provided on the building site or adjacent to the site for each employee. In addition, adequate off-street parking shall be provided on or adjacent to the building site to meet the needs of anticipated clientele.
  - b. In no case shall there be less than two (2) off-street parking spaces.
  - c. The Central Business District, the Heights Business District and the Waterfront are exempt from this requirement but shall pay a fee in-lieu of parking in accordance with Chapter 17.24.
  - d. Parking in the Central Business District, Heights Business District and Waterfront may be satisfied by substituting all or some of the parking requirement at adjacent or nearby off-site off-street locations and/or by adjacent or nearby shared parking if the substitute parking reasonably satisfies the parking requirements of this section. If no off-street or off-site parking reasonably satisfies the parking requirements of this section, the fee in-lieu of parking shall be paid in accordance with Chapter 17.24. If less than all required parking is provided, the fee in lieu of parking shall be paid in accordance with Chapter 17.24, except that a credit shall be given for the number of spaces provided.
2. Residential Development:
  - a. All individual dwelling units, duplexes, and triplexes shall be provided with two (2) parking spaces for each unit on the building site, one (1) of which may be within the required front yard setback area.
  - b. Multi-family dwellings shall be required to furnish one and one-half (1½) off-street parking spaces per dwelling unit on or adjacent to the building site.
  - c. Required setback areas may be utilized for off-street parking for multi-family dwellings.
  - d. Parking spaces utilizing access from a public dedicated alley may be located within the setback areas.
3. All parking areas and driveways shall be hard surfaced prior to occupancy, under the following circumstances:
  - a. New construction
  - b. Change of use
  - c. New parking area
4. Bicycle parking as required by 17.20.040.

H. **Lighting.** Artificial lighting shall be subdued and shall not shine, cause glare, or be unnecessarily bright on surrounding properties. Both interior and exterior lighting shall take into consideration the viewshed and shall be dimmed as much as possible after closing without compromising safety and security. Flood lights on poles higher than fifteen (15) feet shall not be permitted.

I. **Signs.** All signs shall be in conformance with the sign regulations of this title.

## 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.*

J. **Landscaping.** All landscaping shall be in conformance with the landscape standards in this title.

### 17.03.045 Neighborhood Commercial Zone (NC)

#### **Commentary:**

This is a new zone is proposed for a two-acre site NW of 30th & May. It has been sourced from several Hood River zones (C-1, C-2, R-3) and the Residential-Commercial zone in Oregon's Model Development Code for Small Cities.

[http://www.oregon.gov/LCD/TGM/pages/modelcode.aspx#Article\\_2\\_-\\_Zoning\\_Regulations](http://www.oregon.gov/LCD/TGM/pages/modelcode.aspx#Article_2_-_Zoning_Regulations) To encourage small scale commercial use, permitted uses include small commercial, small office, and mixed use buildings. Stand-alone residential use and commercial uses exceeding the size threshold are conditional uses. Site Plan Review is required for all development so there is a an emphasis on pedestrian-oriented design and compatibility.

Some Concept Plan TAC members asked if neighborhood commercial uses could be a "floating" allowance, rather than designating the NC site on the Comprehensive Plan map. The City of Happy Valley uses the floating approach, in addition to their own version of a neighborhood commercial zone. See this link for more information. <http://qcode.us/codes/happyvalley/>

#### **A. Purpose.**

The NC Zone is intended to: provide goods and services primarily serving adjacent neighborhoods; allow a mix of uses; result in pedestrian-oriented development that is compatible in scale and design with the surrounding neighborhood.

#### **B. Permitted Uses.**

- a. Commercial uses not to exceed \_\_\_\_\_ square feet of floor area [note: 5000 square feet or less is suggested]
- b. Professional offices not to exceed \_\_\_\_\_ square feet of floor area [note: 5000 square feet or less is suggested]
- c. School, preschool-kindergarten
- d. Family day care
- e. Residential uses in mixed use buildings that have commercial or office uses on the ground floor that do not exceed \_\_\_\_\_ square feet of floor area.
- f. Transportation facilities pursuant to 17.20.050(A)
- g. Public facilities and uses that do not include structures

#### **C. Permitted Uses Subject to Site Plan Review.**

- a. All development in the NC Zone is subject to Site Plan Review, unless exempted by HRMC 17.16.010(B) or other provisions of this code. For individual uses, the applicable standards of HRMC 17.16 shall apply.

## 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.*

### **D. Conditional Uses.**

- a. Commercial uses that exceed \_\_\_\_\_ square feet
- b. Professional offices that exceed \_\_\_\_\_ square feet
- c. Duplex and triplexes for residential use
- d. Cottage Court developments subject to HRMC 17.04.180
- e. Townhouses subject to HRMC 17.19
- f. Multi-family dwellings for residential use, subject to HRMC 17.16
- g. Vacation home rentals, permitted only when in mixed use buildings, subject to HRMC 17.04.115
- h. Religious institutions
- i. Planned unit developments
- j. Public facilities and uses that include structures

### **E. Site Development Requirements.**

- a. Minimum Lot Area: None.
- b. Minimum Frontage: Fifty feet on a dedicated public street
- c. Lot Coverage: Subject to HRMC 17.04.120

### **F. Setback Requirements.**

1. Front – not required.
2. Side and rear – not required except in the case where the structure is adjacent to a residential zone, in which case the side or rear setback shall be the same as in that residential zone.

**G. Maximum Building Height.** Thirty-five (35) feet for mixed use and non-residential buildings. For stand-alone residential buildings, twenty-eight (28) feet applies.

### **H. Parking Regulations.**

- a. Non-Residential Development: Same as required in the C-2 Zone.
- b. Residential Development: Same as required in the R-3 Zone.
- c. Bicycle parking as required by HRMC 17.20.040.
- d. In the NC Zone, shared parking is permitted as authorized by HRMC 17.20.030(C)(2)

**I. Lighting.** Artificial lighting shall be subdued and shall not shine, cause glare, or be unnecessarily bright on surrounding properties. Both interior and exterior lighting shall take into consideration the view-shed and shall be dimmed as much as possible after closing without compromising safety and security. Flood lights on poles higher than fifteen (15) feet shall not be permitted.

**J. Signs.** All signs shall be in conformance with the sign regulations of this title.

**K. Landscaping.** All landscaping shall be in conformance with the landscape standards in this title.

## 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.*

### 17.03.050 General Commercial Zone (C-2)

**A. Permitted Uses.** Except for C-2 Zoned land within the Waterfront Area, which are specifically addressed in Subsection D, the following uses are generally allowed in the C-2 Zone:

1. Rooming and boarding houses
2. Home occupations
3. Bed and breakfast
4. Family day care
5. Residential care facility
6. Group residential, if less than 15 persons
7. Transportation facilities pursuant to 17.20.050(A)
8. Accessory dwelling units
9. Residential use of existing detached single-family dwellings, manufactured homes, duplexes and triplexes
10. Hosted homeshares subject to Section 17.04.115
11. Vacation home rentals subject to Section 17.04.115

**B. Permitted Uses Subject to Site Plan Review.** Except for C-2 Zoned land within the Waterfront Area, which are specifically addressed in Subsection D, the following uses are generally allowed in the C-2 Zone subject to Site Plan Review:

1. Commercial uses
2. Industrial uses incidental and essential to an on-site commercial use (Refer to the section below, “K”)
3. Change of use
4. Parking lots of four (4) or more spaces, new or expanded, and or the equivalent of paving equal to four (4) or more parking spaces
5. Multi-family dwellings for residential use, with a minimum density of 11 units/net acre.

**Commentary:**

The City may want to adjust the minimum density target for the commercial districts of the Westside Plan.

6. Group residential, if fifteen (15) or more persons
7. Transportation facilities pursuant to 17.20.050(B)
8. Professional Office and Office Uses.
9. Hostels

## Westside Concept Plan Potential Code Amendments

*All edits are preliminary and subject to change.*

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**C. Conditional Uses.** Except for C-2 Zoned land within the Waterfront Area, which are specifically addressed in Subsection D, the following uses are generally allowed with a conditional use permit in the C-2 Zone:

1. Residential development, excluding multi-family, subject to the following: a) shall be reviewed through the Planned Unit Development (PUD) process; b) PUD common open space criterion is not applicable; and c) shall achieve a minimum of 11 units/net acre.
2. Residential development a minimum of 11 units/net acre in conjunction with commercial uses on the same lot or parcel.

**Commentary:**

The City may want to adjust the minimum density target for the commercial districts of the Westside Plan.

3. Hospitals, sanitariums, rest homes, nursing or convalescent home
4. Schools and day care facilities
5. Public parks, playgrounds, and related facilities
6. Utility or pumping substations
7. Churches
8. Commercial Uses on parcels of more than 1.5 acres.
9. Public facilities and uses

**D. Special Restrictions on development in the C-2 Zone within the Waterfront Area.** The Waterfront Area, as defined in Section 17.01.060, includes certain development restrictions that apply in addition to and supersede the regulations that apply in the C-2 Zone generally. Uses generally allowed outright, subject to site plan review and conditionally in the Waterfront Area are those set forth in Subsections A, B and C, respectively, except that all of the following additional restrictions apply to development within the Waterfront Area, none of which are eligible for a variance under HRMC Chapter 17.18:

1. Residential development are prohibited unless combined with commercial uses in the same structure, i.e, must be mixed use; all such development that includes a residential component requires a conditional use permit.
2. There is no minimum required residential density in the C-2 Zone within the Waterfront Area.
3. No more than 50% of the gross floor area of any building may be devoted to residential development, and the building primary use shall be commercial, not residential.
4. No residential development is allowed on the ground floor, and no more than 50% of the ground floor may be used for parking.
5. For any residential uses approved in the C-2 Zone within the Waterfront Area, a deed restriction, in a form acceptable to the city attorney, shall be recorded with title to the residential property that precludes any residential owner, lessee or

## 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.*

guest from objecting to normal and customary commercial, recreational or light industrial uses (including operation of the city's wastewater treatment plant) and any impacts there from, such as noise, dust, glare, odors, hours of operation, truck traffic, parking and the like.

6. The City may impose reasonable conditions on the approval of any residential development in the C-2 Zone within the Waterfront Area to ensure compliance with these special restrictions.

### **E. Site Development Requirement**

1. Minimum Lot Area: None.
2. Minimum Frontage:
  - a. Fifty (50) feet on a dedicated public street or
  - b. Thirty (30) feet on a public dedicated cul-de-sac.

### **F. Setback Requirements.** The minimum setback requirements shall be as follows:

1. Front - not required.
2. Side and rear - not required except in the case where the structure is adjacent to a residential zone, in which case a three (3) foot setback is required for structures up to two (2) stories, and increased one (1) foot for each additional story above two (2) stories.

### **G. Maximum Building Height**

1. Thirty-five (35) feet for residential development.
2. Forty-five (45) feet for commercial use or for mixed commercial and residential development.
3. No commercial structure shall exceed a height of forty-five (45) feet.

### **H. Parking Regulations.**

1. One (1) off-street parking space shall be provided on the building site, or adjacent to the site for each employee. In addition, adequate off-street parking shall be provided on or adjacent to the building site to meet the needs of anticipated clientele.
2. In no case shall there be less than two (2) off-street parking spaces.
3. The Central Business District, the Heights Business District and the Waterfront are exempt from this requirement but shall pay a fee in-lieu of parking in accordance with Chapter 17.24.
4. Parking in the Central Business District, Heights Business District and Waterfront may be satisfied by substituting all or some of the parking requirement at adjacent or nearby off-site off-street locations and/or by adjacent or nearby shared parking if the substitute parking reasonably satisfies the parking requirements of this section. If no off-street or off-site parking reasonably satisfies the parking requirements of this section, the fee in-lieu of parking shall be paid in accordance with Chapter 17.24. If less than all required parking is provided, the fee in lieu of

## 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.*

parking shall be paid in accordance with Chapter 17.24, except that a credit shall be given for the number of spaces provided.

5. All parking areas and driveways shall be hard surfaced prior to occupancy, under the following circumstances:
    - a. New construction
    - b. Change of use
    - c. New parking area
  6. All residential development shall comply with the off-street parking standards as follows, unless exempt above:
    - a. All individual dwelling units, duplexes, and triplexes shall be provided with two (2) parking spaces for each unit on the building site, one (1) of which may be within the required front yard setback area.
    - b. Multi-family dwellings shall be required to furnish one and one-half (1½) off-street parking spaces per dwelling unit on or adjacent to the building site.
    - c. Required setback areas may be utilized for off-street parking for multi-family dwellings.
    - d. Parking spaces utilizing access from a public dedicated alley may be located within the setback areas.
    - e. Off-street loading facilities shall be encouraged. Public alleys may be utilized for off-street loading facilities.
  7. Bicycle parking as required by 17.20.040.
- I. Lighting.** Artificial lighting shall be subdued and shall not shine, cause glare, or be unnecessarily bright on surrounding properties. Both interior and exterior lighting shall take into consideration the viewshed and shall be dimmed as much as possible after closing without compromising safety and security. Flood lights on poles higher than fifteen (15) feet shall not be permitted.
- J. Signs.** All signs shall be in conformance with the sign regulations in this title.
- K. Landscaping.** All landscaping shall be in conformance with the landscaping standards in this title.
- L. Manufacturing.** Manufacture or assembly of goods is a permitted use, provided such manufacturing or assembly is within or contiguous to a permitted commercial use. The retail sales and the commercial character shall be the prominent use. The goods manufactured and/or assembled shall be sold on a retail basis out of the commercial use which is the storefront for such sale. All uses shall meet the following standards:
1. Any use, or portion thereof, causing noise shall be performed in such a manner as not to create a nuisance or hazard on any adjacent property.
  2. Any use, or portion thereof, causing vibration shall be performed in such a manner as not to create a nuisance or hazard on adjacent property.



## 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.*

3. Any operation producing intense heat or glare shall be performed in such a manner as not to create a nuisance or hazard on adjacent property.
4. There shall be no emission of odorous, toxic, noxious matter, or dust in such quantities as to be readily detectable at any point along or outside property lines so as to produce a public nuisance or hazard.
5. If the retail and industrial uses are housed in separate buildings on the site, the industrial building shall be equal to or less in size to the commercial building.
6. In the case of two or more separate buildings, the one closest to the public dedicated street must retain a retail storefront and a pedestrian-friendly character. New construction or major renovations shall achieve this standard through use of the following design elements:
  - a. Major renovations are considered any activity on the exterior of a building that exceeds ten percent (10%) of the structure's cost or fair market value or \$75,000, whichever is more, as determined by the building official.
  - b. The building entrance shall be oriented toward the primary street, whenever physically possible.
  - c. Off-street parking or driveways shall not be placed between the building and the primary street, whenever physically possible.
  - d. The retail storefront shall utilize regularly spaced and similarly shaped windows with window hoods or trim.
  - e. The retail storefront shall have large display windows on the ground floor and shall be framed by bulkheads, piers, and a storefront cornice.
  - f. For properties located within the Downtown Local Historic District, refer to the District's Design Guidelines.

**M. Commercial buildings between 25,000 square feet and 50,000 square feet.** No new buildings shall exceed a combined contiguous length of three hundred (300) feet; nor shall any one building exceed a footprint of 50,000 square feet. Any building or contiguous group of buildings which exceed these limitations and which were in existence prior to the effective date of this ordinance may expand up to ten percent (10%) in area or length beyond their original area or length. Neither the gross square footage nor combined contiguous building length, as set forth in this section, shall be changed by a variance. The following standards shall apply to buildings or a group of buildings on one (1) site over 25,000 square feet in size:

1. Buildings shall have an entrance for pedestrians directly from the street to the building interior. This entrance shall be designed to be attractive and functional and shall be open to the public during all business hours. Public sidewalks shall be provided adjacent to a public street along the entire street frontage.
2. Building facades greater than one hundred (100) feet in length shall have offsets, jogs, or other architectural distinctive changes.
3. Any wall which is within thirty (30) feet of the street, plaza, or other public open space shall contain at least twenty percent (20%) of the wall area facing the street in display areas, windows, or doorways. Windows must allow views into working areas or lobbies, pedestrian entrances, or display areas. Blank walls

## 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.*

- within thirty (30) feet of the street are prohibited. Up to forty percent (40%) of the length of the building perimeter, with the exception of the side facing the street, is exempt from this standard if facing toward loading or service areas.
4. A building shall be setback not more than twenty (20) feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas. If more than one structure is proposed for a site, at least twenty-five percent (25%) of the aggregate building frontage shall be within twenty (20) feet of the sidewalk.
  5. Developments shall divide large building masses into heights and sizes that relate to human scale by incorporating changes in building mass or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.
  6. One street tree chosen from the street tree list shall be placed along the perimeter of the parcel fronting the street for each thirty (30) feet of frontage for that portion of the development facing the street.
  7. Landscaping shall be designed so that fifty percent (50%) coverage occurs after one year from the date the certificate of occupancy is issued and ninety percent (90%) landscaping coverage occurs after five (5) years from the date the certificate of occupancy is issued.
  8. Parking areas shall be shaded on the interior and exterior by deciduous trees, buffered from adjacent non-residential uses, and screened from residential uses. The appearance of a “sea of asphalt” shall be avoided.
  9. A ratio of one (1) tree for each seven (7) parking spaces shall be required to create a canopy effect. The trees shall be an appropriate large, canopied shade tree and/or a conifer.
  10. Landscaped areas shall be substantially evenly distributed throughout the parking area and parking perimeter.

### 17.03.060 Light Industrial Zone (LI)

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### 17.03.070 Industrial Zone (I)

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### 17.03.080 Open Space/Public Facility Zone (OS/PF)

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### 17.03.090 Environmental Hazard Zone (EH)

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### 17.03.110 Columbia River Recreational/Commercial Zone (RC)

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### 17.03.120 Interchange Area Management Plan (IAMP) Overlay Zone

## Westside Concept Plan Potential Code Amendments

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### 17.03.130 Waterfront Overlay Zone

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### 17.03.140 Westside Overlay Zone

#### **Commentary:**

The proposed Westside Overlay Zone, below, is intended to implement recommendations from the Concept Plan that are specific to the Westside.

#### **A. Purpose of the Westside Overlay Zone**

The purpose of the Westside Overlay Zone is to implement the Hood River Westside Area Concept Plan, which is a supporting document of the Hood River Comprehensive Plan. The Westside Overlay Zone references other section within this code in combination with provisions that apply solely within the Westside Area. Where there is conflict between the Westside Overlay Zone and other provisions of this code, the Westside Overlay Zone provisions shall supersede.

#### **B. Vision and Guiding Principles**

1. The vision of the Westside Overlay Zone is: The Westside Area will grow to become an interconnected community of great neighborhoods, an attractive gateway of commercial and mixed use activity, and an affordable and diverse area of the City. The Westside's hallmarks will be:
  - a. Housing options that provide choices for all income levels, life stages, and cultures within Hood River
  - b. Streets, trails, and paths that are walkable, connected, and green
  - c. Neighborhood design that celebrates the landforms, views, and magnificent landscape of Hood River
  - d. Open spaces and parks that support community gathering and a connection to nature
  - e. The Westside Area will be an integral part and extension of the larger Hood River community.
  
2. The guiding principles for the Westside Overlay Zone are to:
  - a. Create livable neighborhoods that make good use of the Westside's limited land supply.
  - b. Create well-planned and commercially successfully mixed use districts in the Westside gateway area.
  - c. Create a plan that works for all ages and abilities of the community.

## 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.*

- d. Provide a range of densities and housing types, increasing affordable housing choices in Hood River.
- e. Incorporate natural features and a sense of place into each neighborhood and district.
- f. Include open space and parks integrated into neighborhoods.
- g. Provide a connected transportation network with walkable, bike-friendly, and green streets.
- h. Promote active and healthy living through community design.
- i. Plan land uses and transportation facilities so the area may be served by fixed route transit.
- j. Integrate the Westside Elementary School and future new schools as key community places.
- k. Promote human-scaled building designs.
- l. Plan for efficient water, sewer, and stormwater infrastructure, utilizing green practices for stormwater management.
- m. Implement the Westside Area Concept Plan's infrastructure funding strategy

### **C. Applicability**

The boundary of the Westside Overlay Zone is shown on the Hood River Comprehensive Plan and Zoning Map. Development and land use within the Westside Overlay Zone shall be in conformance with the provisions of this chapter.

### **D. Permitted and Conditional Uses**

Permitted and Conditional Uses shall be as referenced and listed below.

1. Urban Low Density Residential Zone (R-1) – See 17.03.010, and:
  - a. Duplexes on corner lots are permitted, provided that the total gross floor area (of both units, combined) does not exceed 2,500 square feet and only one entrance faces each street frontage.
2. Urban Standard Density Residential Zone (R-2) – See 17.03.020
3. Urban Standard Density Residential Zone -(R-2.5) – See 17.03.025
4. Urban High Density Residential Zone (R-3) – See 17.03.030, except for:
  - a. The following uses are not permitted in R-3 within the Westside Overlay Zone:
    - i. Professional offices.
    - ii. Hostels
5. Neighborhood Commercial Zone (NC) – See 17.03.045

#### **Commentary:**

The NC zone is a proposed new zone for a 2-acre site NW of 30<sup>th</sup> and May.

## 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.*

### 6. General Commercial Zone (C-2) – See 17.03.050, except for:

#### a. The following uses are not permitted in C-2 within the Westside Overlay Zone:

- i. New drive-up and drive-through facilities. Existing drive-up and drive-through facilities are permitted and may be replaced or expanded up to \_\_\_%, subject to conformance with C-2 development standards.

### 7. Light Industrial Zone (LI) – See 17.03.060.

## **E. Site Development and Related Requirements**

1. Within the Westside Overlay Zone, all requirements for site development, setbacks, maximum building heights, parking, signs and landscaping established in the base zones shall apply unless superseded below or by other provisions of this overlay.

## **A.F. Residential Design Standards**

### **Commentary:**

Design standards for detached housing are intended to support compatibility between different types of housing, enhance community safety through “eyes on the street”, and create better streetscapes. These standards draw on examples from the Oregon’s “Model Code for Small Cities”, and code provisions from the City’s of Sandy, Wilsonville (Frog Pond), and Albany.

### 1. Purpose. The purpose of these standards is to:

- a. Enhance public safety by ensuring views of the street from inside the residence;
- b. Provide for a pleasant pedestrian environment by preventing garages and vehicle areas from dominating the views of the neighborhood from the sidewalk; and
- a. Support the creation of architecturally varied homes, blocks and neighborhoods that enhance the character of the development.

### 2. Applicability. These standards apply to all new detached single family homes and duplexes in the Westside Overlay Zone, with the following exceptions:

- a. Dwelling units in Cottage Court or Cohousing Developments are subject to HRMC 17.140.180 and 17.04.190, respectively, and are exempt from these standards.

## Westside Concept Plan Potential Code Amendments

*All edits are preliminary and subject to change.*

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### **Commentary:**

Applying design standards to duplexes wasn't part of the original concept, but they don't appear to be covered by the multifamily site plan review criteria. Design standards for single family homes are generally a better fit for duplexes than standards for larger multifamily buildings.

Development on steep slopes is sometimes exempted from design standards; however, that is not recommended here.

**3. Street-Facing Windows.** Windows are required to occupy at least 15 percent of the street-facing building elevations. Windows used to meet this standard must provide views from the building to the street. Glass block does not meet this standard.

**4. Main Entrances.** At least one main entrance for each dwelling must:

- a. Be within 12 feet of the longest street-facing front wall of the dwelling unit; and
- b. Either:
  - i. Be located on a street-facing elevation, or
  - ii. Open onto a level, covered, hard-surfaced entry area (e.g. a porch, stoop, or landing) at least 25 square feet in area that is connected to the sidewalk by a walkway.

**5. Street-Facing Garage Openings.**

- a. The total width of all street-facing garage openings shall not exceed 50 percent of the width of the dwelling unit (the total width of all street-facing elevations), except that a dwelling unit less than 24 feet in width may have a single 12-foot wide garage opening.
- b. Street-facing garage openings shall be recessed at least 3 feet from the longest street-facing elevation of the dwelling unit.

**6. Architectural Features.**

- a. Each dwelling unit shall incorporate not fewer than 5 of the architectural features listed below on each street-facing elevation. Multiple instances of a particular feature count as a single feature.
  - i. Dormers at least three (3) feet wide
  - ii. Covered front porch or stoop: not less than 25 square feet in area that is connected to the sidewalk by a walkway
  - iii. Eaves (min. 15-inch projection)
  - iv. Off-sets in building face or roof (minimum 16 inches)
  - v. Window trim (minimum 4-inches wide)
  - vi. Bay windows projecting from the front elevation by a minimum of 12 inches
  - vii. Balcony on an upper story - projecting a minimum of four (4) feet and enclosed by a railing or parapet wall

## 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.*

viii. Sidelight or transom windows associated with the front door or windows occupying at least 25% of the front door

i. ix. Decorative gables – cross or diagonal bracing, shingles, trim, corbels, exposed rafter ends, or brackets (does not include a garage gable if garage projects beyond dwelling unit portion of street façade)

### **Commentary:**

The list above includes items from the list of architectural features that count toward a density bonus for a Planned Unit Development (some with additional detail to make them clear and objective) as well as other items from other example codes.

a. b. No two directly adjacent or opposite dwelling units may possess the same front or street-facing elevation. This standard is met when front or street-facing elevations differ from one another due to different materials, articulation, roof type, inclusion of a porch, fenestration, or number of stories. Where façades repeat on the same block face, they must have at least three intervening lots between them that meet the above standard.

### **Commentary:**

This is intended to get at architectural variety within a subdivision. An alternative is:

Dwelling units may not meet the standard in (a), above, using the same set of architectural features in the same placement on the street-facing elevation as another dwelling unit within 100' on either side of the street.

B. G. **Steep Slopes.** Development shall impact sloped areas 25% and greater to the least extent practicable. Utilities and roads required by this overlay or the Transportation System Plan are exempt from this standard.

### **Commentary:**

The standard above is intended to support retention of the terrace edges as open space in order to protect property from natural hazards.

H. **Henderson Creek.** Development shall be set back from the centerline of Henderson Creek a minimum of 25 feet in order to provide open space and opportunities for trails within the creek corridor.

## Westside Concept Plan Potential Code Amendments

*All edits are preliminary and subject to change.*

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### **Commentary:**

Henderson Creek is not identified as a significant riparian area and is not covered by the city's riparian area standards. The proposed standard above would require a setback for open space and trail opportunities. Density would be allowed to transfer off the setback area through lot size flexibility standards or cluster subdivision provisions. The City may need to prepare a Statewide Planning Goal 5 (Natural Resources) ESEE analysis to adopt this standard. Alternatively, other Statewide Planning Goals may apply. Further research on the legal considerations and justification for this concept is needed.

### **I. Land Division Requirements and Procedures**

1. Subdivisions of building sites over 10 acres, including all abutting land in common ownership, in R-2.5 and R-3 zones within the Westside Overlay Zone shall designate sites for one or more of the housing types listed in (a) or (b), as applicable. Sites for such uses shall occupy a minimum of [5-10%] of the building site area, and shall be noted on the plat. Affordable housing projects subject to 17.04.170 are exempt from this requirement.

a. In the R-2.5 zone: townhouses, duplexes, or Cottage Court housing

b. In the R-3 zone: townhouses, duplexes, triplexes, or multifamily units

### **Commentary:**

The housing mix requirement above is intended to ensure that a mix of housing occurs in larger projects. The percentage mix needs testing and refinement.

### **J. Westside Overlay Zone Circulation**

### **Commentary:**

The proposed standards below implement the connectivity, street, and bicycle/pedestrian connection concepts developed through the Concept Plan. The Transportation System Plan is referenced because it is the official regulatory document for streets, pedestrian connections, bicycle connections, and local street connectivity. Amendments to the TSP have been prepared so it is updated to implement the Concept Plan (Streets Framework, Bicycle and Pedestrian Framework, and Street Cross-sections).

1. Streets – Development shall be consistent with the streets and vehicular access on the Transportation System Plan (TSP), Figure 5, Roadway Functional Classification. Through-roads shown on Figure 5 are required street connections, however, the specific alignment of the streets may be adjusted with approval by



## 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.*

the City Engineer. Potential Local Street Connection “arrows” shown on TSP Figure 7, Local Street Connectivity, are locations for additional connections between the through streets, recognizing there is flexibility for adaptation to site-specific conditions and equivalent connectivity proposed as part of developments. The combination of the through streets and additional connections shall provide circulation resulting in a logical and connected network of local neighborhood streets that supports direct and convenient connections for all modes of travel. Development is subject to the block standards in HRMC 16.12.020(I), as modified below.

2. Block Sizes – Within the Westside Overlay Zone, the maximum block length shall be four hundred (400) feet and maximum block perimeter shall be 1200 feet. This standard takes precedent over the cited dimensions in HRMC 16.12.020(I). All other provisions of HRMC 16.12.020 apply.

### **Commentary:**

The block sizes recommended above are intended to increase the walkability of the Westside Area. Absent the amendment, block lengths would be required to be 600 feet. This size is very large. 400 feet is a proven model for walkability, as evidenced by Hood River’s blocks near downtown, and Portland neighborhoods such as Westmoreland and Sellwood. However, additional right-of-way requirements may increase development costs and affect housing affordability.

The City should consider adding additional language to the Exemption provisions of HRMC 16.12.020(I) to account for physical constraints such as steep slopes, wetlands, tree groves, and retained homes.

3. Bicycle and Pedestrian Connections – Development shall be consistent with the bicycle system shown on TSP Figure 4, Bicycle System Plan, and the pedestrian system shown on TSP Figure 2, Pedestrian System Plan. Bicycle and pedestrian connections that do not follow existing streets are required, however, there is flexibility regarding the specific alignment of the connections. Final determinations as to width, surface, and alignment of bicycle and pedestrian facilities shall be made by the City Engineer. The City Engineer shall consider the information in Westside Area Concept Plan Table \_\_, Bicycle and Pedestrian Connection Classifications.
4. Alleys – Alleys are encouraged for all blocks with lot frontages that average less than 50 feet.

### **K. Westside Overlay Zone Neighborhood Parks**

## Westside Concept Plan Potential Code Amendments

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### **Commentary:**

The proposed standards below are a placeholder to implement the parks framework from the Westside Concept Plan. They may be revised or removed.

1. Neighborhood Parks – The Park and Open Space Framework illustrates the City’s intent for the location of new neighborhood parks to serve the Westside Overlay Zone (See Figure ). The Neighborhood Park Target Areas illustrate the preferred locations for neighborhood parks. The Target Areas are conceptual. The exact location and size of the neighborhood parks will be established through any of the following methods:
  - a. Development agreements
  - b. Annexation agreements and/or conditions of annexation
  - c. Acquisition by the City or Hood River Valley Parks and Recreation District
  - d. Dedication as determined during development review, including as required for subdivisions pursuant to HRMC 16.12.060.C.
  - e. Other means as determined by the City of Hood River or Hood River Valley Parks and Recreation District in consultation with the City

## Westside Concept Plan Potential Code Amendments

*All edits are preliminary and subject to change.  
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### CHAPTER 17.04 - SUPPLEMENTARY PROVISIONS

*Legislative History: Ord. 1488 (1980); Ord. 1648 (1991); Ord. 1676 (1992); Ord. 1721 (1996); Ord. 1774 (1999); Ord. 1903 (2006); Ord. 1925 (2006); Ord. 1937 (2007); Ord. 1975 (2009); Ord. 2004 (2013); Ord 2026 (2016)*

#### SECTIONS:

- 17.04.010 Maintenance of Minimum Ordinance Requirements
- 17.04.020 Access/Frontage
- 17.04.030 General Provisions Regarding Accessory Uses and Accessory Structures
- 17.04.040 General Exceptions to Building Height Limitations
- 17.04.050 Fences and Walls
- 17.04.060 Retaining Walls
- 17.04.070 General Exceptions to Lot Area Requirements [for Lots of Record](#)
- 17.04.080 Illegal Occupancy
- 17.04.090 Vision Clearance Area
- 17.04.100 Home Occupation
- 17.04.110 Bed and Breakfast
- 17.04.115 Hosted Homeshares and Vacation Home Rentals
- 17.04.120 Maximum Lot Coverage
- 17.04.130 General Requirements for Parking Lots
- 17.04.140 Exception to Permit Expiration
- [17.04.150 Land Division Density Calculations](#)
- [17.04.160 Lot Size Flexibility](#)
- [17.04.170 Affordable Housing Density Bonus](#)
- [17.04.180 Cottage Court Housing](#)
- [17.04.190 Cohousing Development](#)

#### Commentary:

For sake of brevity, sections that are not proposed to change in any way are not included in this document. They are shown with asterisks (\*\*\*) following the heading for the section.

17.04.010 Maintenance of Minimum Ordinance Requirements. \*\*\*

17.04.020 Access. \*\*\*

17.04.030 General Provisions Regarding Accessory Uses and Accessory Structures. \*\*\*

17.04.040 General Exceptions to Building Height Limitations. \*\*\*

## 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.*

17.04.050 Fences and Walls. \*\*\*

17.04.060 Retaining Walls. \*\*\*

17.04.070 General Exceptions to Lot Area Requirements for Lots of Record. Lots of record existing as of December 1999 that are less than the required lot area and or have less than the required frontage specified in this title may be utilized for an outright permitted use listed in the underlying zone provided all other requirements of the zone are met.

The Planning Director may waive lot frontage and lot area requirements on platted lots, platted prior to this provision, by not more than five percent (5%) of the requirements of this title. Parcels subject to this exception are subject to Title 16 requirements.

17.04.080 Illegal Occupancy. \*\*\*

17.04.090 Vision Clearance Area. \*\*\*

17.04.100 Home Occupation. \*\*\*

17.04.110 Bed and Breakfast Facilities. \*\*\*

## 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.

### 17.04.115 Hosted Homeshares and Vacation Home Rentals. \*\*\*

### 17.04.120 Maximum Lot Coverage

#### A. Definitions:

1. **Lot Coverage:** The percentage determined by dividing (a) the area of a lot covered by the total (in square feet) of: (1) the footprint of the main building; and (2) the footprints of accessory buildings (counting only buildings with footprints larger than one hundred fifty (150) square feet, or with two stories or more); and (3) parking pads and driveways<sup>1</sup>; by (b) the gross area of the that lot.

2. **Main Building Footprint Coverage:** The percentage determined by dividing that area covered by a main building footprint by the gross area of the lot on which the main building is located. The main building footprint includes all parts of a main building that rest, directly or indirectly, on the ground, including, by way of illustration and not by limitation, bay-windows with floor area, chimneys, porches, decks supported by posts and with floor heights that are four (4) feet or higher above grade, cantilevered decks with horizontal projections that are four (4) feet or more, and covered breezeways connected to a main building.

B. **Coverage:** Maximum lot coverage applies to any residential dwelling lot in the “R” and “C-1” zones for all existing structures and new construction, except as provided below. Maximum lot coverage for residential dwellings is as shown in the table below.

1. When a detached garage is provided in the rear yard, the maximum lot coverage may be increased as shown in the table below.

2. When a porch is attached to the front elevation of the residential dwelling and has an area of at least sixty (60) square feet on the front of the building (exclusive of any wrap-around or side porch), the maximum coverage may be increased as shown in the table below.

#### Commentary

The coverage standards of the R-3 Zone are suggested so that C-N is more similar to residential form than commercial form with respect to lot coverage and the resulting landscaped areas.

Categories	R-1	R-2	R-3	C-1	NC
Maximum Lot Coverage	40%	45%	55%	65%	<u>55%</u>

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<sup>1</sup> For rear garages only, the square footage for parking pads and driveways that use grass-crete shall be reduced by seventy-five (75) percent (e.g., a 300 sq. ft. driveway surfaced in grass-crete is included as 75 sq. ft. for purposes of determining lot coverage). The square footage for parking pads and driveways that use paving stones and other permeable paving materials (other than grass-crete), shall be reduced by fifty (50) percent.

**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.*

Categories	R-1	R-2	R-3	C-1	NC
Maximum Lot Coverage with front porch	43%	48%	58%	68%	<u>58%</u>
Maximum Lot Coverage with rear garage	45%	50%	60%	70%	<u>60%</u>
Maximum Lot Coverage with rear garage and front porch	48%	53%	63%	73%	

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**Commentary:**

Updates to maximum lot coverage may be needed for the R-3 zone due to the proposed smaller minimum lot size for detached homes.

3. Existing main and accessory structures that are not in conformance with these coverage requirements on September 1, 2006, are permitted to be rebuilt within the building footprint as it existed on September 1, 2006, if the structures are damaged or partially destroyed by fire, wind, earthquake or other force majeure and if construction commences within two (2) years from the date of the calamity.

4. Multi-family dwellings are exempt from the lot coverage requirements.

5. Lots established through a Planned Unit Development process are exempt from the lot coverage requirements.

**Commentary:**

The above addition reflects current practice, but may be more appropriately captured in the PUD chapter.

17.04.130 General Requirements for Parking Lots \*\*\*

17.04.140 Exception to Permit Expiration \*\*\*

**Commentary:**

The section below provides a method to calculate minimum and maximum density. The goal is to create more certainty and predictability about the number of lots that can be created for a subdivision or partition without needing to layout the development in detail to see how many lots can fit after accounting for streets,

## 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.*

stormwater, etc. The approach draws on development codes from Portland, Sandy, Clackamas County, and other jurisdictions.

Using a fixed set-aside for streets (shown below at 20%) removes a possible disincentive to building a connected local street network, which can consume more land for right-of way, because the number of lots permitted does not change, and the lot size flexibility in HRMC 17.04.160 allows some or all of the increase in right of way to be mitigated by the flexibility for smaller lots.

The standards in 17.04.150 only apply to land divisions, except for townhouse projects (which have their own density standards). They regulate lots/parcels rather than dwelling units so that they don't interfere with existing standards allowing duplexes and townhomes.

Note that minimum density is calculated after excluding any constrained land, so a density transfer is possible, but not required.

The rounding provisions in (E) reflect the current standards for Planned Unit Developments, which specify rounding to the nearest whole number, but are not available for land divisions on sites under a half-acre in the R-1 zone. They do not allow a land division unless the density calculation allows at least 2 full lots or parcels.

17.04.150 Land Division Density Calculations. The number of lots or parcels that may be created by a land division in a Residential zone is based on the building site area and the minimum and maximum density specified for the zone.

A. Maximum number of lots or parcels. The maximum number of lots or parcels is determined by dividing the net site area (in acres) by the maximum density specified for the zone.

B. Minimum number of lots or parcels. The minimum number of lots or parcels is determined by dividing the net site area (in acres), less the area of any constrained land, by the minimum density specified for the zone.

C. Density bonuses. Where a land division is receiving a density bonus pursuant to HRMC 17.04.170, the maximum number of lots or parcels shall be the maximum calculated under (B), above, plus the density bonus specified in HRMC 17.04.170. Density bonuses do not alter the minimum number of lots or parcels.

D. Rounding. If the minimum or maximum number of lots or parcels calculated as described in (A)-(D), above, is a fraction, the number of lots shall be rounded as follows:

1. Fractional results less than two shall be rounded down to the nearest whole number (i.e. 1.75 rounds down to 1).

2. In the R-1 zone, for land divisions of building sites that are less than a half-acre, the resulting fraction shall be rounded down to the nearest whole number.

3. For all other land divisions in an R zone, the resulting fraction shall be rounded to the nearest whole number (i.e. a calculation ending in 0.49 or less shall round down

## 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.*

to the next whole number and a calculation ending in 0.50 or more shall round up to the next whole number).

### Commentary:

The standards below provide flexible ways to configure lots, so that conditions such as retained open space and above-average street or stormwater set-asides can be accommodated. They provide flexibility for cluster subdivisions, infill land divisions that preserve an existing home, and projects subject to density bonuses. The minimum and maximum densities are held constant; the standards just provide flexibility in how to achieve the permitted densities, which in turn supports efficient land use and affordable housing choices.

One policy choice is whether the cluster subdivision option should be available only for specific natural resources, or also if someone just wants to preserve a shared open space area. Requirements for common ownership for cluster subdivisions also need refinements to ensure they are structured correctly.

The percentages and other metrics below are a starting point for discussion. They are used in other cities, but can be tailored to Hood River as needed.

17.04.160 Lot Size Flexibility. The minimum lot size for residential land divisions may be adjusted as provided in this section. The lot size variation provided in this section does not alter the number of lots or parcels that may be created under HRMC 17.04.150 except when combined with density bonuses provided in HRMC 17.04.170. This section does not apply to Townhouse Projects. Lot width and depth for lots or parcels eligible for reduced lot sizes pursuant to this section may also be reduced to the same percentage of the standard specified in the applicable zoning district.

A. General Reductions. Except as allowed in subsections (B) through (F), below, the smallest lot or parcel size permitted for residential land divisions is 90% of the minimum lot or parcel size specified in the applicable zoning district. The minimum lot size for perimeter lots or parcels that abut a lower density residential zoning district may not be reduced except as allowed in subsections (B) through (F), below.

B. Land divisions on building sites with existing dwelling unit(s). If a building site contains one or more preexisting dwelling units, the minimum lot size for the lots that do not contain a preexisting dwelling unit may be reduced as follows to allow for larger lot(s) for the preexisting dwelling unit(s) while maintaining the overall density calculated under HRMC 17.04.150.

1. The smallest lot or parcel size permitted for lots or parcels that do not contain a preexisting dwelling unit is 80% of the minimum lot or parcel size specified in the applicable zoning district.
2. The minimum lot size for perimeter lots or parcels that abut a lower density residential zoning district may not be reduced.



## Westside Concept Plan Potential Code Amendments

*All edits are preliminary and subject to change.  
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**C. Cluster Subdivisions.** Additional lot size flexibility is permitted for cluster subdivisions that will preserve an on-site natural feature in a separate tract. Cluster subdivisions shall meet all of the following standards:

1. The constrained land or preserved natural feature must represent at least 10% of the building site area and must be preserved in a separate tract or tracts.
2. The tract or tracts containing constrained land or preserved natural features shall be managed in one or more of the following ways:
  - a. Common ownership by residents of the development, subject to restrictive covenants and easements reviewed by the City and recorded and filed when the plat is recorded; or
  - b. Third party (non-profit organization) whose primary purpose is to hold or manage the open space, subject to a reversionary clause in the event of dissolution of the non-profit organization; or
  - c. Dedicated to City of Hood River or the Hood River Valley Parks and Recreation District, if the City or District agrees to accept ownership and maintain the space.
3. The smallest lot size permitted for cluster subdivisions is 60% of the minimum lot or parcel size specified in the applicable zoning district. The minimum lot size for perimeter lots that abut a lower density zoning district may not be reduced.

**Commentary:**

Cluster subdivisions would be processed like standard subdivisions, but would be subject to the standards above, in addition to the typical subdivision standards.

**D. Cottage Court housing.** Projects meeting the standards of HRMC 17.04.180 have no minimum lot size.

**E. Cohousing development.** Projects meeting the standards of HRMC 17.04.190 have no minimum lot size.

**F. Projects eligible for density bonuses.** Projects eligible for density bonuses under HRMC 17.04.170 are also eligible for reduced minimum lot sizes in order to enable the higher density permitted through the bonus. The smallest lot or parcel size permitted for land divisions that qualify for a density bonus under HRMC 17.04.170 is 60% of the minimum lot or parcel size specified in the applicable zoning district. The minimum lot size for perimeter lots or parcels that abut a lower density zoning district is 90% of the minimum lot or parcel size specified in the applicable zoning district.

**Commentary:**

The provisions below provide modified development standards intended to facilitate affordable housing development (including projects consisting of all affordable housing units as well as mixed income projects). They include a density bonus and reduced parking requirements. The maximum density bonus is

## 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.*

recommended at 50% above the maximum for the zone, but this is a policy judgement. This section also includes the requirements that ensure that units promised as affordable housing to get the special development standards are delivered and remain affordable.

The bonus percentages are shown as a range for discussion.

17.04.170 Affordable Housing Development. As an incentive to create affordable housing, certain development standards may be altered when a developer provides affordable housing units (as defined in HRMC 17.01.060) as part of a proposed development in conformance with the standards below.

### A. Modified development standards.

1. The maximum density of the affordable housing development may be increased as follows. The number of additional units permitted is based on the zoning and the number of affordable housing units, as shown in the table below.

<u>Zone</u>	<u>Applicability</u>	<u>Density Bonus</u>
<u>R-1,</u> <u>R-2,</u> <u>R-2.5</u>	<u>Subdivisions (single family detached dwellings)</u>	<u>1 additional lot for each lot dedicated to an affordable housing unit, up to a maximum increase of [25-50%] more lots than permitted without the density bonus</u>
<u>R-3,</u> <u>C-1</u>	<u>Multifamily dwellings, Townhouse projects</u>	<u>1 additional unit for each affordable housing unit, up to a maximum increase of [25-50%] more units than permitted without the density bonus</u>

±2. The minimum required parking for affordable housing units is one parking space per unit, except that a lower standard may be approved by the review body if the applicant can demonstrate that parking demand will be less than one space per affordable housing unit, based on data from comparable projects or demographic data.

#### **Commentary:**

Enforcement and monitoring are a consideration if the units are not funded with federal or state dollars that come with their own monitoring and compliance programs. Units with resale restrictions in the deed are self-enforcing, but ensuring compliance (income screening, rent and utility amounts, etc.) for rental units that don't have public subsidies would require City oversight. This could be done through an annual reporting requirement. The standards could include a minimum duration of affordability restrictions, or leave it to individual negotiations.

### B. Affordable housing development requirements.

1. In association with the land use review process, and prior to the issuance of a building permit for any units in an affordable housing development, the owner shall enter into an affordable housing development agreement with the City. The

## 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.*

development agreement shall set forth the commitments and obligations of the City and the owner, including, as necessary, conditions to ensure the completion of affordable housing in the development and address enforcement and any reporting requirements.

2. The owner shall execute any and all documents deemed necessary by the City in a form to be established by the City Attorney, including, without limitation, restrictive covenants, deed restrictions, and related instruments (including requirements for income qualification for tenants of for-rent units) to ensure the continued affordability of the affordable housing units in accordance with this section.

### **Commentary:**

The cottage court housing standards below are intended to enable small detached homes in clusters around a common green as an alternative to standard subdivisions. The standards below draw on three examples from the Pacific Northwest: Bend (OR), Redmond (WA), and Kirkland (WA). All three codes have many common elements. Key policy choices include the maximum square footage and the maximum height for the cottage units, and whether / how much of a density bonus is appropriate. These choices are discussed below.

17.04.180 Cottage Court Housing. The purpose of this section is to enable a housing type that responds to differing household sizes and ages (e.g., retirees, small families, single-person households), and offers opportunities for affordability; provide opportunities for small, single-family dwellings with usable open space in several residential zoning districts while ensuring compatibility with surrounding uses; and support growth management through efficient use of urban residential land.

- A. **Applicability.** These standards shall apply to all cottage court developments. Cottage Court developments are permitted where indicated in Chapter 17.03.
- B. **Cottage Court Development Size.** Cottage court developments shall contain a minimum of four and a maximum of 12 cottage dwelling units arranged in a cluster. A building site may contain more than one cottage court development.
- C. **Land Division Options and Procedures.** Cottage court developments may be created as a subdivision (pursuant to HRMC Title 16); as a condominium (pursuant to ORS Chapter 100 and HRMC 17.16); or as rental units or sold as undivided interest in development. (pursuant to HRMC 17.16)
- D. **Existing Uses.** On a site to be used for a Cottage Court development, existing detached single-family dwellings, which may become nonconforming with respect to the standards of this section, shall be permitted to remain, but the extent of the nonconformity may not be increased. The nonconforming dwelling units shall be included in the maximum permitted cottage density.
- E. **Lot Coverage and Floor Area.**

1. There is no maximum lot coverage for Cottage Court developments.

## 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.*

2. There is no minimum lot size for Cottage Court developments.
3. The maximum floor area per dwelling unit without an attached garage is 1,100 square feet. A dwelling unit with an attached garage shall have a maximum floor area of 1,500 square feet including the garage.

### **Commentary:**

Bend's code sets limits at 1,100 sf without a garage, and 1,200 sf with an attached garage. The maximum size in Redmond's code is 1,500 square feet, including an attached garage (but not a detached garage, unheated storage space, and areas less than 6' high). Kirkland's code allows a maximum of 1,500 square feet, plus up to 250 additional square feet for an attached garage.

As noted previously, the code currently does not include a definition of floor area. It could be important for a unit that is tightly limited (e.g. how stairs are treated); however, creating such a broadly applicable definition is beyond the scope of this project.

### **F. Building Height.**

1. Cottage dwelling units shall be no more than 18 feet in height, except that maximum building height may be increased to 25 feet in height provided that all parts of the roof above 18 feet have a minimum slope of 6:12.
2. Accessory structures, including detached garages (with or without an ADU), shall be no more than 18 feet in height.

- ~~A.G.~~ Exterior Setbacks. All buildings within a Cottage Court development shall be set back 10 feet from the exterior boundary of the building site.

### **Commentary:**

The City may want to consider a slightly larger setback if the project is abutting a lower density residential zone and is using the proposed density bonus below.

- H. Interior Building Separation. There shall be a minimum separation of six feet between the eaves of the cottage dwelling units. On cottage sides with a main entrance, the minimum separation shall be 10 feet. Structures other than cottages shall meet minimum building code setback requirements.

- I. Required Common Open Space. Common open space is intended to be an amenity shared by all residents of the cottage housing development. Each Cottage Court development shall provide a centrally located common open space area for the Cottage Court development meeting all of the following standards.

1. The common open space shall have cottages abutting at least two sides and at least 50 percent of the cottages shall abut a common open space.

## Westside Concept Plan Potential Code Amendments

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2. The common open space shall contain a minimum of 400 square feet per cottage dwelling unit in the cluster.
3. Each cottage shall be connected to the common open space by a walkway.
4. Areas such as utility vaults, exterior setbacks and common parking areas and driveways are not counted in the common open space requirements.
5. Common open space may contain an ASI or drainage swale area, provided the area is usable open space.
6. Required common open space shall be provided at ground level in a contiguous commonly owned tract with an easement indicating that it benefits all lots in the Cottage Court development.
7. Common open space shall have a minimum average width of 20 feet.
8. The common open space areas shall be constructed and landscaped prior to filing a final plat or, in the case of a site plan, construction and landscaping will be tied to final occupancy of the first cottage.
9. The common open space shall be recorded as a perpetual open space to benefit all residents of the cottage housing development prior to filing a final plat or prior to obtaining a building permit.

J. Required Private Open Space. Private open space adjacent to each cottage is intended for the exclusive use by the cottage resident. Cottage Court developments shall provide a total of 300 square feet of private, contiguous, usable open space adjacent to each cottage dwelling unit, for the exclusive use of the occupants of the individual dwelling unit. No dimension shall be less than 10 feet. Front porches are not included in the private open space calculation.

K. Density. In recognition of the small size of cottage dwelling units, a greater number of cottage dwelling units is permitted than the number of lots or parcels permitted for a standard subdivision. The total number cottage dwelling units shall be calculated pursuant to HRMC 17.04.150; with the following density bonuses:

1. 1.5 cottage dwelling units per lot or parcel permitted under HRMC 17.04.150 for cottages of 1,000 square feet or less in floor area
- +2.1.25 cottage dwelling units per lot or parcel permitted under HRMC 17.04.150 for cottages 1,001 square feet to 1,200 square feet in floor area

### **Commentary:**

A density bonus is recommended, because it provides an incentive to do this type of development rather than a standard subdivision, and because the units are small enough that the total floor area for the development would likely still be less than with a standard subdivision even with a density bonus. Bend does not offer a density bonus, but both Redmond and Kirkland offer bonuses. Kirkland allows 2 times the number of detached dwellings; Redmond offers 1.25 to 1.75 times the number of detached homes, depending on the size of the cottage dwelling units. This approach is recommended, since it has a more direct linkage to the smaller size

## Westside Concept Plan Potential Code Amendments

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of the cottage units, and may encourage smaller units that would be more affordable.

**B.L. Accessory Dwelling Units.** Accessory dwelling units in Cottage Court developments are limited to units located above a garage. All standards of HRMC 17.23 apply, except that the number of dwelling units on the building site, including both ADUs and cottage dwelling units, shall be limited to two times the density calculated pursuant to HRMC 17.04.150.

### **Commentary:**

The number of total units on-site, including ADUs, is limited to 2 times the standard number of lots that could be created through a land division, since ADUs are allowed with single family homes in standard subdivisions as well. This ensures fair treatment across housing types. However, this approach may imply that ADUs are counted towards density calculations, which they have not been to date. This could create confusion.

### **M. Development Standards.**

1. At least 50 percent of the cottages shall be oriented around and have their main entrance facing the common open space.
2. Each cottage shall have a covered entry of at least 80 square feet with a minimum dimension of six feet on any side.
3. Walkways in compliance with HRMC 16.12.030(B) must be included to provide for movement of residents and guests from parking areas to homes and other amenities. These walkways must be shown on the subdivision tentative plan or site plan and be part of the common areas/tracts.
4. Accessory structures for common usage are allowed in the common open space areas. Other accessory structures (except garages) are prohibited.

**N. Parking.** Parking for Cottage Court developments shall be located on the building site and identified on the tentative subdivision plan and/or site plan. On-site parking shall meet the following standards:

1. Parking may be located within a garage, carport or hard-surfaced parking area.
2. Parking may be located in common tracts if intended to be shared by the entire Cottage Court development in groups of not more than five adjoining spaces separated by at least four feet of landscaping. An enclosed garage or carport intended to be shared by the entire Cottage Court development shall not exceed 1,200 square feet in size.
3. Individual detached garages cannot exceed 450 square feet of floor area, excluding the area of Accessory Dwelling Units located above the garage pursuant to HRMC 17.04.180(L). Only one garage is allowed per cottage.

## 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.*

4. Parking shall not be located in the exterior setback and must be screened from public streets and adjacent residential uses by a 5-foot landscape buffer containing landscaping and/or architectural screening.
5. Parking is allowed between or adjacent to structures only when it is located toward the rear of the cottage and is served by an alley or private driveway.
6. Off-street parking requirements shall be calculated based on the number of bedrooms per cottage dwelling unit:
  - a. One bedroom: Minimum one space.
  - b. Two bedrooms: Minimum 1.5 spaces.
  - c. Three or more bedrooms: Minimum two spaces.
7. All parking shall provide a minimum of 24 feet for maneuvering and backing movements from garages, carports and parking areas.

### Commentary:

Paragraph (7), above, would benefit from a diagram / illustration.

- O. **Frontage Requirements.** Individual cottage lots created as part of a Cottage Court development subdivision are not required to have frontage on a public or private street. However, the building site shall have the minimum frontage on a public or private street required by the underlying zone.
- P. **Public Utilities.** All lots shall be served by individual services from a private or public distribution main. Any deviations from City standards need to be approved by the City Engineer. All individual service lines that cross property shall be placed in an easement.
- Q. **Covenants, Conditions and Restrictions.** Cottage Court developments that are developed as subdivisions or condominiums require a set of conditions, covenants and restrictions (CC&Rs) to address maintenance of common open space and other issues. Subsequent to final plat approval but prior to issuance of a building permit for any structure in a cottage court development CC&Rs shall be reviewed and, if approved by the City, recorded with Hood River County. The CC&Rs must include the following provisions:
1. Create a homeowner's association that will provide for maintenance of all common areas in the cottage housing development.
  2. The total square foot area of a cottage dwelling unit shall not be increased for the life of the cottage dwelling unit or duration of City Cottage Court regulations.

### Commentary:

The cohousing standards below are intended to provide flexibility for cohousing developments to arrange various types of units on a common lot, to include a common house and shared open space in lieu of private yards, and to cluster parking rather than provide individual driveways. The primary differences between

## 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.*

cohousing and a cluster subdivision from a regulatory perspective are the allowance for common buildings and the options for condominium or cooperative ownership (vs. fee simple land division). No development code examples specific to cohousing have been identified. The standards below are modified from the cottage court standards above.

The standards below are fairly flexible. The City should consider whether this is too much flexibility for a Type II review, and may want to limit this option to the Westside Overlay Zone, at least initially.

17.04.190. Cohousing Development. The purpose of this section is to enable housing that provides for cooperative living arrangements and shared facilities.

A. **Applicability.** These standards shall apply to cohousing developments that are created as condominiums (pursuant to ORS Chapter 100) or as multiple dwellings on a shared lot or parcel. Developments with cooperative living arrangements and shared facilities where dwelling units (detached single-family dwellings or duplexes) are on individual lots are processed as cluster subdivisions, subject to 17.04.160.C. Cohousing developments are permitted where indicated in Chapter 17.03.

A-B. **Housing Types.** Permitted residential uses within a cohousing development shall be those listed in the applicable zone; except that single family dwellings (one unit per building) and townhouses shall be permitted on a shared lot or as condominiums, rather than each unit being located on its own lot.

### **Commentary:**

The intent of allowing “townhouses”, above, is to allow development that looks like a townhouse but does not have individual fee-simple ownership of the lots. The goal is to allow units attached with common or abutting walls up to the limits for townhouse buildings (e.g. 2 units per building in R-2 and R-2.5, 4 units per building in R-3). However, the definition of townhouse includes that it’s located on its own lot. Modifications to this section will be needed in order to work around the definitional issue. One option is to create a definition of “rowhouse” that is not specific to fee simple ownership.

C. **Existing Uses.** On a site to be used for a cohousing development, existing dwellings shall be permitted to remain, and shall be included in the maximum permitted density.

D. **Lot Coverage and Floor Area.**

1. There is no maximum lot coverage for cohousing developments.

2. There is no minimum lot size for cohousing developments.

E. **Exterior Setbacks.** All buildings within a cohousing development shall be set back 10 feet from the exterior boundary of the building site.

F. **Interior Building Separation.** There shall be a minimum separation of 10 feet between buildings within a cohousing development. Projections may not encroach more than two and a half feet into the required separation from each side. Accessory structures shall meet minimum building code setback requirements.



## Westside Concept Plan Potential Code Amendments

*All edits are preliminary and subject to change.  
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**G. Required Common Open Space.** Cohousing development shall provide a common open space meeting all of the following standards.

1. The common open space shall contain a minimum of 200 square feet per dwelling unit.
2. Each dwelling unit shall be connected to the common open space by a walkway.
3. Areas such as utility vaults, exterior setbacks and common parking areas and driveways are not counted in the common open space requirements.
4. Common open space may contain constrained lands provided that a walkway through or along the perimeter of the constrained land (consistent with all applicable regulations protecting the constrained land) is included.
5. The common open space shall be recorded as a perpetual open space to benefit all residents of the cohousing development prior to filing a final plat or prior to obtaining a building permit.

**H. Density.** Cohousing developments may include a mix of housing types, as provided in (B), above. The maximum total number of dwelling units (excluding ADUs) shall be calculated based on the minimum lot size or building site area for the use specified in the applicable zone, except that the minimum lot size for single family dwellings and duplexes shall be applied as a total building site area per dwelling unit. Common buildings that do not contain dwelling units and are for the joint use of the residents of the cohousing development (including buildings that contain communal kitchens, laundry areas, or other shared facilities) are not included in the density calculation.

**I. Accessory Dwelling Units.** Accessory dwelling units are permitted in cohousing developments. The standards of HRMC 17.23 apply, with the following exceptions:

1. HRMC 17.23.010.B does not apply. The number of ADUs shall be limited to one ADU per single family dwelling in the cohousing development. The ADU need not be attached to a single family dwelling.
2. HRMC 17.23.010.D, E, and L do not apply.

**Commentary:**

ADUs are recommended to be allowed in cohousing developments with the standards shown above, in order to facilitate a range of sizes and types of housing within a cohousing development. Several sections of the ADU standards are called out above as not applicable for ADUs within a cohousing development, because they assume fee-simple ownership of the lot where the ADU is located, which may not be the case for a cohousing development. If the cohousing is cooperatively owned, linking rules to the "owner" will not work the same way as for a standard single family home.

**J. Parking.** Parking for cohousing developments shall be located on the building site and identified on the tentative subdivision plan or site plan. On-site parking shall meet the following standards:

1. Parking may be located within an enclosed garage, carport or unenclosed parking space.

## 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.*

2. Parking may be arranged in groups of not more than five adjoining spaces separated by at least four feet of landscaping. An enclosed garage or carport intended to be shared by multiple dwelling units shall not exceed 1,200 square feet in size.
3. Parking shall not be located in the exterior setback or in the front yard and must be screened from public streets and adjacent residential uses by a 5-foot landscape buffer containing landscaping and/or architectural screening.
4. Off-street parking requirements shall be calculated based on the number of bedrooms per dwelling unit:
  - a. One bedroom: Minimum one space.
  - b. Two bedrooms: Minimum 1.5 spaces.
  - c. Three or more bedrooms: Minimum two spaces.
5. All parking shall provide a minimum of 24 feet for maneuvering and backing movements from garages, carports and parking areas.

### K. Common Buildings.

1. Common buildings shall be limited to 4,000 square feet of floor area.
2. Common buildings that exceed 2,500 square feet of floor area shall be set back a minimum of 20 feet from an exterior lot line.

#### **Commentary:**

The purpose of the additional setback for larger common buildings, above, is to provide additional separation from the perimeter of the development for a building that's larger than a typical detached home, in order to make the development more compatible with any adjacent housing.

- ~~B.L.~~ **Frontage Requirements.** Individual units within a cohousing development are not required to have frontage on a public or private street. However, the building site shall have the minimum frontage on a public or private street required by the underlying zone.

## 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 17.16 - SITE PLAN REVIEW

*Legislative History: Ord. 1774 (1999); Ord. 1816 (2001); Ord. 1994 (2011); Ord. 2002 (2011); Ord. 2036 (2017)*

#### SECTIONS:

- 17.16.010 Applicability
- 17.16.020 Application Procedure
- 17.16.030 Submittal Requirements
- 17.16.040 Decision Criteria
- 17.16.050 Multi-Family and Group Residential Decision Criteria
- 17.16.051 Cottage Court and Cohousing Development Decision Criteria
- 17.16.053 Townhouse Project Decision Criteria
- 17.16.055 Large-Scale Light Industrial Uses
- 17.16.060 Effect of Approved Site Plan Review Permits
- 17.16.070 Expiration and Extension
- 17.16.080 Appeal

#### **Commentary:**

For sake of brevity, sections that are not proposed to change in any way are not included in this document unless needed for context. They are shown with asterisks (\*\*\*) following the heading for the section.

#### 17.16.010 Applicability.

- A. A site plan review permit shall be required for the following circumstances:
1. New construction.
  2. Expansion, remodel, or exterior alteration of any building or other structure.
  3. Change of use.
  4. Multi-family and group residential.
  5. Removal or fill of over 5,000 cubic yards of land.
  6. Townhouse projects for residential use with 4 or more townhouses in the R-2, R-3, and C-1 Zones.
  7. Cottage Court and Cohousing developments, except those processed as subdivisions pursuant to HRMC Title 16.
  - 6.8. All development in the NC Zone, except as exempted by Section B below.

#### **Commentary:**

The applicability sections above and below may need to be clarified, since they currently include a mix of actions and uses. Cottage Court and Cohousing

## 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.*

developments are also tricky because in some cases they may be processed as land divisions under Chapter 16.08, but if they are developed as rentals or with cooperative ownership they would be processed through site plan review.

- B. Exemptions from site plan review are as follows;
1. Any activity that does not require a building permit and is not considered by the Director to be a change in use.
  2. Any activity on the exterior of a building that does not exceed ten percent (10%) of the structure's total cost, fair market value, or \$75,000, whichever is less, as determined by the building official.
  3. Interior work which does not alter the exterior of the structure or effect parking standards by increasing floor area.
  4. Normal building maintenance including the repair or maintenance of structural members.
  5. ~~All Residential development, except multi-family and group residential, as provided above~~ uses other than those listed in (A), above.

17.16.020 Application Procedure. \*\*\*

17.16.030 Submittal Requirements. \*\*\*

17.16.040 Decision Criteria. These criteria apply to all site plan review except Multi-Family and Group Residential projects, which are subject to HRMC 17.16.050; Cottage Court and Cohousing development projects, which are subject to HRMC 17.16.051; Townhouse projects with townhouse buildings of 4 or more townhouses in the R-3 and C-1 Zones or townhouse projects in C-2 Zone, which are subject to HRMC 17.16.053; and Large Scale Light Industrial Uses, which are subject to HRMC 17.16.055.

- A. **Natural Features:** Significant natural features shall be protected to the maximum extent feasible. Where existing natural or topographic features are present, they shall be used to enhance the development. The use of small streams in the landscaping design shall be encouraged rather than culvert and fill. Existing trees and large woody plants shall be left standing except where necessary for building placement, sun exposure, safety, or other valid purpose. Vegetative buffers should be left along major street or highways, or to separate adjacent uses. The use should have minimal adverse impacts on the land and water quality. Possible impacts to consider may include pollution, soil contamination, siltation, and habitat degradation or loss.
- B. **Air Quality:** The use shall have minimal or no adverse impact on air quality. Possible impacts to consider include smoke, heat, odors, dust, and pollution.
- C. **Grading:** Any grading, contouring, on-site surface drainage, and/or construction of on-site surface water storage facilities shall take place so that there is no adverse effect

## 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.*

on neighboring properties, public rights-of-way, or the public storm drainage system. Graded areas shall be replanted as soon as possible after construction to prevent erosion. A construction erosion control plan shall be required.

- D. **Public Facilities:** Adequate capacity of public facilities for water, sanitary sewers, storm drainage, fire protection, streets, and sidewalks shall be provided to the subject parcel. Development of on-site and off-site public facilities necessary to serve the proposed use shall be consistent with the Comprehensive Plan and any adopted public facilities plan(s). Underground utilities shall be required. Connection to Oregon Department of Transportation (ODOT) stormwater facilities will require a permit from ODOT District 2C. On-site detention or treatment of stormwater may be required by ODOT.
- E. **Traffic and Circulation:** The following traffic standards shall be applicable to all proposals:
  - 1. **Traffic Impact Analysis:** The applicant will be required to provide a Traffic Impact Analysis prepared by an Oregon licensed traffic engineer or a Transportation Assessment Letter pursuant to Section 17.20.060.
- F. **Storage:** All outdoor storage areas and garbage collection areas shall be screened through the use of vegetative materials or appropriate fencing.
- G. **Equipment Storage:** Design attention shall be given to the placement or storage of mechanical equipment so as to be screened from view and that an adequate sound buffer will be provided to meet, at a minimum, the requirements of the noise ordinance.
- H. **Compatibility:** The height, bulk, and scale of buildings shall be compatible with the site and buildings in the surrounding area. Use of materials should promote harmony with surrounding structures and sites.
- I. **Design:** Variety of detail, form, and siting should be used to provide visual interest. A single uninterrupted length of facade shall not exceed 100 feet. Buildings shall utilize at least three (3) of the following architectural elements to provide architectural variety:
  - 1. Massing
  - 2. Offsets
  - 3. Materials
  - 4. Windows
  - 5. Canopies
  - 6. Pitched or terraced roof forms
  - 7. Other architectural elements
- J. **Orientation:** Buildings shall have their orientation toward the street rather than the parking area, whenever physically possible.

## 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.*

- K. **Parking:** Parking areas shall be located behind buildings or on one or both sides, whenever physically possible.

### 17.16.050 Multi-Family and Group Residential Decision Criteria.

**Commentary:**

The decision criteria below are not clear and objective, as required under Oregon's statutes and administrative rules for needed housing; however, addressing this issue is outside the scope of this project.

- A. **Natural Features:** Significant natural features shall be protected to the maximum extent feasible. Where existing natural or topographic features are present, they shall be used to enhance the development. The use of small streams in the landscaping design shall be encouraged rather than culvert and fill. Existing trees and large woody plants shall be left standing except where necessary for building placement, sun exposure, safety, or other valid purpose. Vegetative buffers should be left along major street or highways, or to separate adjacent uses. The use should have minimal adverse impacts on the land and water quality. Possible impacts to consider may include pollution, soil contamination, siltation, and habitat degradation or loss.
- B. **Grading:** Any grading, contouring, on-site surface drainage, and/or construction of on-site surface water storage facilities shall take place so that there is no adverse effect on neighboring properties, public rights-of-way, or the public storm drainage system. Graded areas shall be replanted as soon as possible after construction to prevent erosion. A construction erosion control plan shall be required.
- C. **Public Facilities:** Adequate capacity of public facilities for water, sanitary sewers, storm drainage, fire protection, streets, and sidewalks shall be provided to the subject parcel. Development of on-site and off-site public facilities necessary to serve the proposed use shall be consistent with the Comprehensive Plan and any adopted public facilities plan(s). Underground utilities shall be required. Connection to Oregon Department of Transportation (ODOT) stormwater facilities will require a permit from ODOT District 2C. On-site detention or treatment of stormwater may be required by ODOT.
- D. **Traffic and Circulation:** The following traffic standards shall be applicable to all proposals:
1. **Traffic Impact Analysis:** The applicant will be required to provide a traffic impact analysis prepared by an Oregon licensed traffic engineer or a Transportation Assessment Letter pursuant to Section 17.20.060 unless waived by the City Engineer.

## 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.*

- E. **Storage:** All outdoor storage areas and garbage collection areas shall be screened through the use of vegetative materials or appropriate fencing.
- F. **Equipment Storage:** Design attention shall be given to the placement or storage of mechanical equipment so as to be screened from view and provide a sound buffer that meets the minimum requirements of the noise ordinance.
- G. **Design:** Variety of detail, form, and siting should be used to provide visual interest. A single uninterrupted length of facade shall not exceed 100 feet. Buildings shall utilize at least three (3) of the following architectural elements to provide architectural variety:
  - 1. Massing
  - 2. Offsets
  - 3. Materials
  - 4. Windows
  - 5. Canopies
  - 6. Pitched or terraced roof forms
  - 7. Other architectural elements
- H. **Orientation:** Buildings shall have their orientation toward the street rather than the parking area, whenever physically possible.
- I. **Parking:** Parking areas shall be located behind buildings or on one or both sides, whenever physically possible.

### **Commentary:**

In the long run, it may be simpler to put the use-specific site and building standards below somewhere else (e.g. 17.04 or their own chapter) and keep the approval criteria more generic. For now, we have followed the existing pattern and added a new section for Cottage Court developments (below) that mirrors the approach for townhomes (17.16.053).

### 17.16.051 Cottage Court and Cohousing Development Decision Criteria Decision Criteria for Cottage Court and Cohousing developments:

A. Compliance with Development Standards: The proposed development complies with the applicable development standards in HRMC 17.04, the requirements of the applicable zone and other applicable requirements of this Title.

B. Grading: Any grading, contouring, on-site surface drainage, and/or construction of on-site surface water storage facilities shall be in accordance with Section 4.3 Grading and

## 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.*

Erosion Control of the City's adopted Engineering Standards. Graded areas shall be replanted as soon as possible after construction to prevent erosion.

C. Transportation Circulation and Access Management: The application is in compliance with the applicable requirements of Chapter 17.20 including provision of a Traffic Impact Analysis or a Transportation Assessment Letter pursuant to Section 17.20.060 unless waived by the City Engineer.

D. Storage: All outdoor storage areas and garbage collection areas shall be screened through the use of vegetative materials or appropriate fencing.

### 17.16.053 Townhouse Project Decision Criteria

Decision Criteria for townhouse projects for residential use with 4 or more townhouses in the R-2, R-3, and C-1 Zones:

A. Compliance with Townhouse Standards: The proposed townhouse project complies with the townhouse standards in HRMC 17.19, the requirements of the applicable zone and other applicable requirements of this Title.

B. Grading: Any grading, contouring, on-site surface drainage, and/or construction of on-site surface water storage facilities shall be in accordance with Section 4.3 Grading and Erosion Control of the City's adopted Engineering Standards. Graded areas shall be replanted as soon as possible after construction to prevent erosion.

C. Transportation Circulation and Access Management: The application is in compliance with the applicable requirements of Chapter 17.20 including provision of a Traffic Impact Analysis or a Transportation Assessment Letter pursuant to Section 17.20.060 unless waived by the City Engineer.

D. Storage: All outdoor storage areas and garbage collection areas shall be screened through the use of vegetative materials or appropriate fencing.

### 17.16.055 Large-Scale Light Industrial Uses \*\*\*

### 17.16.060 Effect of Approved Site Plan Review Permit. \*\*\*

### 17.16.070 Expiration and Extension \*\*\*

### 17.16.080 Appeal. \*\*\*



## Westside Concept Plan Potential Code Amendments

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### CHAPTER 17.19 – TOWNHOUSE PROJECTS

*Legislative History: Ord. 1774 (1999); Ord. 1806 (2001); Ord. 1903 (2006); Ord. 2036 (2017)*

#### SECTIONS:

- 17.19.010 Applicable Zones
- 17.19.020 Standards
- 17.19.030 Townhouse Process

#### 17.19.010 Applicable Zones.

##### **Commentary:**

Some clarification would be helpful here – (A) implies that more than the specified number of townhouses is not permitted at all, but it is only meant to identify projects that are permitted outright.

A. Townhouse Projects are permitted in the following zones:

1. R-2 with no more than 2 townhouses
2. R-3 with 3 or fewer townhouses
3. C-1 with 3 or fewer townhouses
4. NC with 3 or fewer townhouses

B. Townhouse Projects with 4 or more townhouses are subject to site plan review in the R-2, R-3, ~~and C-1~~ and NC Zones.

C. Townhouse Projects are subject to conditional use review in the C-2 Zone and NC Zone when they are not part of mixed use buildings.

17.19.020 Standards. The standards of the applicable zoning district apply except where superseded by the standards of this section.

A. **Site Development Standards.** The following site development standards apply to all townhouse projects.

1. Townhouse projects require a minimum lot or parcel size of 5,000 square feet in the R-2 zone. In the R-2.5, R-3, ~~and C-1~~ and NC zones, townhouse projects require a minimum lot or parcel size of 4,000 square feet.

## 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.*

### **Commentary:**

The proposed amendments decrease the minimum lot size to 4,000 square feet in the R-2.5 and R-3 zones, consistent with the proposed minimum for duplexes in those zones.

For consistency with the definition of townhouse project in Chapter 17.01, it might be clearer to state the minimum required building site rather than lot or parcel size.

2. Each townhouse building shall contain:
  - a. No more than two (2) attached townhouses in the R-2 and R-2.5 zones;
  - b. No more than four (4) attached townhouses in the R-3 ~~and C-1~~ and NC zones.
3. Maximum residential density is calculated as follows:
  - a. In the R-2 zone, a minimum of 5,000 square feet per townhouse building.
  - b. In the R-2.5 zone, a minimum of 4,000 square feet per townhouse building.
  - b. In the R-3 and C-1 -Zones, a minimum of 4,500 square feet for the first two (2) townhouses and a minimum 1,500 square feet for each additional townhouse.
4. The minimum lot size permitted per townhouse:
  - a. In the R-2 zone, no townhouse lot may be less than 2,100 square feet.
  - b. In the R-2.5, R-3, C-1, ~~and C-2~~ and NC zones, there is no minimum townhouse lot size.
5. Minimum lot frontage: The minimum lot frontage standard of the applicable zoning district is not applicable for townhouse lots.
6. Lot Coverage: Subject to HRMC 17.04.120.
7. As a part of an application for a townhouse project, an applicant may request an exception to the standards in HRMC 17.04.020, Access for townhouse projects which have alley access. The City may approve the exception when all of the following standards are met:
  - a. The proposed access plan is approved by the City Fire and Engineering Departments;
  - b. The alley has been dedicated to the City for public access;
  - c. The alley has a minimum hard surface width of 10 feet;
  - d. The applicant provides a Traffic Impact Analysis or Traffic Assessment Letter demonstrating that the alley has adequate capacity for the proposed use; and,

## 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.*

e. A hard-surfaced path with a minimum width of 6 feet is provided between the public street and any townhouse unit that obtains vehicular access from the alley.

In addition, address signage meeting City standards shall provide directions from the public street to any alley-accessed townhouse. And, any on site fencing adjacent to the path shall not exceed four-feet tall. The path and signage ensure safe access for emergency service providers.

B. **Setbacks.** The setback requirements of the applicable zone shall be applied to the townhouse building(s) except that the setback for the common wall on a townhouse is reduced to zero (0).

C. **Maximum Building Height.** The maximum building height requirements of the applicable zone shall be applied to the townhouse building(s).

D. **Parking Regulations.** The parking requirements of the applicable zone shall be applied to the townhouse building(s).

E. **Additional Standards.**

1. If a townhouse building is destroyed in any manner, it shall be replaced with the same or less number of units or the parcels shall be legally combined to create a parcel(s) meeting the minimum lot size of the underlying zone.

2. In addition to obtaining a building permit for a townhouse building, the owner shall obtain approval for a partition or subdivision pursuant to Title 16 – Land Divisions.

17.19.030 Townhouse Process. A townhouse shall be processed as a partition, pursuant to the provisions of Title 16 – Land Divisions.

## Westside Concept Plan Potential Code Amendments

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### CHAPTER 17.23 - ACCESSORY DWELLING UNITS (ADU)

*Legislative History: Ord. 1912 (2006); Ord 2026 (2016)*

#### SECTIONS:

17.23.010 General Requirements

##### 17.23.010 General Requirements

A. An ADU may be created within, or detached from, any single-family dwelling, whether existing or new, as a subordinate use, where permitted by this chapter in the R-1, R-2, R-2.5, R-3, C-1 and C-2 Zones.

B. Only one ADU may be created per parcel or ownership accessory to a single-family dwelling (no townhouse or duplex).

C. An application for an ADU shall be processed as a ministerial decision.

D. Only the property owner, which includes title holders and contract purchasers, may apply for an ADU. The property owner must occupy the primary dwelling or the ADU as their principal residence for at least six months out of the year (case by case basis for exceptions). A primary residence shall be the residence where the owner is registered to vote, used as the primary residence for tax purposes or other proof that the residence is primary. The owner shall sign an affidavit before a notary affirming that the owner occupies either the main dwelling or the ADU and shall show proof of a 12 month lease for the ADU occupant.

E. The ADU occupant shall provide proof that at least one occupant is locally employed (Gorge – Hood River, Wasco, Skamania, and Klickitat counties), a relative or on a local assistance program for the rent.

F. One off-street parking space shall be provided in addition to the off-street parking that is required for the primary dwelling pursuant to this Title. If the existing dwelling does not currently have the two required spaces, only the one for the ADU will be required. In no case shall the residential parking requirement be diminished to provide the ADU parking.

G. ADU's shall contain 800 square feet or less.

H. All other applicable standards including, but not limited to, setbacks must be met.

## 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.*

- I. Upon sale of the property, a new owner shall be required to reregister the ADU, paying a reauthorization fee set by resolution of City Council.
- J. If a garage or detached building does not currently meet setbacks, it may not be converted to an ADU.
- K. All applicable standards in the City's building, plumbing, electrical, fire and other applicable codes for dwelling units must be met.
- L. The owner of the property shall accept full responsibility for sewer and water bills.
- M. An ADU may not be used as a hosted homeshare or vacation home rental.
- N. The application and permit fee for an ADU shall be 1% of the building permit fee plus an amount to be set by resolution of the City Council.
- O. Beginning January 1<sup>st</sup> of each year the City will undertake an annual review of ADU permits to ensure compliance.

## *Appendix E: Interagency Coordination*

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1. Hood River Urban Growth Area Management Agreement (UGAMA)

## Urban Growth Area Management Agreement

This agreement is entered into by the City of Hood River, an incorporated municipality of the State of Oregon, hereby referred to as the "City" and Hood River County, a political subdivision of the State of Oregon, hereby referred to as the "County."

### A. RECITALS

**WHEREAS**, the City of Hood River and the Hood River County are authorized pursuant to Oregon Revised Statutes (ORS) Chapter 190 to enter into an Intergovernmental Management Agreement for performance of functions which either government unit has the authority to perform; and

**WHEREAS**, the Management Agreement also constitutes a cooperative agreement under ORS 195; and

**WHEREAS**, Goal 14 – Urbanization requires that the City and the County establish an urban growth boundary to identify and separate urbanizable land from rural land and that the establishment and change of urban growth boundaries shall be through a cooperative process between the City and County; and

**WHEREAS**, pursuant to provisions in Goal 2, Land Use Planning, the City and County are required to have a coordinated and consistent comprehensive plan which establishes an Urban Growth Boundary (UGB) and a plan for the Urban Growth Area (UGA) within the boundary;

**WHEREAS**, the City and County pursuant to Goal 2, are required to maintain consistent and coordinated comprehensive plans and implementing ordinances for the Urban Growth Area and the Urban Growth Boundary when amending their respective comprehensive plans; and

**WHEREAS**, the City and County share a common concern regarding the accommodation of population growth and utilization of lands within the UGB; and

**WHEREAS**, the City and County consider it mutually advantageous to establish this Urban Growth Area Management Agreement (UGAMA) for the purpose of facilitating the orderly transition from rural to urban land uses within the City's UGA.

**NOW, THEREFORE THE CITY OF HOOD RIVER AND HOOD RIVER COUNTY MUTUALLY AGREE AS FOLLOWS:**

### B. INTENT OF AGREEMENT

1. To establish standards and procedures for review and action on comprehensive plan amendments, ordinance amendments, proposed land actions and related matters noted within this agreement pertaining to implementation of the Comprehensive Land Use Plan and Zoning Regulations as adopted by the City and County for the UGA;
2. To recognize that the County shall have authority and jurisdiction over current planning activities and land use decisions within the UGA. This agreement, including the Comprehensive Land Use Plan and Zoning Regulations agreed to by the City and the County, constitute the provisions, standards and procedures for land use review and decision making by the County within the UGA.
3. To provide assistance to the public in the UGA by processing land use applications in a timely and consistent manner;
4. To benefit the public through reduction of governmental processes;

5. To provide governmental processes necessary for development of lands in the UGA that are clear and readily accessible to the public.
6. To jointly develop and adopt a set of land use regulations and plan and zoning map designations by the City and County for land use administration within the UGA.

C. DEFINITIONS: For the purpose of this agreement, the following definitions shall apply:

1. Board: the Hood River County Board of Commissioners.
2. City: the City of Hood River.
3. Council: the Hood River City Council.
4. County: Hood River County.
5. Land Use Decision: A Land Use Decision is defined by ORS 197.015 and involves a decision by the County after applying, through a land use application, standards of the UGA zoning or subdivision ordinances or other elements of the comprehensive plan to a particular property, or properties within the UGA. Land Use Decisions are made regarding at least the following land use applications: conditional use permits, Planned Unit Developments (PUD), subdivisions, major and minor partitions, expedited land divisions, property line adjustments, variances, road naming, road dedications and vacations, flood-plain and geological hazard permits, and use permits for commercial, industrial, or multi-family uses, quasi-judicial or legislative plan amendments, public improvement projects, major Public Works projects for transportation facility extension or improvements, establishment or major improvements to parks or recreation areas, public facility construction and public facility plans.
6. Comprehensive Land Use Plan for the Urban Growth Area (UGA Plan): the comprehensive Plan and its elements adopted by both the City and the County for planning purposes and administration of land use applications and building permits within the Hood River Urban Growth Area (UGA). Elements of the Comprehensive Plan shall include the Plan Designation and Zoning Designation Maps; the Zoning and Subdivision Ordinances; the Policy and Background Documents and the Exceptions Document.
7. Urban Growth Area (UGA): the area between the Hood River City Limits and the Hood River Urban Growth Boundary, as designated on the City's and County's Comprehensive Plan Maps, and shall be referred to as the "UGA."
8. Urban Growth Boundary (UGB): the boundary line which separates lands to be urbanized and eventually incorporated into the City of Hood River from the surrounding rural lands under the County's jurisdiction.
9. Urban Growth Area Management Agreement (UGAMA): this Intergovernmental Agreement between the City and County that coordinates the management of land use development within the City of Hood River's UGA.

D. PROCESS FOR ADOPTION OF THE COMPREHENSIVE LAND USE PLAN FOR THE URBAN GROWTH AREA:

1. Hood River County shall adopt and maintain Comprehensive Plan map and zoning ordinance provisions within the Urban Growth Area as proposed by the City and agreed to by the County which are consistent with the City's Comprehensive Plan and zoning ordinance.
2. It is intended that the UGA Plan shall comprehensively cover all aspects of development within the UGA.



E. UGA ADMINISTRATION RESPONSIBILITIES:

1. The County shall retain responsibility for administration and decision-making authority regarding all land use applications and building permits within the UGA until the land-base is annexed by the City. However, for delayed annexations, the City is responsible for enforcement of City building codes and land use ordinances and the conditions of the Delayed Annexation Agreement.
2. The County is responsible for regulating land use development within the UGA to avoid conflicts with the adopted UGA Plan.
3. Since the City is responsible for some urban services for lands within the UGA, it must review land use applications and building permits prior to final decision-making by the County.
4. The County shall send land use referrals and coordinate with other applicable special districts that have jurisdiction within the UGA. The County shall also coordinate with applicable special districts regarding building permits.

F. REVIEW PROCESS FOR LAND USE APPLICATIONS AND BUILDING PERMITS WITHIN THE UGA.

The review process within this section applies to land use applications and building permit applications proposed within the UGA. Applications for Legislative Amendments shall be processed pursuant to provisions in Section G of this agreement.

Land Use Applications:

1. Land use applications within the UGA shall be processed through the County Planning Department.
2. The County shall invite the City to participate in the County's pre-application process.
3. The County shall forward all land use applications to the City and other applicable special service districts for review and comment prior to final decision-making by the County.
4. The City Planning Department shall review land use applications and respond to the County within 20 days of the date the notice is received by the City.
5. The County shall grant the City on request a reasonable time extension to properly respond to land use applications.
6. If the City Planning Department fails to respond, it shall mean the City has no written comment regarding the application.
7. In making its decision, the County shall consider all comments made by the City with regard to land use applications.
8. The County Planning Department shall notify the City Planning Department in writing of all land use decisions within the UGA.
9. The City shall have standing to appeal the County's land-use decisions if the City has submitted written comments.

Building Permits:

10. Building permit applications within the UGA shall be processed through the County Planning and Building Departments.
11. The County shall invite the City to participate in the County's pre-application process.
12. The following is the process for building permits within the UGA:
  - a. Applicant obtains building permit application from County.
  - b. Applicant takes completed application to City for review and if necessary, collection of applicable service connection fees and system development charges.
  - c. After City has approved the permit, applicant takes the permit to applicable special service district for review.
  - d. Applicant returns building permit to County for final review and decision.
13. In making its decision, the County shall consider all comments made by the City.
14. The City shall have standing to appeal the County's land use decisions if the City has submitted written comments.

G. REVIEW PROCESS FOR LEGISLATIVE AMENDMENTS TO THE UGA COMPREHENSIVE PLAN:

1. Nothing within this agreement precludes either the City Council and Board of Commissioners or the City and County Planning Commissions from conducting joint meetings or hearings. It is the intention of the County and City Planning Commissions to conduct joint meetings whenever appropriate.
2. Amendments to the UGA Plan, including land use regulations and plan and zoning maps may be initiated by the City or County or property owner.
3. An application to amend the UGA Plan shall be filed with the City Planning Department. The City shall forward a copy of the application to the County Planning Department within five working days of the date the application was filed.
4. The City Planning Department shall notify the County Planning Department at least 30 days before the City Planning Commission's first hearing.
5. The City Planning Commission shall conduct a public hearing regarding the application. In making its decision, the City Planning Commission shall consider and respond to all comments submitted by the County.
6. The recommendation of the City Planning Commission shall be forwarded to the County Planning Department within five working days of the date the City Planning Commission recommendation is signed by the Chair.
7. The City Planning Department shall notify the County Planning Department at least 30 days before the Council's first hearing on the proposed application. All written comments received from the County prior to the scheduled hearing date shall be provided to the Council prior to the Council's hearing.

8. The decision of the City Council shall be forwarded to the County Planning Department within five working days of the date the City Council recommendation is signed by the Mayor. The decision of the City, along with a copy of the findings and record to support that decision, shall be forwarded to the County Planning Department.
9. Within 90 days of the receipt of the City's decision, the County Planning Commission shall conduct a public hearing on the proposed amendment and make a decision. The City shall be notified of the Planning Commission hearing at least 30 days prior to the hearing. The Planning Commission shall consider and respond to all comments provided by the City. The Commission's decision shall be forwarded to the Board.
10. Notice of the Planning Commission's decision shall be forwarded to the City Planning Department within five working days of the date the Planning Commission makes its final written recommendations.
11. The decision of the County Planning Commission, including the record, shall be forwarded to the Board of County Commissioners for scheduling of a hearing. Within 90 days of the Commission decision, the Board shall conduct a public hearing on the proposed amendment and make a decision.
12. The County Planning Department shall notify the City Planning Department at least 30 days before the Board of Commissioners hearing. The Board shall conduct a public hearing and make a final decision.
13. The County shall notify the City of the Board's final decision within five working days of the date the ordinance is signed by the Board.
14. If either the City or County do not respond within the above notice periods, it is assumed by both jurisdictions that there are no comments regarding the proposals.
15. Both the City and County may request reasonable time extensions to the notice periods.
16. Failure of the City and County to respond within the notice periods precludes appeal.
17. If the City and County disagree with the proposed amendments, a joint meeting of the City Council and board of County Commissioners may be held to attempt to resolve the differences. Both jurisdictions may also request a dispute resolution process to resolve the differences as outlined in Section Q - Dispute Resolution Process.
18. Both the City and County may also appeal the respective jurisdiction's decision to the Land Use Board of Appeals (LUBA) pursuant to the applicable City or County ordinances, state statutes or administrative rule.
19. Neither the City nor County shall unilaterally amend nor take any action that effectively amends any provisions of the UGA Plan. The UGA Plan may be amended only if the decisions of the County and the City are the same.

#### H. ANNEXATION TO THE CITY OF HOOD RIVER:

1. Owners of property contiguous to the City may apply to the City for annexation or the City may seek annexation on its own initiative.
2. Annexation shall be processed according to Chapter 17.15 – Annexation Policy of the Hood River Municipal Code.

3. At least 30 days prior to any hearing regarding annexation, the City shall notify the County of the proposed annexation. The County's comments regarding a proposed annexation shall be submitted to the City at least 10 days prior to the first scheduled hearing on the annexation.
4. A proposal for annexation to the City for an area outside the UGA shall be considered a proposal for, and processed as, an amendment to the Urban Growth Boundary.
5. The City and County may enter into an intergovernmental agreement for contractual annexations according to ORS 222.115 and Chapter 17.15 – Annexation Policy of the Hood River Municipal Code which provides for urban development of lands prior to annexation into the City of Hood River.

I. CITY SERVICES:

1. Extension of City water or sewer services within the Urban Growth Area may be permitted when approved by the City and if consistent with the City's Comprehensive Plan and with any adopted public facility plan. Extension of City water and sewer services shall be subject to approval of the City engineer.
2. As available, City services such as water, sewer, storm drainage, police, fire, parks and street maintenance within the UGA may be provided to the owner of the property upon signing and recording a "Consent to Annex", "Waiver of One Year" and "Waiver of Remonstrance."
3. All services within the UGA shall be developed and maintained to City standards and under the supervision of the City or the City's designee.
4. The City shall be responsible for public facilities planning within the UGA.

J. AMENDMENTS TO THE URBAN GROWTH BOUNDARY: The City is the lead agency for an UGB amendment. However, an UGB amendment should be viewed as a collective effort between all involved parties. Therefore, a pre-application conference between the City, County, applicable special service districts and affected property owners should be held by the City to determine the advisability of proceeding with the proposed UGB amendment.

1. Any proposed amendment to the Urban Growth Boundary shall be initiated by the City of Hood River or by the County Board of Commissioners only.
2. The initiating body shall submit the proposed Urban Growth Boundary revision to the City and County Planning Commissions.
3. The City and County Planning Commissions shall hold a joint public hearing within 60 days of the date the initiating body submitted the proposed revision.
4. Within 90 days of the joint hearing by the City and County Planning Commissions, the following shall occur:
  - a. A copy of the record of the hearing shall be submitted to both the Board and the Council.
  - b. If the City and County Planning Commissions agree to the boundary revision, they shall submit a joint recommendation to the Board and Council.
  - c. If the two Planning Commissions are unable to agree as to a recommendation, a recommendation of each Planning Commission shall be submitted to the Board and Council.

5. The Board and Council shall then hold a joint meeting to render a decision on the proposed Urban Growth Boundary revision.
6. If both the Board and Council are able to reach a mutually acceptable decision, the Council and Board shall proceed with the amendment of their respective Comprehensive Plans and zoning ordinances.
7. If the City and County disagree with the proposed amendment, a joint meeting of the City Council and Board of County Commissioners may be held to attempt to resolve the differences. Both jurisdictions may also request a conflict resolution process to resolve the differences.
8. If the government bodies are not able to come to mutual agreement, there shall be no change to the Urban Growth Boundary.
9. If the request is denied, the same or substantially the same request shall not be heard for a period of one (1) year.

K. OTHER LAND USE ACTIVITIES: The City and County shall use the following process for review and action on public improvement projects and similar programs, projects or proposals that apply to the UGA.

1. The County shall seek a recommendation from the City with regard to the following items which are within, adjacent to, or directly impact the UGA.
  - a. Capital improvement programs.
  - b. Major public works projects sponsored by the County for transportation, facility extensions or improvement; establishment, development or major improvements to a park or recreation area; public facility construction or improvement; acquisition of property; or other similar activity.
  - c. Functional plans or amendments thereto, for utilities, drainage, solid waste, transportation, recreation, or similar activity.
  - d. Plans, or amendments thereto, for economic development or industrial development.
  - e. Neighborhood or sub-area development plans.
  - f. Proposals for formation of, or changes of boundary or functions of special services districts, as these terms are defined in ORS 198.705 and ORS 198.710, except as provided in ORS 199.410 and ORS 199.512.
  - g. Recommendations for designation of an area as a health hazard.
  - h. Other plans or proposals similar to the above.
2. The City shall seek a recommendation from the County with regard to the following items which will affect the UGA for which the City has ultimate decision-making capacity:
  - a. Proposals for annexation to the City.
  - b. Capital improvement programs.
  - c. Functional plans or amendments thereto, for utilities, drainage, recreation, transportation, or other similar activity.

- d. Plans or amendments, thereto, for economic development or industrial development.
  - e. Proposals for the extraterritorial extension of any City service, utility, or facility, or the service area for any of the above.
  - f. Plans for the implementation of system development changes (SDC's).
  - g. Other plans or proposals similar to the above.
3. The initiating jurisdiction shall allow the responding jurisdiction 45 days to review and submit recommendations with regard to the items listed in Sections 1 & 2 above. Additional time may be provided at the request of the responding jurisdiction and with the concurrence of the initiating jurisdiction.
  4. The initiating jurisdiction shall consider, and is obligated to respond to as appropriate, the recommendations of the responding jurisdiction in making its decision. No response by the responding jurisdiction to the request within the timeline outlined above shall be presumed to mean no comment on the proposal.

#### L. PUBLIC WORKS CONSTRUCTION STANDARDS

1. All new streets shall be built to City standards at the initial land division where a street is required.
2. Streets in subdivisions and PUD's shall be initially developed to the City's improvement standards.
3. In all cases, right-of-ways in compliance with the City standards shall be required.
4. All newly created utility easements in the UGA shall be dedicated to the public.

#### M. SPECIAL DISTRICT COORDINATION

1. When a special district (water, parks, sewer, etc.) situated fully or partially within the UGA has entered into an intergovernmental coordination agreement with the County and/or the City, it shall be given the opportunity to review and comment on the land use actions and activities as specified in this agreement.
2. If such an agreement is entered into, the special districts shall give the City and County the opportunity to review and consider comments on the following activities which will apply to the UGA:
  - a. Major public works projects to be provided by the district.
  - b. Plans for establishment, improvement or extension of facilities provided by the district.
  - c. Capital improvement programs which are being developed by the district.

#### N. FEES

1. Applications for land use and building permits, including all land use appeals within the UGA, shall be accompanied by a fee set by the County.

2. The City, other County Departments and other special districts may require applicants to pay for utility or other services. However, these special districts will not duplicate the Land Use application fee requirements of the County Planning Department.
  3. Applications for Comprehensive Plan Amendments within the UGA shall be accompanied by a fee set by the City. To avoid duplication of fees for the applicant, the County shall not require a Comprehensive Plan Amendment fee because the County is collecting land use application, building permit, and appeal fees.
- O. ENFORCEMENT: The County shall be responsible for enforcement of the UGA plan and other applicable zoning and subdivision ordinances that have been adopted and building regulations within the UGA. Enforcement actions shall be taken in accordance with the County ordinances and the Uniform Building Code. For delayed annexation, the City is responsible for the enforcement of City Building Codes and Land Use Ordinances and Conditions of the Delayed Annexation Agreement.
- P. SEVERABILITY: The provisions within this agreement are severable. If any section, sentence, clause or phrase of this agreement is adjudged by a court of competent jurisdiction to be invalid, said shall not impair or affect the validity of the remaining portions of the agreement.
- Q. DISPUTE RESOLUTION PROCESS:
1. Parties to this agreement shall take all actions necessary to resolve any issue or issues through the pre-application or application processes or during the administrative, quasi-judicial or legislative decision-making processes.
  2. If the parties to this agreement still disagree, a joint meeting of the City council and Board of County Commissioners may be held to attempt to resolve the differences.
  3. However, when the parties to this agreement reach an impasse over any issue or issues, they shall hire a mediator to assist the City and County resolving the issue or issues through the Alternative Dispute Resolution Process as outlined by the Oregon Dispute Resolution Commission (ODRC).
- R. REVIEW, AMENDMENT AND TERMINATION:
1. This agreement supersedes the Hood River Urban Growth Area Management Agreement dated August 15, 1983.
  2. This agreement may be reviewed and amended at any time by mutual agreement of both parties, after public hearing by the City Council and the Board of County Commissioners.
  3. This agreement shall be reviewed, and may be amended at the time established for Periodic Review of each jurisdiction's Comprehensive Plan.
  4. Any modifications in this agreement shall be consistent with the City and County Comprehensive Plans.
  5. This agreement may be terminated by either party under the following procedure:
    - a. A public hearing shall be called by the party considering termination. That party shall give the other party at least 45 days prior notice of the scheduled hearing date. The 45 days period shall be used by both parties to seek a resolution of differences. Both parties shall also request a collaborative conflict resolution process to resolve differences that remain.

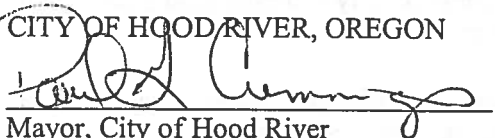
- b. Public notice of the hearing shall be in accordance with applicable statewide and local goals and statutes.
- c. An established date for the termination of the agreement shall be at least 90 days after the public hearing in order to provide ample time for resolution of differences.

Adopted 21 July 1997

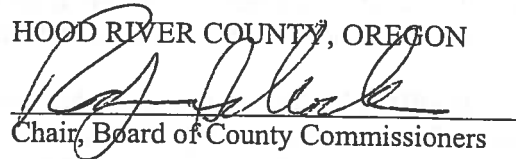
And signed by Paul Cummings (Mayor), Chair, Board of Commissioners, City Recorder, Acting Hood River County Planning Director.

Dated this 28 July of 2003.

CITY OF HOOD RIVER, OREGON

  
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Mayor, City of Hood River

HOOD RIVER COUNTY, OREGON

  
\_\_\_\_\_  
Chair, Board of County Commissioners

ATTEST:

  
\_\_\_\_\_  
City Recorder