211 Second Street | Hood River, OR 97031 | 541-386-1488 | www.cityofhoodriver.gov

CITY COUNCIL

June 23, 2025

COUNCIL MEMBERS

Paul Blackburn
Mayor

Gladys Rivera
President

Anna Cavaleri
Councilor

Amanda Goeke
Councilor

Ben Mitchell
Councilor

Grant Polson
Councilor

Doug Stepina
Councilor

MEETING AGENDA 6:00 p.m.

I. CALL TO ORDER – Cell Phone Reminder
A. Land Acknowledgement Statement
B. Pledge of Allegiance

II. AGENDA ADDITIONS OR CORRECTIONS

III. BUSINESS FROM THE AUDIENCE

Hood River City Council encourages community members to talk about issues important to them. If you wish to speak during "Business from the Audience" there are three options to choose from:

- If you wish to speak during "Business from the Audience", and you are attending the meeting in person, please sign up when you arrive at the meeting by printing your name, contact information and topic/item on the sheet provided by the City Recorder.
- Submit written comments to the City Recorder at j.gray@cityofhoodriver.gov by Monday, June 23, 2025, no later than 12 noon in order to distribute to the City Council in one packet for review by 3pm. All comments will be added to the record.
- To address Council during Business for the Audience by Zoom, send an email (name of speaker and topic) to j.gray@cityofhoodriver.gov by Monday, June 23, 2025, no later than 12 noon. Please specify the topic your testimony addresses. Testimony will go in order of requests received. Attendees that have pre-registered will be given a Zoom link. The speaker will be promoted by the City Recorder to address Council. Audio and video to be turned on for 3 minutes to address Council.

At the Mayors discretion, public comments may be received prior to a specific topic of relevance during the meeting. Please observe the time limit of three minutes/person.

IV. PRESENTATIONS

RECESS TO CONSIDER URBAN RENEWAL AGENDA

V. PUBLIC HEARINGS

1. Schedule of Building Fees, Rates, and Charges for FY2025-26 PAGES 3-11
   (Resolution 2025-17), Dustin Nilsen

VI. CONSENT AGENDA

1. Council Meeting Minutes – June 9, 2025 PAGES 12-19
2. OLCC Approval – PAGES 20-21
   PJs Home Town Café, 1301 Belmont Street (new ownership/business)
3. Final Plat Approval, Union Building P.U.D. Phase 2, PAGES 22-25
   Kevin Liburdy
3. Transfer Ownership of Nichols Basin to the City of Hood River, PAGES 26-31
   Will Norris

VII. ACTION ITEMS

1. Internal Fund Loan Resolution 2025-15 and 2025-16, PAGES 32-35
   Chris Longinetti
2. Q4 FY2024-25 Supplemental Budget – Resolution 2025-18, PAGES 36-39
   Chris Longinetti

VIII. DISCUSSION ITEMS

1. Development Code Update (Phase 2)-Module 1, Dustin Nilsen PAGES 40-65

IX. CITY RECORDER

X. CITY MANAGER COMMENTS

XI. COMMITTEE REPORTS

XII. MAYOR COMMENTS

XIII. COUNCIL COMMENTS

XIV. EXECUTIVE SESSION

XV. ADJOURN

All public meeting locations are accessible. If you will need special accommodations to attend a meeting contact the City Recorder no later than 24 hours in advance of the meeting at j.gray@cityofhoodriver.gov, (541) 387-5212. Oregon Relay Service 1-800-735-2900

If you are needing translation services at the meeting, no later than 24-hour notice is required to make accommodations. Call (541) 387-5212

Si necesita servicios de traducción en la reunión, se requiere un aviso de minimo 24 horas de anticipación para hacer las adaptaciones. Ilamar (541) 387-5212

The City of Hood River Council meetings can now be viewed live on YouTube. See link to connect to live meetings: https://cityofhoodriver.gov/administration/public-meeting-upcoming-and-archived-videos/

The recording of the meeting will be posted shortly after the meeting on the City's website. Please check the City's website for the most current schedule of City public meetings. https://cityofhoodriver.gov/administration/meetings/

CITY OF HOOD RIVER CITY COUNCIL

DATE: June 23, 2025

TO: Honorable Mayor Paul Blackburn and City Council

FROM: Dustin Nilsen, Director of Planning

SUBJECT: Schedule of Building Fees, Rates, and Charges for FY2025-26 (Resolution 2025-17)

CITY COUNCIL GOAL:

- ☐ Equitable and Diverse Housing Inventory
- ☐ Equitable and Inclusive Community
- ☒ Well-Maintained and Safe Community
- ☐ Efficient and Safe Transportation System for all users
- ☐ Environmentally Sustainable and Resilient Community
- ☐ Adequate Parks and Open Space
- ☐ Health Organization

BACKGROUND:
The FY2025-26 Consolidated Fee Schedule includes City Building Fees. These fees are authorized by the state administered and collected by the City. The Building Fund is a restricted fund separated from the General Fund and the use of revenues are limited to those associated with Building operations.

This year the City of Hood River has requested to update fees to reflect the increases in inflation, administration costs, or to address technological investments. Unlike other fees, the State of Oregon requires notice of the change and ORS 455.210 requires local programs to adopt permit and inspection fees by resolution. Once the City drafts a proposed fee change or increase, it notifies the Building Codes Division at least 45 calendar days before the adoptive date of the increase, which may be different than the effective date. The State provides an opportunity for comments and appeals based on the merits of a municipalities request.

DISCUSSION:
Staff provided notice to the Building Codes Division on April 29th, 2025, and advertised its public hearing onsite, electronically, and on May 21st, June 11th, and June 18th in the local paper. Prior to the hearing, staff worked with the state to address issues related to the modification and to align its terminology and fees with the State's Accela permitting system. As addressed in the staff budget presentation, this modification is not intended to be the final update, but rather an incremental step to align fees and sustain the City's program.

On March 10th, 2025, the City held a public hearing on its fee schedule. No comments were received at or prior to the hearing and in its conclusion, Council recommended the approval of the fees and directed staff to prepare the necessary resolution.

Enclosed in the packet is the Resolution adopting a Building Schedule of City Fees, Rates, and Charges for Services for FY 2025-2026 for Council Consideration and Approval.

STAFF RECOMMENDATION:
Staff recommend Council moves to adopt Resolution 2025-17, Adopting the Building Schedule of Fees, Rates, and Charges for FY 2025-26

SUGGESTED MOTION:
"I move that the City Council adopt Resolution 2025-17, Adopting the Building Schedule of Fees, Rates, and Charges for FY 2025-26".

ALTERNATIVES:
The City Council may deny all or individual fee schedule changes or request additional changes to the consolidated fee schedule.

FISCAL IMPACT:
Fees, rates, and charges partially fund City services and assist in reducing reliance on property taxes and other general resources to support specific City programs.

ATTACHMENTS:
Resolution 2025-17 with Exhibit: FY 2025-26 Schedule of Building Fees

Resolution 2025-17

A Resolution to adopt Building Schedule of City Fees, Rates, and Charges for Services for FY25-26

WHEREAS, the City Council establishes the fees, rates, and charges for all city services, permits and applications by resolution, and most recently by the adoption of Resolution 2025-07; and

WHEREAS, the City Council has determined that it is necessary and proper for the City to review and revise this Schedule annually for preparation of the City's annual budget; and

WHEREAS, The Oregon Revised Statute requires that a municipality give the director (of the Building Codes Division) notice of the proposed adoption of a new or increased fee and provide the opportunity for public comment under ORS 294.160 regarding the fee; and

WHEREAS, Pursuant the ORS noticing requirements the City Council conducted a public hearing and considered the revised Building fee schedule at its March 10th, 2025 Public Hearing;

WHEREAS, since its March 10th approval the State and City have refined the fees to a final form acceptable to the State in anticipation of local adoption and implementation for FY 2025-2026;

NOW, THEREFORE, BE IT RESOLVED by the Hood River City Council that the fees set forth in Exhibit A, the Building Fees for 2025-2026 be incorporated into its Consolidated Schedule of Fees, Rates, and Charges, which is incorporated herein by this reference, are hereby adopted and shall apply starting July 1, 2025:

BE IT FURTHER RESOLVED that the fees and charges adopted pursuant to Resolution 2024-06 are hereby repealed effective July 1st, 2024.

Approved, adopted and effective this 23rd day of June 2025.

_____
Paul Blackburn, Mayor

Attest:

Approved as to form:

_____
Jennifer Gray, City Recorder

_____
Daniel Kearns, City Attorney

2025-26 Hood River City Fee Change

A. Structural Permit Fees

Structural Permit Fees		
When applicable, structural permits use valuation as determined by ICC Building Valuation Table current as of April 1 of each year, as per OAR918-050-0100.		
Valuation	**Hood River City Current Fees**	**Hood River City Proposes Fees**
$0 - $500	$71.25	$85.50
$501 - $2,000	$71.25 for the first $500 plus $3.13 for Each additional $100 or fraction thereof	$85.50 for the first $500 plus $3.76 for Each additional $100 or fraction thereof
$2,001 - $25,000	$118.20 for the first $2,000 plus $15.41 for each additional $1,000, or fraction thereof	$141.90 for the first $2,000 plus $18.49 for each additional $1,000, or fraction thereof
$25,001 - $50,000	$472.63 for the first $25,000 plus $11.40 for each additional $1,000, or fraction thereof	$567.17 for the first $25,000 plus $13.68 for each additional $1,000, or fraction thereof
$50,001 - 100,000	$757.63 for the first $50,000 plus $8.22 for each additional $1,000, or fraction thereof	$909.17 for the first $50,000 plus $9.86 for each additional $1,000, or fraction thereof
$100,001 - $500,000	$1,168.63 for the first $100,000 plus $5.75 for each additional $1,000, or fraction thereof	$1,402.17 for the first $100,000 plus $6.90 for each additional $1,000, or fraction thereof
$500,001 - $1,000,000	$3,468.63 for the first $500,000 plus $4.88 for each additional $1,000, or fraction thereof	$4,162.17 for the first $500,000 plus $5.86 for each additional $1,000, or fraction thereof
$1,000,001 and up	$5,908.63 for the first $1,000,000 plus $3.75 for each additional $1,000, or fraction thereof	$7,092.17 for the first $1,000,000 plus $4.50 for each additional $1,000, or fraction thereof
Other Structural Fees		
	Hood River City Current Fees	**Hood River City Proposed Fees**
Structural Minimum Permit Fee	$71.25 Minimum	$85.50 Minimum
Commercial Fire Suppression	See Structural Permit Fee table above	See Structural Permit Fee table above
STR Standalone system type		

Residential Fire Suppression – Standalone System, fee includes plan review *[See Plumbing Fee section for Continuous Loop/Multipurpose System] As per Division 50 - Suppression (or Systems)*		
Square Footage of Area to be Covered		
0 – 2000 sq ft	$216.00	$259.20
2001 – 3600 sq ft	$284.00	$340.80
3601 - 7200 sq ft	$420.00	$504.00
7201 sq ft and greater	$554.00	$664.80

Solar Permit — Prescriptive Path System, fee includes plan review & one final inspection	$165	$228.00
Solar Permit — Non-Prescriptive Path System	See Structural Permit Fee table above	See Structural Permit Fee table above
Structural Plan Review (when applicable)	65% of structural permit fee	65% of structural permit fee
Additional Plan Review (when applicable) – hourly	$95.00	$104.50
Fire Life Safety Plan Review (when applicable)	40% of structural permit fee	40% of structural permit fee

Deferred Submittal Plan Review Fee (this fee is in addition to the project fee based on the total project value)	10% of the building permit fee calculated using the value of the **DEFERRED PORTION** of the project with a minimum of $275.00 This fee is in addition to standard plan review fees per OAR 918-050-0170	65% of the building permit fee calculated using the value of the **DEFERRED PORTION** of the project with a minimum of $288.75 This fee is in addition to standard plan review fees per OAR 918-050-0170
Phased Projects	10% of the TOTAL project permit fee with a minimum of $275 This fee is in addition to standard plan review fees [this fee is a premium, in addition to] OAR 918-050-0160.	10% of the TOTAL project permit fee with a minimum of $288.75 This fee is in addition to standard plan review fees [this fee is a premium, in addition to] OAR 918-050-0160.
Interior Remodels	When the construction or occupancy type does not fit ICC Building Valuation Data Table, the valuation shall be determined by the building official and shall be based on the applicant's or contractors certified bid or sworn Construction Cost Statement provided as part of the building permit application.	When the construction or occupancy type does not fit ICC Building Valuation Data Table, the valuation shall be determined by the building official and shall be based on the applicant's or contractors certified bid or sworn Construction Cost Statement provided as part of the building permit application.
Demolition Permit Fee	$56	$58.80
Moving building or structure	$330	$346.50
Investigation Fees - *actual or average cost; may include supervision, overhead, equipment, and/or rate/wage of the employee(s) involved. Applicable to all disciplines and is surchargeable as inspection.*		
Investigation Fee (hourly rate)	$95	$104.50 per hour
Temporary Certificate of Occupancy (TCO) issuance (6 months max for initial)		$100.00
Temporary Certificate of Occupancy extension fee		$200.00
Permit Reinstatement Fee		$99.75
Reinspection	$95 Each	$104.50 Each
Each Addl Inspection (beyond allowable)	$95 Each	$104.50 Each
Inspections for which no fee is specifically indicated	$95 per hour; minimum ½ hour	$104.50 per hour; minimum ½ hour
Inspection outside of normal business hours	$190 minimum 2 hours	$104.50 per hour, 2 hour minimum
Technology Fee		3%

B. Mechanical Permit Fees

Residential Mechanical Fees — per each appliance	**Hood River City Current Fees**	**Hood River City Proposed Fees**
Residential Mechanical Minimum Permit Fee	$75.00	$90.00
Heating/Cooling		
Furnace/burner including duct work/vent/liner	$15.00	$18.00
Air conditioner	$15.00	$19.00
Heat pump	$15.00	$18.00
Mini split system	$15.00	$18.00
Floor furnace, including vent	$15.00	$18.00
Hydronic hot water system	$30.00	$36.00
Evaporative cooler other than portable	$15.00	$18.00
Suspended heater, recessed wall heater, or floor mounted heater	$15.00	$18.00
Furnace – greater than 100000 BTU	$15.00	$18.00

Furnace – up to 100000 BTU	$15.00	$18.00
Air handling unit of up to 10000 cfm	$15.00	$18.00
Air handling unit 10001 cfm and over	$15.00	$18.00
Appliance of piece of equipment regulated by code but no classified in other appliance categories	$15.00	$18.00
Other heating/cooling	$15.00	$18.00
Other Fuel Appliances		
Water heater	$15.00	$18.00
Gas or wood fireplace/insert	$15.00	$18.00
Wood/pellet stove	$15.00	$18.00
Pool or spa heater, kiln	$15.00	$18.00
Decorative gas fireplace	$15.00	$18.00
Chimney/liner/flue/vent	$15.00	$18.00
Oil tank/gas diesel generators	$15.00	$18.00
Other fuel appliance	$15.00	$18.00
Environmental Exhaust and Ventilation		
Range hood/other kitchen equipment	$15.00	$18.00
Clothes dryer exhaust	$15.00	$18.00
Ventilation fan connection to single duct	$15.00	$18.00
Radon Mitigation	$15.00	$18.00
Attic or crawl space fans	$15.00	$18.00
Flue vent for water heater or gas fireplace	$15.00	$18.00
Ductwork only	$15.00	$18.00
Ventilation system not a portion of heating or air-conditioning system authorized by permit	$15.00	$18.00
Repair, alteration, or addition to mechanical appliance including installation of controls	$15.00	$18.00
Installation or relocation domestic/type incinerator	$15.00	$18.00
Hood served by mechanical exhaust, including ducts for hood	$15.00	$18.00
Other environment exhaust/ventilation	$15.00	$18.00
Fuel piping/Pressure Test		
Gas fuel piping Outlets (first four)	$6.00	$7.20 up to 4 outlets
Each additional outlet	$1.00	$1.20 per outlet
Mechanical Investigation Fee (hourly rate)	$95	$104.50 per hour
Mechanical Plan Review (when applicable)	50% of mechanical permit fee	50% of mechanical permit fee
Additional Plan Review (when applicable) – per hour	$95.00, minimum 1 ½ hours	$104.50, minimum 1 ½ hours
Reinspection – per each	$95	$104.50
Each additional inspection, above allowable – per each	$95	$104.50
Inspections for which no fee is specifically – per each	$95.00, minimum one hour	$104.50, minimum one hour
Inspection outside of normal business hours	$190.00, minimum 2 hours	$104.50 per hour, 2 hour minimum
Commercial Mechanical Fees (Use Structural Fee Schedule Per OAR 918-050-0100)		
Valuation	**Hood River City Current Fees**	**Hood River City Proposes Fees**
$0 - $500	$71.25	$85.50
$501 - $2,000	$71.25 for the first $500 plus $3.13 for Each additional $100 or fraction thereof	$85.50 for the first $500 plus $3.76 for Each additional $100 or fraction thereof

$2,001 - $25,000	$118.20 for the first $2,000 plus $15.41 for each additional $1,000, or fraction thereof	$141.90 for the first $2,000 plus $18.49 for each additional $1,000, or fraction thereof
$25,001 - $50,000	$472.63 for the first $25,000 plus $11.40 for each additional $1,000, or fraction thereof	$567.17 for the first $25,000 plus $13.68 for each additional $1,000, or fraction thereof
$50,001 - 100,000	$757.63 for the first $50,000 plus $8.22 for each additional $1,000, or fraction thereof	$909.17 for the first $50,000 plus $9.86 for each additional $1,000, or fraction thereof
$100,001 - $500,000	$1,168.63 for the first $100,000 plus $5.75 for each additional $1,000, or fraction thereof	$1,402.17 for the first $100,000 plus $6.90 for each additional $1,000, or fraction thereof
$500,001 - $1,000,000	$3,468.63 for the first $500,000 plus $4.88 for each additional $1,000, or fraction thereof	$4,162.17 for the first $500,000 plus $5.86 for each additional $1,000, or fraction thereof
$1,000,001 and up	$5,908.63 for the first $1,000,000 plus $3.75 for each additional $1,000, or fraction thereof	$7,092.17 for the first $1,000,000 plus $4.50 for each additional $1,000, or fraction thereof
Commercial Mechanical Minimum Permit Fee	$71.25 Minimum	$85.50 Minimum
Re-inspection fee	$95.00 per hour	$104.50 per hour
Inspections for which no fee is specifically indicated	$95.00, minimum ½ hour	$104.50, minimum ½ hour
Additional Plan Review (when applicable) – per hour	$95.00 per hour	$104.50, minimum 1 ½ hours
Investigation Fee (hourly rate)	$95.00 per hour	$104.50 per hour

C. Manufactured Dwelling Placement Permit Fees

Manufactured Dwelling Permit Fees	Hood River City Current Fees	Hood River City Proposed Fees
Manufactured Dwelling Placement Fee*	$440	$525
State (Cabana) Fee	$30	$30

** Includes the concrete slab, runners or foundations that are prescriptive, electrical feeder and plumbing connections and all cross-over connections and up to 30 lineal feet of site utilities. Decks, other accessory structures, and foundations that are not prescriptive, utility connections beyond 30 lineal feet, new electrical services or additional branch circuits, and new plumbing – may require separate permits. All decks 30" above ground, carports, garages, porches, and patios are based on valuation and may also require separate permits.*

** See Structural schedule by valuation for non-dwelling modular placements*

A. Manufactured Dwelling/RV Parks – Area Development Permit (ADP)

The Area Development Permit fee to be calculated based on the valuations shown in Table 2 of OAR 918-600-0030 for Manufactured Dwelling/Mobile Home Parks and Table 2 of OAR 918-650-0030 for Recreational Park & Organizational Camp – and applying the valuation amount to Table 1 as referenced for each.

D. Grading Fees

Grading Fees	Hood River City Current Fees	Hood River City Proposed Fees
Grading Plan Review Fees (Table A-33-A)		
50 cubic yards or less	$0	$0
51 to 100 cubic yards	$25.50	$26.78
101 to 1,000 cubic yards	$41.00	$43.05
1,001 to 10,000 cubic yards	$54.00	$56.70
10,001 to 100,000 cubic yards	$54.25	$56.96
100,001 to 200,000 cubic yards	$296.75	$311.59
200,001 cubic yards or more	$443.25	$465.41
Other Inspection Fees:	$95.00	$95.75
Other Fees	$95.00, minimum 2 hours[1]	$104.50, minimum 2 hours[1]
Grading Permit Fees (Table A-33-B)		
50 cubic yards or less	$25.50	$26.78
51 to 100 cubic yards	$41.00	$43.05
101 to 1,000 cubic yards	$41.00 for the first 100 cubic yards plus $17.50 for each additional 100 cubic yards, or fraction thereof.	$43.05 for the first 100 cubic yards plus $18.38 for each additional 100 cubic yards, or fraction thereof.
1,001 to 10,000 cubic yards	$214.50 for the first 1,000 cubic yards plus $15.50 for each additional 1,000 cubic yards, or fraction thereof.	$208.47 for the first 1,000 cubic yards plus $15.50 for each additional 1,000 cubic yards, or fraction thereof.
10,001 to 100,000 cubic yards	$358.00 for the first 10,000 cubic yards plus $66.00 for each additional 10,000 cubic yards, or fraction thereof.	$354.99 for the first 10,000 cubic yards plus $69.30 for each additional 10,000 cubic yards, or fraction thereof.
100,001 or more	$1,012.00 for the first 100,000 cubic yards plus $40.50 for each additional 10,000 cubic yards, or fraction thereof.	$978.69 for the first 100,000 cubic yards plus $42.53 for each additional 10,000 cubic yards, or fraction thereof.
Other Inspections and Fees	• Re-inspection fee - $95.00/hour • Inspections for which no fee is specifically indicated (minimum charge of ½ hour) - $95.00/hour. • Inspections outside normal business hours (minimum charge of two hours) - $190.00/hour 1. The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project. 2. Or the total cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved	• Re-inspection fee - $104.50/hour • Inspections for which no fee is specifically indicated (minimum charge of ½ hour) - $104.50/hour. • Inspections outside normal business hours (minimum charge of two hours) - $209.00/hour 1. The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project. 2. Or the total cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved

E. Miscellaneous Fees

	Hood River City Current Fees	***Hood River City Proposed Fees***
Copy & Research Fees	• Standard sized - (8 ½ x 11) - $.63 per page/$1.41 per page (color) • All non-standard copies - $.87 per page/$2.84 per page (color) • Research Fees: Including summarizing, compiling, tailoring, copying or certifying the records or attending document production $57/hr. (payable in ¼-hr. increments); $13 (minimum) • Any charges from third parties – At cost	• Standard sized - (8 ½ x 11) - $.65 per page/$1.45 per page (color) • All non-standard copies - $.89 per page/$2.91 per page (color) • Research Fees: Including summarizing, compiling, tailoring, copying or certifying the records or attending document production $58/hr. (payable in ¼-hr. increments); $13 (minimum) • Any charges from third parties – At cost
Refund Processing Fee**	$35.00 per each request	$35.00 per each request
***The jurisdiction may authorize refunds which were erroneously paid or collected and may authorize a retention fee for refunds to cover the amount of staff time, administrative costs, or for work already performed/or provided. The jurisdiction shall not authorize refunding of any fee pad except on written application fielded by the original permittee or owner not later than 180 days after the date of the fee payment.*		

F. Plumbing Permit Fees

All Plumbing permits are handled by Hood River County.

G. Electrical Permit Fees

All Electrical permits are handled by Hood River County.

City of Hood River
City Council Meeting Minutes
June 9, 2025

Council: Mayor Paul Blackburn, Anna Cavaleri, Amanda Goeke, Ben Mitchell, Grant Polson, Gladys Rivera, Doug Stepina (left at 7:56p.m.)

Staff: City Manager Abigail Elder, Urban Renewal Administrator Will Norris, City Attorney Dan Kearns, Finance Director Chris Longinetti, Police Chief Neal Holste, Fire Chief Leonard Damian, Planning Director Dustin Nilsen, City Recorder Jennifer Gray, Human Resources Director Sandy Galvez, Management Analyst Haley Ellett

Absent:

I. CALL TO ORDER at 6:02 p.m.

A. Moment of Silence for former City Manager Steve Wheeler (2014-2018)
B. Pledge of Allegiance
C. Mayor Blackburn's Comments on Land Acknowledgement

II. AGENDA ADDITIONS OR CORRECTIONS

III. BUSINESS FROM THE AUDIENCE

Greg Craft, Hood River, OR – he is a founding board member of the Big River Community Land Trust (BRCLT). On tonight's consent agenda this evening, there is an item that will save BRCLT the SDC charges for the sewer connection at the Tucker Road project. BRCLT wanedt to thank Council for their support.

Michael Sprague, Hood River, OR – he stated it was a pleasure last week to listen to Congresswoman Maxine Dexter and Hood River County District Attorney Matthew Ellis. He thought they were both refreshing and interesting. He would like to suggest in the future if there are dignitaries from other levels of government or agencies, that the public be allowed to make comments and address them with concerns. He stated he has also been curious about the land acknowledgment statement. He believes if there is something that needs to be said in the acknowledgment, it might be helpful to keep looking for a way to say it, that does not risk seeming disrespectful.

IV. PRESENTATIONS

1. Proclamation – Somos Inmigrantes (We are Immigrants), Rev. John Boonstra

John Boonstra stated he is one of the people who serves on the Leadership Group for the Somos Inmigrantes campaign. He thanked Council for the proclamation they will be approving this evening. He stated public proclamations are the invitations they need to feel empowerment to organize together around common values and principles.

Vicky Stiffer stated she is a pastor at the Riverside Church and on the committee of Somos Inmigrantes. Campaign materials were given to Council and addended to the record. She thanked Council for the proclamation. She explained this started because they were concerned

about neighbors in the community who were afraid.

Maija Yasui attended graduation last Friday evening. She was struck by an amazing speech by graduate student Yuiza Chavez Leon. Chavez shared her feelings about immigrant families very well. Her parents and family are in the audience tonight. Yasui believes Chavez will be sitting on a City Council or County Commission in the future. Yasui has always wanted to make a different. She will be reading her graduation speech in Spanish and the English translation will be handed out for Councilors to follow along.

Yuiza Chavez Leon stated she is honored to stand before Council this evening. She is a proud daughter of immigrant parents. Her motivation to go to college like many students of immigrants or Hispanic families, is her parents. Her parents came to this country with nothing and worked tirelessly to provide her with a life they never had. She thanked her parents and said this diploma is not just hers, but it is theirs. Her advice to her fellow classmates is to dream and follow it. Don't' let it go. Whatever you do after high school, do it with pride and keep breaking barriers. Be proud of your accomplishments, honor your family, and advocate for your community. Take up space. You deserve to be here. Chavez Leon's full statement was added to the record.

Jacquelyn Garcia is a community health worker at The Next Door. The Somos Inmigrantes campaign is new to her. She is a recent college graduate; first in her family. She just moved back to Hood River to work for her community because she knows how important it is. This community raised her. Seeing the support people are trying to raise here is very important and it is a powerful act of solidarity for everyone who is in a vulnerable position right now. Fear is rising and it is seen every day. As someone who comes from immigrants, seeing the signs around town feels like a warm embrace to be here. It is a reminder that our neighbors do support them. It is important to remember that immigrants helped shape and enrich our town. Their hard work and resilience have built the community that everyone gets to enjoy every day. History must remind everyone why they need to protect all immigrant communities and neighbors.

Mayor Blackburn read the Somos Inmigrantes proclamation, and a group photo was taken.

RECESS TO CONSIDER URBAN RENEWAL AGENDA – 6:29p.m. – 6:35p.m.

V. PUBLIC HEARINGS

1. FY2025-26 City Budget Adoption, Chris Longinetti

Mayor Blackburn opened the public hearing at 6:35 p.m. and read the hearing script.

Longinetti presented the staff report.

The FY2025-26 Budget was approved by the Budget Committee on May 21, 2025. A public hearing on the approved budget and the City's use of State Shared Revenue is required by Oregon Budget Law. This is the time for the public to provide written and oral comments on the FY2025-26 Approved Budget and possible uses of State Shared Revenue.

The Budget Committee deliberated over the course of three meetings. The Proposed Budget was

approved by the Committee as presented at the third meeting on May 21, 2025.

The FY2025-26 continues ongoing operational programs and service levels from the prior fiscal year. City personnel FTE eliminated one part-time position. Major projects and initiatives planned for the Fiscal Year include funds for a five-year information technology plan, utility rate study, and IT equipment replacements. The General Fund also incudes a transfer to the Building Fund and a loan to the Urban Renewal Area in support of the promotion of housing production.

Public Works budgets include funds for continued improvements on critical water, wastewater, and storm line replacements as well as road repair. Planned large Public Works projects include the May Street elevated sidewalk replacement, and numerous stormwater line replacements and pipe replacements across town, each as outlined in 5-YR Capital Plan. These projects may require borrowing supported by utility rate revenue.

A copy of the proposed budget is available online at https://cityofhoodriver.gov/administration/finance-reports/. The budget was prepared on a basis of accounting that is the same as the preceding year. The Budget Committee approved the proposed budget along with minor changes at its May 21, 2025 meeting and public hearing. A summary of budget appropriations of this approved budget appears as Resolution 2025-12.

Staff's recommendation is to adopt Resolutions 2025-12 and 2025-13, creating the budget for FY2025-26, imposing and categorizing tax levies, and electing to receive State Shared revenue.

Mayor Blackburn opened the public testimony portion of the hearing and read the rules regarding public hearing conduct. There was no public testimony.

Mayor Blackburn closed the oral argument and public testimony portion of the public hearing. There were no deliberations.

Motion:	I move that the City Council approve Resolutions 2025-12 and 2025-13, adopting the budget for FY2025-26, imposing and categorizing tax levies, and electing to receive State Shared Revenue.
First:	Rivera
Second:	Stepina
Discussion:	None
Vote:	Motion passed (roll called) Ayes: Blackburn, Cavaleri, Goeke, Mitchell, Polson, Rivera, Stepina Nays: None Abstentions: None Excused: None

Mayor Blackburn adjourned the public hearing at 6:40 p.m.

VI. CONSENT AGENDA

1. Council Meeting Minutes – May 27, 2025
2. Sewer System Development Charge Assistance for 1676 Tucker Road, Abigail Elder
3 Waterfront District Parking Analysis, Chris Longinetti

Councilor Cavaleri requested that Item No. 2 be pulled from the Consent Agenda for additional

discussion.

Motion:	I move to approve the Consent Agenda as amended, Items 1 and 3.
First:	Polson
Second:	Stepina
Discussion:	None
Vote:	Motion passed (roll called) Ayes: Blackburn, Goeke, Mitchell, Polson, Rivera, Stepina Nays: None Abstentions: Cavaleri Excused: None

Councilor Cavaleri stated she wanted to recuse herself from the motion to approve the SDC item for Big River Community Land Trust. She believes in the work that BRCLT does. She disclosed they are a client of hers.

Motion:	I move to approve Consent Agenda Item Number 2.
First:	Stepina
Second:	Rivera
Discussion:	Councilor Polson would like to discuss the precedent this creates in waiving SDC fees for housing development, if Council chooses to go down that path. If they choose to approve this, it could create a precedent that any developer if they meet certain requirements may ask Council to waiver SDC fees. Do they wish to create this precedent? Mayor Blackburn is interested to know if this would obligate them to waive fees moving forward. Would it invite everyone to apply to Council for a waiver? Council discussed.
Vote:	Motion passed (roll called) Ayes: Blackburn, Goeke, Mitchell, Rivera, Stepina Nays: Polson Abstentions: Cavaleri Excused: None

VII. ACTION ITEMS

1. Visit Hood River Request for Fee Waiver for Street Closure Fees, Kate Kadlub

The Hood River Chamber of Commerce (dba Visit Hood River) is a 501(c)6 non-profit organization serving tourism and business stakeholders in the greater Hood River region.

Visit Hood River will be hosting First Friday celebrations downtown on the first Friday of June, August, and September of this year. Events are free for vendors and the community. The City participates in First Friday events by distributing information and connecting residents with members of their City Council.

First Friday events close streets from 2nd St from State to Cascade, and Oak St from 1st St. to 6th St. In addition, barricades are placed at each intersection on State and Cascade, so that traffic is diverted away from Oak St.

Visit Hood River has requested that the City grant a fee waiver for the 2025 First Friday events. For three events, the request totals $2643.

The City estimates Public Works labor costs of approximately $410 for the June event, and

approximately $420 for the August and September events. Labor costs include set up, monitoring during the event (including some traffic control), and take down. Direct labor costs for the three events totals approximately $1250.

Indirect costs that have not been calculated include staff time to review the street closure plan and communicate street closures, and the use of 15 barricades, 9 detour signs, and 40 traffic cones.

Council shared their thoughts on the fee waiver request for the First Friday events.

Council would like VHR to attend a meeting in the fall to present to Council and give a report on Visit Hood Rivers projects, collaborations, and the work they are doing.

Motion:	I move to waive the event permit/closure fees for June, August and September, minus the direct costs for the three events; approximately $1250.
First:	Stepina
Second:	Rivera
Discussion:	None
Vote:	Motion passed (roll called) Ayes: Blackburn, Goeke, Polson, Rivera, Stepina Nays: Mitchell and Cavaleri Abstentions: None Excused: None

2. Oregon Transportation Infrastructure Bank Loan Approval (Resolution 2025-14), Chris Longinetti

The May Street elevated sidewalk spans the north side of May Street from 13th to Katie's Lane. The sidewalk was built in 1945, and this stretch of sidewalk was elevated during construction to account for topographical barriers in the area. Over the years the sidewalk has fallen into disrepair, and it was determined that a full replacement would be required.

On June 4, 2019, the City entered into a Local Agency Agreement with the Oregon Department of Transportation (ODOT) for the design and construction for replacement of the May Street Elevated Sidewalk after the project was selected under the Multimodal Transportation Enhancement Program (MTEP) to receive Federal funding. At the time of signing this agreement, the total project cost was estimated at $2,083,856 with ODOT contributing $1,504,575 and the City matching the remaining funds of $579,281. Since that time, budget changes have increased the cost of the project to approximately $3.7M.

The design phase has been completed, all right-of-way issues have been successfully resolved, and easements have been secured. The project is now entering into the construction phase. At the May 13, 2024 City Council meeting, staff presented an update on the status of this project with these new cost estimates, and Council direct staff to continue this project through construction in cooperation with ODOT. On March 10, 2025, Council approved the City's deposit of $1,799,701 with ODOT to award the construction contract. Construction is now expected to commence June 10th.

The total project costs are $3.7M which includes design, acquisition of rights-of-way and easements, construction and contingency.

Funding for the project is comprised of the $1.5M ODOT Grant and $2.2M from the City's Road or General Fund. To finance a portion of the City's funding obligations, Hood River has applied for, and received approval of, a $2.0M loan from the Oregon Transportation Infrastructure Bank (OTIB). Of the $3.7M in total project costs, $900,000 has been spent to date.

Approval of the loan request was provided by Council at the March 24, 2025 meeting. The final approved terms established by OTIB for the loan are as follows:

OTIB Loan Terms	
Project:	City of Hood River, Elevated Sidewalk Replacement
Loan Amount:	$2,019,900
Interest Rate:	3.47%
Loan Fee:	1%
Maturity Date:	December 1, 2045
Borrowing Security:	Full Faith & Credit
Prepayment:	Prepayment without Penalty or Premium

The OTIB loan is also anticipated to fund the advance deposit requirement. As a result, the $1,799,701 funded by the City of Hood River to ODOT in March should be returned to the City upon close of the loan.

The loan is secured by a pledge of the Full Faith & Credit of the City of Hood River, meaning all "lawfully available funds" of the City including, but not limited to, funds of the General Fund, Local Gas Tax and State Highway User Tax Apportionment Funds may be pledged as collateral for the loan. The loan is also cross-defaulted with other obligations of the City of Hood River. As a result, any default by the City of Hood River of any obligation with any other lender or lending agency would also result in a default under the OTIB loan. The City Attorney has reviewed the form of loan documents which contain these standard provisions and conditions for intergovernmental loans.

The loan is anticipated to close in June and is to be fully funded by December 1, 2026 (the "Project Completion Deadline").

Staff recommend approving Resolution 2025-14, accepting the OTIB loan terms through ODOT and directing the City Manager to execute the necessary loan documents.

Council spent time asking Longinetti several clarifying questions.

Motion: I move that City Council adopt Resolution 2025-14 authorizing the execution of a loan agreement in an aggregate principal amount of not more than $2,019,900 with ODOT and to sign and deliver any other certificates or documents and take any other actions which the City Manager determines are desirable to carry out this resolution.
First: Mitchell
Second: Rivera
Discussion: None
Vote: Motion passed (roll called)
Ayes: Blackburn, Cavaleri, Goeke, Mitchell, Polson, Rivera, Stepina
Nays: None

Abstentions: None
Excused: None

VIII. DISCUSSION ITEMS

IX. CITY RECORDER

X. CITY MANAGER COMMENTS

XI. COMMITTEE REPORTS

Councilor Goeke attended the Energy Council meeting. It is uncertain times regarding funding, so the group does not feel confident about what to do. The group is wondering where the Council is with shared priorities and how they can work together more in the future. They brought up the idea of choosing environmental projects for the City and considering legislating things for the City. The Council suggested having the Energy Council present to the Council on their overall goals, and how they are working the County. What would it look like for the City to partner with projects. Councilor Goeke stated it might be best for the committee to present once they have their goals determined.

Councilor Mitchell stated Elder had put his name in to be on the Regional Solutions Committee. He received an email a couple weeks ago informing him he was one of two seat officials that were nominated to fill one spot, on the Regional Solutions Advisory Committee for north central region. He applied for it, but he is not sure when he will hear back. Councilor Mitchell is in contact with Megan Ramey to meet and discuss Columbia Area Transit (CAT) items.

XII. MAYOR COMMENTS

Mayor Blackburn stated he is the one that originally introduced the Land Acknowledgment to the City. He stated it is not fully satisfying, and he would like it to be less dissatisfying. He welcomed Council conversation about this.

Councilor Rivera stated before they go into what they can or should do, they should be engaging with the local Native American Community to get potential solutions, that are coming directly from them and those are the action items Council are following up on and completing.

Councilor Goeke stated Council should try to remember this as they make decisions on everything. For example, the landscaping contract. Consider what they are putting on the land. Strive and make more of an effort to reach out to the Native American Community to learn what they believe would be helpful. It needs to be followed by action.

Councilor Cavaleri agreed they should ask the Native American Community for their recommendations.

Since the video was being discussed, Council agreed it would be a good time during the meeting to show the video provided by Mayor Blackburn, so it is added to the meeting record.

XIII. COUNCIL COMMENTS

Councilor Gladys and Councilor Stepina spoke about the meeting that was held with downtown business owners about the Council goal of downtown open space. They feel Council should continue to move forward and have partners like Visit Hood River to support these efforts. The

City is a partner in this but cannot do it alone. In the end of the meeting there were some good ideas but there was a lot of opposition.

Councilor Stepina stated they need to continue to work with the community stakeholders to ensure they have an inclusive community/open space. He believes in these goals. He believes Council came in good faith without a well hatched plan, for the expressed purpose they did not want to come to downtown owners with a well hatched plan because that would mean they did not get their feedback. He stated Council wants to discover if this plan is viable for downtown, that is where they are. He would urge anyone to reach out and they want to partner with the community to be able to do these types of things, so everyone feels downtown is theirs.

Councilor Stepina stated the community lost a very important community member, Scott Rumsey. It was very unexpected. Rumsey was an educator in the community for 31+ years at Bright Beginnings, with his wife Billie and so many others. Councilor Stepina is so sorry that he is gone.

XIV. EXECUTIVE SESSION – 7:56 p.m. – 8:40 p.m.
Note: Councilor Stepina left prior to executive session beginning.

Oregon Law permits public bodies to meet in executive session to discuss specific matters which are not open to the public. Final actions or decisions on these matters will be made during the open meeting.

> **ORS 192.660 1 (f) To consider information or records that are exempt by law from public inspection.**

Under the provisions of the Oregon Public Meetings Law, the proceedings of this executive session are for background information only for media attending and not for publication or broadcast.

VIII. ADJOURN at 8:40 p.m.

_____
Paul Blackburn, Mayor

_____
Jennifer Gray, City Recorder

Approved by City Council on _____

OREGON LIQUOR & CANNABIS COMMISSION

Local Government Recommendation – Liquor License

Annual Liquor License Types	
Off-Premises Sales	Brewery-Public House
Limited On-Premises Sales	Brewery
Full On-Premises, Caterer	Distillery
Full On-Premises, Commercial	Grower Sales Privilege
Full On-Premises, For Profit Private Club	Winery
Full On-Premises, Non Profit Private Club	Wholesale Malt Beverage & Wine
Full On-Premises, Other Public Location	Warehouse
Full On-Premises, Public Passenger Carrier	

Section 1 – Submission – To be completed by Applicant:

License Information

Legal Entity/Individual Applicant Name(s): Brenda Schweller

Proposed Trade Name: ABC Dream Ventures, Inc

Premises Address: 1301 Belmont Ave Unit:

City: Hood River County: Hood River Zip: 97031

Application Type: ◯ New License Application ◉ Change of Ownership ◯ Change of Location

License Type: ☐ Additional Location for an Existing License

Application Contact Information

Contact Name: Brenda Schweller Phone: 541-386-1774

Mailing Address: 1301 Belmont Ave

City: Hood River State: OR Zip: 97031

Email Address: 1301steakspirits@gmail.com

Business Details

Please check all that apply to your proposed business operations at this location:

☐ Manufacturing/Production

☐ Retail Off-Premises Sales

☒ Retail On-Premises Sales & Consumption

If there will be On-Premises Consumption at this location:

☒ Indoor Consumption ☒ Outdoor Consumption

☐ Proposing to Allow Minors

Section 1 continued on next page

OREGON LIQUOR & CANNABIS COMMISSION

Local Government Recommendation – Liquor License

Section 1 Continued – Submission - To be completed by Applicant:

Legal Entity/Individual Applicant Name(s): Brenda Schweller

Proposed Trade Name: ABC Dream Ventures, Inc

IMPORTANT: You MUST submit this form to the local government PRIOR to submitting to OLCC. Section 2 must be completed ***by the local government*** for this form to be accepted with your CAMP application.

Section 2 – Acceptance - To be completed by Local Government:

Local Government Recommendation Proof of Acceptance

After accepting this form, please return a copy to the applicant with received and accepted information

City or County Name: Optional Date Received Stamp

Date Application Received:

Received by:

Section 3 – Recommendation - To be completed by Local Government:

◯ **Recommend this license be granted**

◯ **Recommend this license be denied** (Please include documentation that meets OAR 845-005-0308)

◯ **No Recommendation/Neutral**

Name of Reviewing Official:

Title:

Date:

Signature:

After providing your recommendation and signature, please return this form to the applicant.

CITY OF HOOD RIVER CITY COUNCIL

DATE: June 23, 2025

TO: Honorable Mayor Paul Blackburn and City Council

FROM: Dustin Nilsen, Director of Planning and Zoning

SUBJECT: Final Plat Approval, Union Building P.U.D. Phase 2

CITY COUNCIL GOAL:

- ☒ Equitable and Diverse Housing Inventory
- ☐ Equitable and Inclusive Community
- ☐ Well-Maintained and Safe Community
- ☒ Efficient and Safe Transportation System for all users
- ☐ Environmentally Sustainable and Resilient Community
- ☐ Adequate Parks and Open Space
- ☐ Healthy Organization

BACKGROUND: In 2011, the City of Hood River Planning Commission approved redevelopment of the Union Building through a Planned Unit Development (P.U.D.) process (Planning Dept. File No. 2011-13). The P.U.D. allows a mix of residential and commercial uses in the building, and it included preliminary approval of a two-phased subdivision for townhouses. Exterior modifications to the building were reviewed separately by the City's Landmarks Review Board based on its location in the historic downtown district.

In 2014, the first subdivision phase was platted, establishing Lots 1-7 (one lot for commercial use and six for townhouses). The current and final phase is named Union Building P.U.D. Phase 2, featuring 10 townhouses on Lots 8-17. The plat does not include dedication of public right-of-way.

The City's Planning, Fire and Public Works Departments reviewed public and private improvements that were installed to serve the development. The plat for Union Building P.U.D. Phase 2 generally is ready for finalization subject to technical corrections and demonstration of compliance with conditions of approval.

The applicant is seeking to record the final subdivision plat for Union Building P.U.D. Phase 2. The requirements of this P.U.D./subdivision either have been completed or are soon to be completed.

DISCUSSION: The City Planning Director refers the final plat to Mayor for a signature, and Hood River Municipal Code Section 16.08.040(a) also requires the County officials to sign the final plat.

STAFF RECOMMENDATION: Authorize the Mayor to sign the final plat for Union Building P.U.D. Phase 2 upon completion of the final plat technical corrections.

SUGGESTED MOTION: Move to approve signing the plat for the Union Building P.U.D. Phase 2, subject to the resolution of final technical corrections and demonstrating compliance with conditions of approval.

ALTERNATIVES: Do not authorize the Mayor's signature on the final plat.

FISCAL IMPACT: None.

ATTACHMENTS: Plat of the Union Building P.U.D. Phase 2.

TERRA SURVEYING

PAGE INDEX:
PAGE 1: EXISTING BOUNDARY AND BOUNDARY RESOLUTION
PAGE 2: SURVEYOR'S CERTIFICATE AND SIGNATURES

SUBDIVISION PLAT OF "UNION BUILDING" P.U.D. PHASE 2

LOCATION OF SURVEY:

LOCATED IN THE NATHANIEL COE DONATION LAND CLAIM, BEING IN THE SOUTHEAST QUARTER AND SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 10 EAST, WILLAMETTE MERIDIAN, THE CITY OF HOOD RIVER, HOOD RIVER COUNTY, STATE OF OREGON.

HOOD RIVER COUNTY SURVEYOR'S OFFICE

CS# _____

DATE FILED: _____

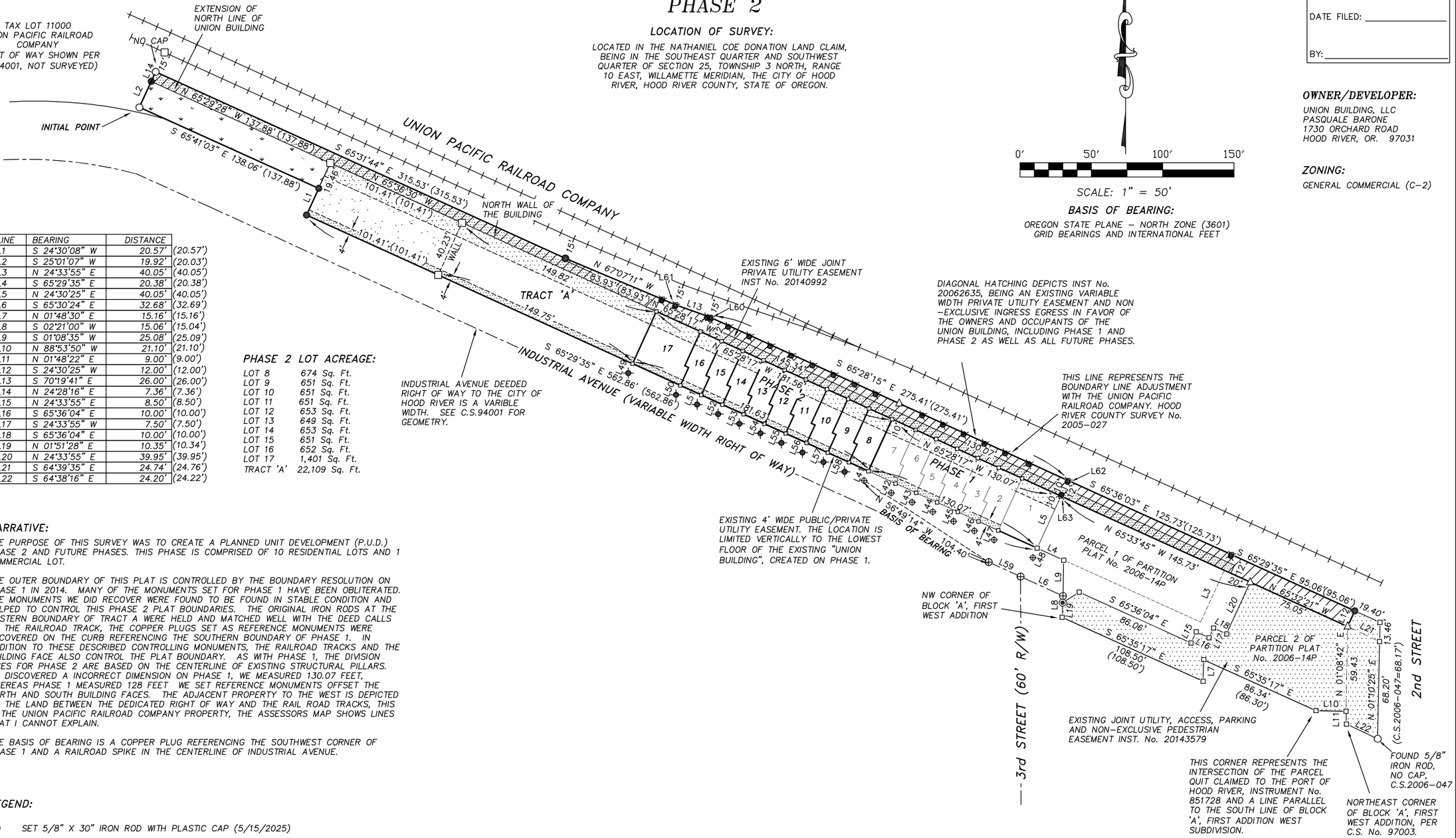
BY: _____

OWNER/DEVELOPER:

UNION BUILDING, LLC
PASQUALE BARONE
1730 ORCHARD ROAD
HOOD RIVER, OR. 97031

ZONING:

GENERAL COMMERCIAL (C-2)



LINE	BEARING	DISTANCE
L1	S 24°30'08" W	20.57' (20.57')
L2	S 25°01'07" W	19.92' (20.03')
L3	N 24°33'55" E	40.05' (40.05')
L4	S 65°29'35" E	20.38' (20.38')
L5	N 24°30'25" E	40.05' (40.05')
L6	S 65°30'24" E	32.68' (32.69')
L7	N 01°48'30" E	15.16' (15.16')
L8	S 02°21'00" W	15.06' (15.04')
L9	S 01°08'35" W	25.08' (25.09')
L10	N 88°53'50" W	21.10' (21.10')
L11	N 01°48'22" E	9.00' (9.00')
L12	S 24°30'25" W	12.00' (12.00')
L13	S 70°19'41" E	26.00' (26.00')
L14	N 24°28'16" E	7.36' (7.36')
L15	N 24°33'55" E	8.50' (8.50')
L16	S 65°36'04" E	10.00' (10.00')
L17	S 24°33'55" W	7.50' (7.50')
L18	S 65°36'04" E	10.00' (10.00')
L19	N 01°51'28" E	10.35' (10.34')
L20	N 24°33'55" E	39.95' (39.95')
L21	S 64°39'35" E	24.74' (24.76')
L22	S 64°38'16" E	24.20' (24.22')

PHASE 2 LOT ACREAGE:

LOT 8	674 Sq. Ft.
LOT 9	651 Sq. Ft.
LOT 10	651 Sq. Ft.
LOT 11	651 Sq. Ft.
LOT 12	653 Sq. Ft.
LOT 13	649 Sq. Ft.
LOT 14	653 Sq. Ft.
LOT 15	651 Sq. Ft.
LOT 16	652 Sq. Ft.
LOT 17	1,401 Sq. Ft.
TRACT 'A'	22,109 Sq. Ft.

BASIS OF BEARING:

OREGON STATE PLANE – NORTH ZONE (3601)
GRID BEARINGS AND INTERNATIONAL FEET

NARRATIVE:

THE PURPOSE OF THIS SURVEY WAS TO CREATE A PLANNED UNIT DEVELOPMENT (P.U.D.) PHASE 2 AND FUTURE PHASES. THIS PHASE IS COMPRISED OF 10 RESIDENTIAL LOTS AND 1 COMMERCIAL LOT.

THE OUTER BOUNDARY OF THIS PLAT IS CONTROLLED BY THE BOUNDARY RESOLUTION ON PHASE 1 IN 2014. MANY OF THE MONUMENTS SET FOR PHASE 1 HAVE BEEN OBLITERATED. THE MONUMENTS WE DID RECOVER WERE FOUND TO BE FOUND IN STABLE CONDITION AND HELPED TO CONTROL THIS PHASE 2 PLAT BOUNDARIES. THE ORIGINAL IRON RODS AT THE WESTERN BOUNDARY OF TRACT A WERE HELD AND MATCHED WELL WITH THE DEED CALLS TO THE RAILROAD TRACK, THE COPPER PLUGS SET AS REFERENCE MONUMENTS WERE RECOVERED ON THE CURB REFERENCING THE SOUTHERN BOUNDARY OF PHASE 1. IN ADDITION TO THESE DESCRIBED CONTROLLING MONUMENTS, THE RAILROAD TRACKS AND THE BUILDING FACE ALSO CONTROL THE PLAT BOUNDARY. AS WITH PHASE 1, THE DIVISION LINES FOR PHASE 2 ARE BASED ON THE CENTERLINE OF EXISTING STRUCTURAL PILLARS. WE DISCOVERED A INCORRECT DIMENSION ON PHASE 1, WE MEASURED 130.07 FEET, WHEREAS PHASE 1 MEASURED 128 FEET WE SET REFERENCE MONUMENTS OFFSET THE NORTH AND SOUTH BUILDING FACES. THE ADJACENT PROPERTY TO THE WEST IS DEPICTED AS THE LAND BETWEEN THE DEDICATED RIGHT OF WAY AND THE RAIL ROAD TRACKS, THIS IS THE UNION PACIFIC RAILROAD COMPANY PROPERTY, THE ASSESSORS MAP SHOWS LINES THAT I CANNOT EXPLAIN.

THE BASIS OF BEARING IS A COPPER PLUG REFERENCING THE SOUTHWEST CORNER OF PHASE 1 AND A RAILROAD SPIKE IN THE CENTERLINE OF INDUSTRIAL AVENUE.

LEGEND:

- ● SET 5/8" X 30" IRON ROD WITH PLASTIC CAP (5/15/2025)
- △ SET 1-5/32" COPPER BP1 MONUMENT, L.S.72308 (5/15/2025)
- ✱ SET 1-5/32" COPPER BP1 MONUMENT, L.S.72308 AS REFERENCE MONUMENT (PROJECTED DISTANCES NOTED) (5/15/2025)
- ⊕ FOUND 1-5/32" COPPER BP1 MONUMENT, L.S. 72306 (C.S. No. 2014-052)
- ○ FOUND 5/8" IRON ROD L.S. 1815, (C.S. No. 27003), UNLESS NOTED AS 2006-047
- ⊕ FOUND RR SPIKE OF RECORD, (C.S. No. 94001)
- ⊠ FOUND PK NAIL OF RECORD, ORIGIN UNKNOWN.
- □ CALCULATED, NOT FOUND OR SET
- ( ) C.S. No. 2014-052 DISTANCE (UNLESS NOTED OTHERWISE)

REFERENCES:

FILED IN THE HOOD RIVER COUNTY SURVEYOR'S OFFICE:
C.S. No. 94001, DEDICATION SURVEY FOR THE PORT OF HOOD RIVER BY TERRA SURVEYING, L.S. 1815, FILED: JANUARY 18, 1994.
C.S. No. 97003, PARTITION PLAT No. 9637 FOR WYKRE DEVELOPMENT BY TERRA SURVEYING, L.S. 1815, FILED: MARCH 18, 1997.
C.S. No. 98048, PARTITION PLAT No.9817 FOR PORT OF HOOD RIVER BY TERRA SURVEYING, L.S.1815, FILED: AUGUST 3, 1998.
C.S. No. 2005-027, BOUNDARY LINE ADJUSTMENT FOR UNION PACIFIC BY TERRA SURVEYING, L.S. 1815, FILED: MAY 3, 2005.
C.S. No. 2006-047, PARTITION PLAT No. 200614P FOR WYKRE DEVELOPMENT BY TERRA SURVEYING, L.S. 1815, FILED: JUNE 1, 2006.
C.S. No. 2013-048, BOUNDARY LINE ADJUSTMENT FOR UNION PACIFIC RAILROAD AND BARONE HOLDINGS BY TERRA SURVEYING, L.S. 72306, FILED: DECEMBER 18, 2013.
C.S. No. 2014-052, "UNION BUILDING P.U.D. PHASE 1" SUBDIVISION PLAT BY TERRA SURVEYING, L.S. 72306, FILED: DECEMBER 23, 2014.

REGISTERED PROFESSIONAL LAND SURVEYOR
for review
OREGON
December 30, 2005
ERIK M. CARLSON
72306
Expires: December 31, 2025

TERRA SURVEYING
P.O. BOX 617
HOOD RIVER, OREGON 97031
PHONE: (541) 386-4531
E-Mail: terra@gorge.net

DATE: MAY 20, 2025
PROJECT: 10058
SCALE: 1" = 50'
ASSESSORS MAP: 3N-10E-25CD

TERRA SURVEYING

SUBDIVISION PLAT
OF
"UNION BUILDING" P.U.D.
PHASE 2

LOCATION OF SURVEY:

LOCATED IN THE NATHANIEL COE DONATION LAND CLAIM, BEING IN THE SOUTHEAST QUARTER AND SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 10 EAST, WILLAMETTE MERIDIAN, THE CITY OF HOOD RIVER, HOOD RIVER COUNTY, STATE OF OREGON.

HOOD RIVER COUNTY SURVEYOR'S OFFICE

CS# _____

DATE FILED: _____

BY: _____

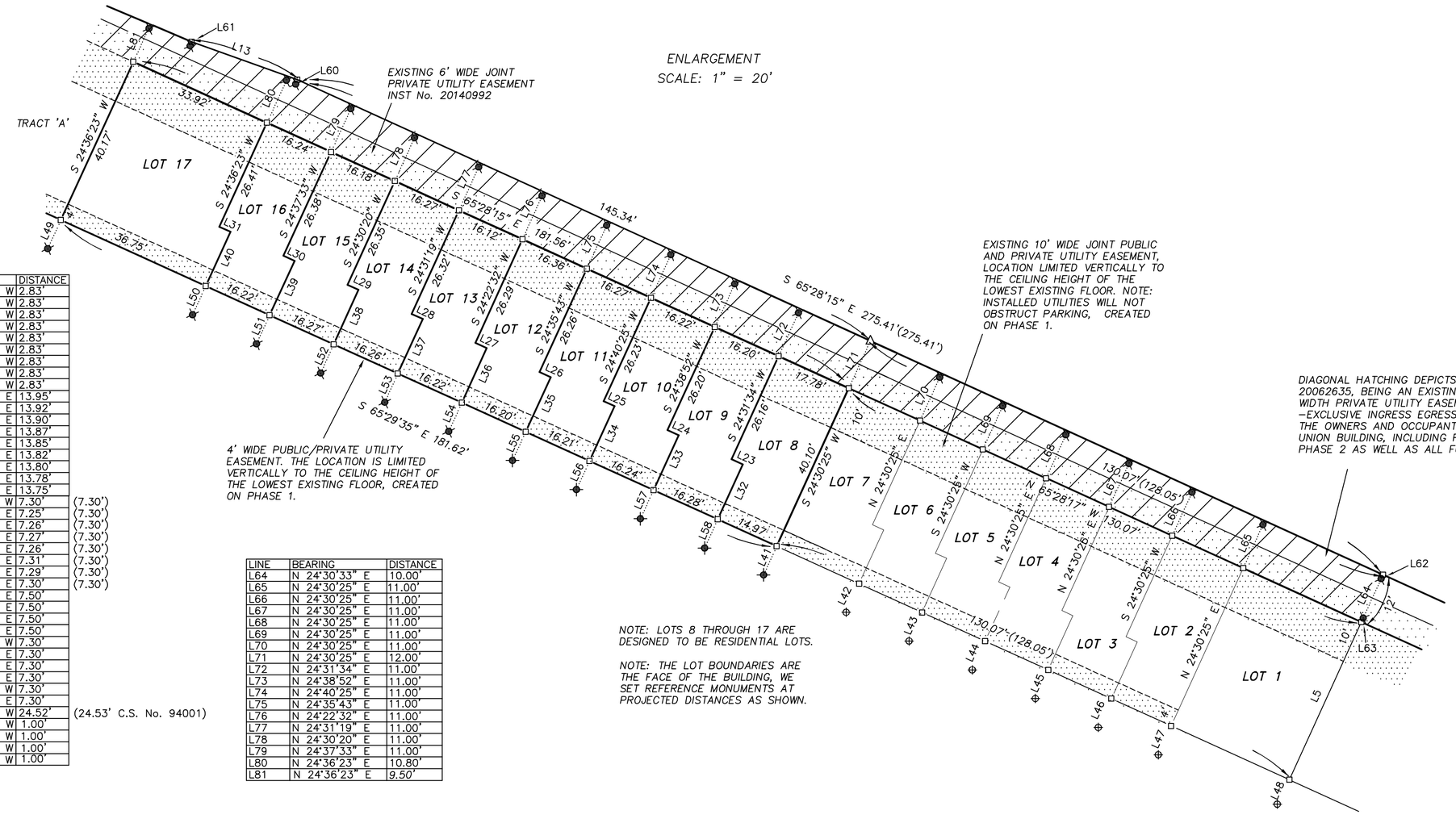
OWNER/DEVELOPER:

UNION BUILDING, LLC
PASQUALE BARONE
1730 ORCHARD ROAD
HOOD RIVER, OR. 97031

ZONING:

GENERAL COMMERCIAL (C-2)

ENLARGEMENT
SCALE: 1" = 20'



LINE	BEARING	DISTANCE	
L23	N 65°34'51" W	2.83'	
L24	N 65°34'51" W	2.83'	
L25	N 65°34'51" W	2.83'	
L26	N 65°34'51" W	2.83'	
L27	N 65°34'51" W	2.83'	
L28	N 65°34'51" W	2.83'	
L29	N 65°34'51" W	2.83'	
L30	N 65°34'51" W	2.83'	
L31	N 65°34'51" W	2.83'	
L32	N 24°31'34" E	13.95'	
L33	N 24°38'53" E	13.92'	
L34	N 24°40'25" E	13.90'	
L35	N 24°35'42" E	13.87'	
L36	N 24°22'32" E	13.85'	
L37	N 24°31'19" E	13.82'	
L38	N 24°30'20" E	13.80'	
L39	N 24°37'33" E	13.78'	
L40	N 24°36'23" E	13.75'	
L41	S 24°30'25" W	7.30'	(7.30')
L42	N 24°23'45" E	7.25'	(7.30')
L43	N 24°25'45" E	7.26'	(7.30')
L44	N 24°14'22" E	7.27'	(7.30')
L45	N 24°17'18" E	7.26'	(7.30')
L46	N 24°27'20" E	7.31'	(7.30')
L47	N 24°10'44" E	7.29'	(7.30')
L48	N 24°30'25" E	7.30'	(7.30')
L49	N 24°36'23" E	7.50'	
L50	N 24°36'23" E	7.50'	
L51	N 24°37'33" E	7.50'	
L52	N 24°30'20" E	7.50'	
L53	S 24°31'19" W	7.30'	
L54	N 24°22'33" E	7.30'	
L55	N 24°35'42" E	7.30'	
L56	N 24°40'24" E	7.30'	
L57	S 24°38'52" W	7.30'	
L58	N 24°31'34" E	7.30'	
L59	N 65°31'41" W	24.52'	(24.53' C.S. No. 94001)
L60	S 24°31'45" W	1.00'	
L61	S 24°31'45" W	1.00'	
L62	S 24°56'56" W	1.00'	
L63	S 24°28'56" W	1.00'	

LINE	BEARING	DISTANCE
L64	N 24°30'33" E	10.00'
L65	N 24°30'25" E	11.00'
L66	N 24°30'25" E	11.00'
L67	N 24°30'25" E	11.00'
L68	N 24°30'25" E	11.00'
L69	N 24°30'25" E	11.00'
L70	N 24°30'25" E	11.00'
L71	N 24°30'25" E	12.00'
L72	N 24°31'34" E	11.00'
L73	N 24°38'52" E	11.00'
L74	N 24°40'25" E	11.00'
L75	N 24°35'43" E	11.00'
L76	N 24°22'32" E	11.00'
L77	N 24°31'19" E	11.00'
L78	N 24°30'20" E	11.00'
L79	N 24°37'33" E	11.00'
L80	N 24°36'23" E	10.80'
L81	N 24°36'23" E	9.50'

NOTE: LOTS 8 THROUGH 17 ARE DESIGNED TO BE RESIDENTIAL LOTS.

NOTE: THE LOT BOUNDARIES ARE THE FACE OF THE BUILDING, WE SET REFERENCE MONUMENTS AT PROJECTED DISTANCES AS SHOWN.

LEGEND:

- ● SET 5/8" X 30" IRON ROD WITH PLASTIC CAP (5/15/2025)
- △ SET 1-5/32" COPPER BP1 MONUMENT, L.S.72308 (5/15/2025)
- ✶ SET 1-5/32" COPPER BP1 MONUMENT, L.S.72308 AS REFERENCE MONUMENT (PROJECTED DISTANCES NOTED) (5/15/2025)
- ⊕ FOUND 1-5/32" COPPER BP1 MONUMENT, L.S. 72306 (C.S. No. 2014-052)
- ○ FOUND 5/8" IRON ROD L.S. 1815, (C.S. No. 27003), UNLESS NOTED AS 2006-047
- ⊕ FOUND RR SPIKE OF RECORD, (C.S. No. 94001)
- ⊠ FOUND PK NAIL OF RECORD, ORIGIN UNKNOWN.
- □ CALCULATED, NOT FOUND OR SET
- ( ) C.S. No. 2014-052 DISTANCE (UNLESS NOTED OTHERWISE)

REGISTERED PROFESSIONAL LAND SURVEYOR

for review

OREGON
December 30, 2005
ERIK M. CARLSON
72306

Expires: December 31, 2025

TERRA SURVEYING
P.O. BOX 617
HOOD RIVER, OREGON 97031
PHONE: (541) 386-4531
E-Mail: terra@gorge.net

DATE: MAY 20, 2025
PROJECT: 10058
SCALE: 1" = 20'
ASSESSORS MAP: 3N-10E-25CD

TERRA SURVEYING

SUBDIVISION PLAT OF "UNION BUILDING" P.U.D. PHASE 2

OWNER/DEVELOPER:
UNION BUILDING, LLC
PASQUALE BARONE
1730 ORCHARD ROAD
HOOD RIVER, OR. 97031

HOOD RIVER COUNTY SURVEYOR'S OFFICE

CS# _____

DATE FILED: _____

BY: _____

SURVEYOR'S CERTIFICATE:

I, ERIK M. CARLSON, REGISTERED LAND SURVEYOR FOR THE STATE OF OREGON, BEING FIRST DULY SWORN, DEPOSED AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH LEGAL MONUMENTS THE LAND REPRESENTED ON THE PLAT OF "UNION BUILDING" P.U.D. PHASE 2 HOOD RIVER COUNTY, STATE OF OREGON.

BEING LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN IN THE CITY OF HOOD RIVER, COUNTY OF HOOD RIVER AND STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 OF PARTITION PLAT NO. 9637, FILED ON DECEMBER 31, 1996, BEING A PORTION OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN IN THE COUNTY OF HOOD RIVER AND STATE
OF OREGON.

TOGETHER WITH THE FOLLOWING DESCRIBED TRACT:
A PARCEL OF LAND LOCATED IN A PORTION OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 25 IN TOWNSHIP 3 NORTH, RANGE 10 EAST, WILLAMETTE MERIDIAN IN THE CITY OF HOOD RIVER, COUNTY OF HOOD RIVER AND STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE MOST NORTHERLY NORTHWEST CORNER OF PARCEL 1 OF THE PARTITION PLAT FOR WYKRE DEVELOPMENT, L.L.C., RECORDED DECEMBER 31, 1996, PARTITION FILE NO. 9637, HOOD RIVER COUNTY PARTITION PLAT RECORDS, BEING THE INITIAL POINT OF THIS PLAT. THENCE NORTH 24°28'16" EAST A DISTANCE OF 7.36 FEET TO A POINT WHICH IS LOCATED 15.00 FEET WHEN MEASURED NORMAL TO THE CENTERLINE OF THE EXISTING SPUR TRACKS OF UNION PACIFIC RAILROAD COMPANY; THENCE FOLLOWING AND 15.00 FEET PARALLEL TO SAID SPUR SOUTH 65°31'44" EAST A DISTANCE OF 315.53 FEET; THENCE SOUTH 67°07'11" EAST FOLLOWING AND 15.00 FEET PARALLEL TO SAID SPUR A DISTANCE OF 83.93 FEET; THENCE SOUTH 70°19'41" EAST FOLLOWING AND 15.00 FEET PARALLEL TO SAID SPUR A DISTANCE OF 26.00 FEET; THENCE SOUTH 65°28'15" EAST FOLLOWING AND 12.00 FEET PARALLEL TO THE NORTHERLY EXTERIOR FOUNDATION OF THE EXISTING "UNION BUILDING" A DISTANCE OF 275.41 FEET; THENCE SOUTH 65°36'03" EAST FOLLOWING AND 12.00 FEET PARALLEL TO SAID EXISTING "UNION BUILDING" A DISTANCE OF 145.73 FEET; THENCE SOUTH 65°29'35" EAST FOLLOWING AND 12.00 FEET PARALLEL TO THE EASTERLY EXTENSION OF SAID EXISTING "UNION BUILDING" A DISTANCE OF 95.06 FEET TO A POINT; THENCE SOUTH 24°30'25" WEST A DISTANCE OF 12.00 FEET; THENCE NORTH 65°32'21" WEST A DISTANCE OF 75.05 FEET TO THE NORTHEAST CORNER; THENCE NORTH 65°33'45" WEST A DISTANCE OF 125.73 FEET; THENCE NORTH 65°28'17" WEST ALONG THE SAID EXISTING "UNION BUILDING" A DISTANCE OF 461.45 FEET; THENCE NORTH 65°36'30" WEST ALONG THE NORTHERLY LINE OF SAID WYKRE DEVELOPMENT PARTITION PLAT A DISTANCE OF 101.41 FEET; THENCE NORTH 65°29'28" WEST ALONG THE NORTHERLY LINE OF SAID WYKRE DEVELOPMENT PARTITION PLAT A DISTANCE OF 137.88 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM LOTS 1–7 OF THE SUBDIVISION PLAT OF "UNION BUILDING" P.U.D., PHASE 1.

INITIAL POINT IS THE MOST SOUTHWEST CORNER OF PHASE 1 OF "UNION BUILDING" P.U.D. SUBDIVISION.

_____
ERIK M. CARLSON PLS 72306

ACKNOWLEDGMENT:

ON THIS _____ DAY OF _____, 20__, BEFORE ME A NOTARY PUBLIC FOR THE STATE OF OREGON, PERSONALLY APPEARED PASQUALE BARONE, MANAGING MEMBER OF UNION BUILDINGS, LLC. KNOWN TO ME PERSONALLY, BEING FIRST DULY SWORN, SAID THAT HE DID ACKNOWLEDGE THIS INSTRUMENT OF HIS FREE AND VOLUNTARY ACT.

_____
SIGNATURE

_____
PRINTED NAME
NOTARY PUBLIC FOR THE STATE OF OREGON

COUNTY OF _____

COMMISSION NUMBER _____

MY COMMISSION EXPIRES _____

DECLARATION AND DEDICATION:

I, PASQUALE BARONE, MANAGING MEMBER OF UNION BUILDING, LLC, AN OREGON LIMITED LIABILITY COMPANY, AS OWNER OF THE LAND SHOWN ON THE PLAT HEREUNTO DOES HEREBY MAKE, ESTABLISH & DECLARE THE PLAT MAP TO BE A TRUE AND CORRECT MAP OF THE LAND OWNED AND LAID OUT AS THE SUBDIVISION PLAT OF "UNION BUILDING" P.U.D. AND HAS CAUSED THE SUBDIVISION TO BE PREPARED AND THE PROPERTY SUBDIVIDED IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92. SAID LAND BEING MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE.

_____
MANAGING MEMBER OF UNION BUILDING, LLC.

APPROVALS:

THE DIRECTOR OF RECORDS AND ASSESSMENTS, AND THE DIRECTOR OF BUDGET AND FINANCE AND TAX COLLECTOR, RESPECTIVELY, OF HOOD RIVER COUNTY, OREGON, HEREBY CERTIFY THAT WE HAVE EXAMINED THE PLAT OF "UNION BUILDING" P.U.D. PHASE 2 IN THE COUNTY OF HOOD RIVER AND THAT THE NAME ADOPTED FOR SAID PLAT IS A PROPER NAME AND NOT INCLUDED IN ANY OTHER SUBDIVISION IN HOOD RIVER COUNTY, AND FURTHER CERTIFY THAT ALL ASSESSMENTS DUE HEREON HAVE BEEN FULLY PAID AS REQUIRED BY LAW AND WE HEREBY APPROVE SAID PLAT.

_____
HOOD RIVER COUNTY DIRECTOR OF BUDGET AND FINANCE, TREASURER/TAX COLLECTOR

_____
HOOD RIVER COUNTY DIRECTOR OF RECORDS AND ASSESSMENTS

RECORDING INFORMATION:

PLAT NUMBER: _____

INSTRUMENT RECEIVED ON THE _____ DAY

OF _____, 20__ AT _____ _.M.

_____
HOOD RIVER COUNTY CLERK

COVENANTS AND RESTRICTIONS:

THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PLAT OF "UNION BUILDING" P.U.D. PHASE 2 TO BE FILED UNDER SEPARATE DOCUMENTS AS RECORDER'S FILE FEE No. 20143578, RECORDED DECEMBER 19, 2014 AND AMENDED INSTRUMENT NO.2018–00138, FURTHER AMENDED ON INSTRUMENT NO.2025–_____ ALL IN HOOD RIVER COUNTY DEED RECORDS.

APPROVALS:

THE PLAT OF "UNION BUILDING" P.U.D. PHASE 2 WAS EXAMINED AND APPROVED BY ME THIS_____DAY OF _____, 20__.

_____
HOOD RIVER COUNTY SURVEYOR

THE PLAT OF "UNION BUILDING" P.U.D. PHASE 2 WAS EXAMINED AND APPROVED BY ME THIS_____DAY OF _____, 20__.

_____
CITY OF HOOD RIVER DIRECTOR OF PUBLIC WORKS & ENGINEERING

THE PLAT OF "UNION BUILDING" P.U.D. PHASE 2 WAS EXAMINED AND APPROVED BY ME THIS_____DAY OF _____, 20__.

_____
PLANNING DIRECTOR, CITY OF HOOD RIVER

THE PLAT OF "UNION BUILDING" P.U.D. PHASE 2 WAS EXAMINED AND APPROVED BY ME THIS_____DAY OF _____, 20__.

_____
RECORDER, CITY OF HOOD RIVER

THE PLAT OF "UNION BUILDING" P.U.D. PHASE 2 WAS EXAMINED AND APPROVED BY ME THIS_____DAY OF _____, 20__.

_____
MAYOR, CITY OF HOOD RIVER

THE PLAT OF "UNION BUILDING" P.U.D. PHASE 2 WAS EXAMINED AND APPROVED BY ME THIS_____DAY OF _____, 20__.

_____
HOOD RIVER COUNTY COMMISSIONER CHAIRPERSON

THE PLAT OF "UNION BUILDING" P.U.D. PHASE 2 WAS EXAMINED AND APPROVED BY ME THIS_____DAY OF _____, 20__.

_____
HOOD RIVER COUNTY COMMISSIONER

THE PLAT OF "UNION BUILDING" P.U.D. PHASE 2 WAS EXAMINED AND APPROVED BY ME THIS_____DAY OF _____, 20__.

_____
HOOD RIVER COUNTY COMMISSIONER

THE PLAT OF "UNION BUILDING" P.U.D. PHASE 2 WAS EXAMINED AND APPROVED BY ME THIS_____DAY OF _____, 20__.

_____
HOOD RIVER COUNTY COMMISSIONER

THE PLAT OF "UNION BUILDING" P.U.D. PHASE 2 WAS EXAMINED AND APPROVED BY ME THIS_____DAY OF _____, 20__.

_____
HOOD RIVER COUNTY COMMISSIONER

EASEMENTS OF RECORD:

HOOD RIVER COUNTY PARTITION PLAT No. 200614p AND 9637. PLAT No. 200614P IS NOT WITH THE BOUNDS OF THIS PLAT. PLAT No. 9637 SHOWS NEW EASEMENTS DESCRIBED WITHOUT RECORDING DATES, INST#972359 RESERVES THESE EASEMENTS, BEING A PERMANENT EASEMENT OF RIGHT OF WAY FOR PEDESTRIAN INGRESS, EGRESS BETWEEN BUILDING FLOORS, BENEFITS PARCEL 2 OF PP#9637. THIS DOCUMENT ALSO GRANTS THE CITY OF HOOD RIVER A NON–EXCLUSIVE EASEMENT FOR OPERATION, MAINTENANCE OF SANITARY TRUNK LINE AND SERVICE LINES AT THE WEST 137.88 FEET OF PARCEL 1, PP#9637.

MICROFILM #851728, DATED SEPTEMBER 11, 1985:
1) COVENANTS, CONDITIONS AND RESTRICTIONS.
2) ALL MINERALS AND MINERAL RIGHTS AS RESERVED IN DEED, IF ANY.

SUBJECT TO RIGHT OF THE STATE OF OREGON IN THAT PORTION NEAR THE 2ND STREET OVERPASS.

MICROFILM #961973: UNION BUILDING PROPERTY AGREEMENT, SEE DOCUMENT FOR DETAILS, DATED JUNE 21, 1996.

MICROFILM #963990, CORRECTED ON INST#972359: GRANTING PEDESTRIAN AND EGRESS IN FAVOR OF PUBLIC AND GRANTING NON–EXCLUSIVE EASEMENT FOR SEWER, DATED DECEMBER 31, 1996.

MICROFILM #20052159: COVENANTS WITH THE SALE OF ADJUSTED PORTION OF THE RAILROAD, INCLUDES MINERAL RIGHTS, PERMITTED EFFECTS OF OWNING ADJACENT TO RAILROAD, DATED APRIL 29, 2005.

MICROFILM #20062635: NON–EXCLUSIVE EASEMENT FOR PEDESTRIAN AND VEHICULAR ACCESS AND INGRESS AND EGRESS IN FAVOR OF PARCEL 2, PLAT No. 9637. NEW EASEMENT CREATED TO EXPAND ON THE RIGHTS TO INCLUDE PUBLIC/PRIVATE UTILITIES AND PRIVATE ACCESS, DATED MAY 24, 2006.

INST #2011–3108: DECLARATION OF DEED RESTRICTIONS AS SET FORTH WITHIN DOCUMENT, DATED OCTOBER 17, 2011.

INST #2014–0992: TRACT 3 IS A 6 FOOT WIDE CENTURY LINK EASEMENT ALONG THE ENTIRE NORTH FACE OF THE UNION BUILDING, AS SHOWN, APRIL 15, 2014.

INST #2014–03578: DECLARATION, COVENANTS, CONDITIONS AND RESTRICTIONS, SEE DOCUMENT FOR DETAILS, DATED DECEMBER 19, 2014.

INST #2014–03579: NON–EXCLUSIVE EASEMENT COVENANTS FOR PUBLIC ASSESS, UTILITIES, PARKING AND INGRESS/EGRESS AS SHOWN, DATED DECEMBER 19, 2014.

INST #2018–00138: DECLARATION, COVENANTS, CONDITIONS AND RESTRICTIONS, SEE DOCUMENT FOR DETAILS, DATED JANUARY 12, 2018

INST #2018–03526: DECLARATION, COVENANTS, CONDITIONS AND RESTRICTIONS, SEE DOCUMENT FOR DETAILS, DATED OCTOBER 17, 2018.

REGISTERED PROFESSIONAL LAND SURVEYOR
for review
OREGON
December 30, 2005
ERIK M. CARLSON
72306
Expires: December 31, 2025

TERRA SURVEYING
P.O. BOX 617
HOOD RIVER, OREGON 97031
PHONE: (541) 386–4531
E–Mail: terra@gorge.net

DATE: MAY 20, 2025
PROJECT: 10058
SCALE: 1" = 50'
ASSESSORS MAP: 3N–10E–25CD

CITY OF HOOD RIVER CITY COUNCIL

DATE: June 23, 2025

TO: Honorable Mayor Paul Blackburn and City Council

FROM: Will Norris, Urban Renewal Administrator

SUBJECT: Transfer Ownership of Nichols Basin to the City of Hood River

CITY COUNCIL GOAL:

- ☐ Equitable and Diverse Housing Inventory
- ☐ Equitable and Inclusive Community
- ☐ Well-Maintained and Safe Community
- ☐ Efficient and Safe Transportation System for all users
- ☒ Environmentally Sustainable and Resilient Community
- ☒ Adequate Parks and Open Space

BACKGROUND

The Urban Renewal Agency purchased the Nichols Basin for use as a riparian natural area in 2014 (URA Resolution 2014-10). This purchase was part of a larger development deal that resulted in the development of the Hampton Inn and Waterfront Mid-Columbia Medical Center building. Nichols Basin was the site of a ship building yard. It is now a natural area that also serves as a popular location for beginner stand-up paddlers, kayakers, sailors and swimmers.

DISCUSSION

All Urban Renewal Agency property eventually becomes City property at the closure of an Urban Renewal District. The balance of the Waterfront District's Maximum Indebtedness is dedicated to the Waterfront Storm Waterline Line by URA Resolution 2020-04. The waterfront portion of the project will be completed this year. The completion of this last project will allow the Waterfront District to close in either FY2026 or FY2027.

FINANCIAL IMPACT

The transfer is made at no cost to either party. The property is tax exempt and unimproved. It operates as a passive park and riparian area in its natural state.

STAFF RECOMMENDATION(S)

Authorize the City Manager to execute an Intergovernmental Agreement with the Hood River Urban Renewal Agency for the ownership transfer of the Nichols Basin Natural Area.

SUGGESTED MOTION

"I move to authorize the City Manager to sign an Intergovernmental Agreement with the Hood

River Urban Renewal Agency for the transfer of ownership of the Nichols Basin Natural Area”

ATTACHEMENTS

Intergovernmental Agreement Transferring Ownership of the Nichols Basin Natural Area from the Hood River Urban Renewal Agency to the City of Hood River.

INTERGOVERNMENTAL AGREEMENT
(Transfer of Ownership of Nichols Basin)

DATED: _____, 2025

PARTIES: CITY OF HOOD RIVER ("City")
211 2n[d] Street
Hood River, OR 97031

HOOD RIVER URBAN RENEWAL AGENCY ("Agency")
c/o City of Hood River
211 2[nd] Street
Hood River, OR 97031

RECITALS

Whereas, the Waterfront District Urban Renewal Plan and amendments (Plan)'s Goal 2 is Recreation and Goal 3 is Habitat Enhancement; and

Whereas, the Agency passed Resolution 2014-10 that authorized the purchase of property located at 1 Nichols Parkway, Hood River, Oregon 97031 described on the attached Exhibit A (Property) as a riparian natural area and passive recreational area; and

Whereas, the Property must eventually be transferred to the City when the Waterfront Urban Renewal District is retired; and

Whereas, the Parties would like to facilitate the transfer of the Property now; and

Whereas, the Agency desires to transfer the Property to the City.

AGREEMENT TERMS

1. Recitals. The recitals are incorporated into this Agreement by reference.

2. Property Transfer. Within 30 days of the Effective Date (hereinafter defined), the City of Hood River Urban Renewal Agency (Agency) agrees to convey and transfer the real property located at 1 Nichols Parkway, Hood River, Oregon

97031 (Property) to the City of Hood River (City) for other good and valuable consideration the sufficiency of which is hereby acknowledged.

3. Project/Purpose. The Agency acquired the Property to protect areas of existing bio-habitat and recreate habitat where it has been destroyed, ensure the upland development does not degrade habitat condition in the Columbia River, eventually provide for appropriate and adequate landscaping planning along the water's edge, allow for habitat enhancements in Nichols Basin, and facilitate comprehensive trail connections long the Columbia River Waterfront including use of the existing pedestrian bridge over the Hood River. Once transferred to the City, the City agrees to use the Property for the purposes set forth in this Section 3.

4. Effective Date: The date signed by both parties below.

5. Remedies. Upon default Agency may exercise any remedy allowed by law.

6. Binding Effect. This agreement will be binding on and inure to the benefit of the parties and their respective successors and assigns.

7. Assignment. None of the rights, interests, or obligations under this agreement will be assigned by any party without the prior written consent of the other parties.

8. Third Party Beneficiaries. Nothing in this agreement is intended or will be construed to confer on any person, other than the parties to this agreement, any right, remedy, or claim under or with respect to this agreement.

9. Amendment. This agreement may be amended only by an instrument in writing executed by both parties, which writing must refer to this agreement.

10. Equitable Relief. The parties agree that the remedy at law for any breach or threatened breach by a party may be inadequate, and each party will be entitled, in addition to damages, to a restraining order, temporary and permanent injunctive relief, specific performance, appointment of a receiver, and other equitable relief, without showing or proving that any monetary damage has been sustained.

11. Notice. Any notices under this agreement will be in writing and effective upon personal delivery to the signatories below or two days after mailing, first class postage prepaid, to a party at the addresses given at the beginning of this agreement, unless changed by written notice to the other parties.

IT IS SO AGREED by the parties, dated on the year and day set forth above.

CITY	AGENCY
_____	_____
Name	Name
_____	_____
Signature	Signature
_____	_____
Title	Title

EXHIBIT A
Property

Parcel 3 of Partition Plat No. 201505P, according to the official plat thereof, recorded April 26, 2015, as Instrument No. 201501132, Hood River County Microfilm Records, being a portion of the Northwest quarter of Section 25, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Hood River and State of Oregon together with a 15' easement for ingress and egress as described in Instrument No. 701702, Hood River County Deed Records and as shown on Partition Plat 201505P.

CITY OF HOOD RIVER CITY COUNCIL

DATE: June 23, 2025

TO: Honorable Mayor Paul Blackburn and City Council

FROM: Christopher Longinetti, Finance Director

SUBJECT: Resolution 2025-15 and Resolution 2025-16 Authorizing Interfund Loans

CITY COUNCIL GOAL:

- ☐ Equitable and Diverse Housing Inventory
- ☐ Equitable and Inclusive Community
- ☒ Well-Maintained and Safe Community
- ☐ Efficient and Safe Transportation System for all users
- ☐ Environmentally Sustainable and Resilient Community
- ☐ Adequate Parks and Open Space
- ☐ Healthy Organization

BACKGROUND:

The FY2024-25 budget included up to $1.9M of interfund loans to the Utility Funds which would be required for planned capital projects. The ultimate amount and timing of these loans were to be dependent upon actual project expense, construction progress, and fund resources. These resolutions provide for interfund loans from the Fleet and Large Equipment Fund in the amount of $600,000 to the Water Fund for In-Line Hydro bridge financing and an additional $1,000,000 to the Water Fund for general project funding. Each of these interfund loans allow for the completion of critical utility infrastructure projects.

DISCUSSION:

The In-Line Hydroelectric Generation project, with a total project budget of $1.9M, requires bridge financing for development, until such time as the project is placed in service and becomes eligible for the various grants and tax-credits which contribute to its funding. Through the end of this fiscal year, the project is anticipated to spend approximately $600,000. Additionally, Montello Avenue water pipe replacements and pressure relief value (PRV) replacements at 20th Street/Rand & Cascade are critical infrastructure improvements with a collective project cost of approximately $1.0M in the 2024-25 fiscal year. Fund balances in the Water Fund are insufficient to complete these projects and maintain adequate operating reserves. These proposed interfund loans to the Water Fund with a combined principal balance of $1,600,000 will finance these projects through the completion of work required during the current Fiscal Year. These loans are being advanced from the Fleet and Large Equipment Fund.

Interfund lending benefits the City as it is more administratively efficient and cost effective than short-term bank loans or public borrowings. Interfund lending is also a valuable alternative when sufficient legally available balances exist in other funds which can be lent without impacting the lending fund's operations.

After the advance of these interfund loans, the Fleet and Large Equipment Fund is expected to have a remaining fund balance of approximately $4.0M at the beginning of FY2025-26 as a reserve for future vehicle and large equipment purchases. Short-term loans from the Fund can be advanced and leave more than adequate reserves for near-term expenditures. Each of the loans will have a five(5)-year maturity with a five(5)-year amortization and charge interest at the Oregon Short Term Fund (OSTF) rate, currently 4.60%.

STAFF RECOMMENDATION:
Adopt the suggested motion.

SUGGESTED MOTION:
I move to adopt Resolution 2025-15 and Resolution 2025-16 authorizing interfund loans from the Fleet and Equipment Fund to the Water Fund in FY2024-25.

ALTERNATIVES:
Choose not to authorize the interfund loan, and provide other direction to staff.

FISCAL IMPACT:
The interfund loans from the Fleet and Equipment fund total $1,600,000 which are included in the adopted FY2024-25 budget appropriations.

ATTACHMENTS:
Resolution 2025-15 and Resolution 2025-16

City of Hood River, Oregon
Resolution 2025-15

AUTHORIZE INTERFUND LOAN NOT TO EXCEED $600,000 FROM THE FLEET AND EQUIPMENT FUND TO THE WATER FUND FOR IN-LINE HYDROELECTRIC

WHEREAS, the in-line hydroelectric turbine-generation system is an important component of the City's planned infrastructure improvements; and

WHEREAS, there is not sufficient funding in the Water Fund to finance the project; and

WHEREAS, ORS 294.468 allows for loans from one fund to another; and

WHEREAS, there is sufficient capital available in the Fleet and Large Equipment Fund to finance the work completed in the 2025 fiscal year until the project can be placed in service and becomes eligible for grants and tax-credits available to repay the loan; and

WHEREAS, an interfund loan transfer from the Fleet and Large Equipment Fund in an amount sufficient to provide the loan was incorporated into the Fiscal Year 2024-25 Adopted Budget for the City of Hood River.

NOW, THEREFORE, BE IT RESOLVED, that:

Section 1. The Fleet and Large Equipment Fund shall make a capital loan in the amount of up to $600,000, but not more than the actual costs to complete the project work for the current fiscal year, to the Water Fund.

Section 2. Interest will accrue at an annual rate of 4.60% per annum which is equal to the Oregon Short Term Fund (OSTF) interest rate immediately prior to the adoption of the resolution authorizing the loan. Repayment of principal and interest will be made according to the following amortization schedule, except as provided for in Section 3:

Fiscal Year	2025-26	2026-27	2027-28	2028-29	2029-30	Total
Principal	109,241	114,374	119,747	125,373	131,264	**600,000**
Interest	25,316	20,183	14,810	9,184	3,294	**72,787**
Total	**134,557**	**134,557**	**134,557**	**134,557**	**134,557**	**672,787**

Section 3. Repayment of the balance of the loan may be made in advance at any time.

Approved and Effective this 23rd day of June 2025.

Paul Blackburn, Mayor

Attest:

Approved as to form:

Jennifer Gray, City Recorder

Daniel Kearns, City Attorney

City of Hood River, Oregon
Resolution 2025-16

AUTHORIZE INTERFUND LOAN NOT TO EXCEED $1,000,000 FROM THE FLEET AND EQUIPMENT FUND TO THE WATER FUND FOR INFRASTRUCTURE IMPROVEMENTS

WHEREAS, the existing lead jointed water pipe servicing portions of Montello Avenue are in need or replacement and pressure relief value (PRV) replacements at 20th Street/Rand & Cascade are critical infrastructure improvements; and

WHEREAS, there is not sufficient funding in the Water Fund to finance these infrastructure improvements; and

WHEREAS, ORS 294.468 allows for loans from one fund to another; and

WHEREAS, there is sufficient capital available in the Fleet and Large Equipment Fund to finance the completion of these projects until sufficient water revenue is available to repay the loan; and

WHEREAS, an interfund loan transfer from the Fleet and Large Equipment Fund in an amount sufficient to provide the loan was incorporated into the Fiscal Year 2024-25 Adopted Budget for the City of Hood River.

NOW, THEREFORE, BE IT RESOLVED, that:

Section 1. The Fleet & Large Equipment Fund shall make a capital loan in the amount of up to $1,000,000, but not more than the actual cost to complete the projects, to the Water Fund.

Section 2. Interest will accrue at an annual rate of 4.60% per annum which is equal to the Oregon Short Term Fund (OSTF) interest rate immediately prior to the adoption of the resolution authorizing the loan. Repayment of principal and interest will be made according to the following amortization schedule, except as provided for in Section 3:

Fiscal Year	2025-26	2026-27	2027-28	2028-29	2029-30	Total
Principal	182,069	190,623	199,579	208,956	218,773	**1,000,000**
Interest	42,193	33,639	24,683	15,307	5,489	**121,311**
Total	**224,262**	**224,262**	**224,262**	**224,262**	**224,262**	**1,121,311**

Section 3. Repayment of the balance of the loan may be made in advance at any time.

Approved and Effective this 23rd day of June 2025.

Paul Blackburn, Mayor

Attest:

Approved as to form:

Jennifer Gray, City Recorder

Daniel Kearns, City Attorney

CITY OF HOOD RIVER CITY COUNCIL

DATE: June 23, 2025

TO: Honorable Mayor Paul Blackburn and City Council

FROM: Christopher Longinetti, Finance Director

SUBJECT: Q4 FY2024-25 Supplemental Budget – Resolution 2025-18

CITY COUNCIL GOAL:

- ☐ Equitable and Diverse Housing Inventory
- ☐ Equitable and Inclusive Community
- ☒ Well-Maintained and Safe Community
- ☐ Efficient and Safe Transportation System for all users
- ☐ Environmentally Sustainable and Resilient Community
- ☐ Adequate Parks and Open Space
- ☐ Healthy Organization

BACKGROUND: Changes in revenue, expenses, or operating conditions regularly require appropriation adjustments for the fiscal year budget. Such identified changes through June 30, 2025 are outlined in the discussion which follows below. ORS 294.471 allows the governing body of a municipal corporation to adopt a Supplemental Budget by ordinance or resolution.

DISCUSSION: The attached Q4 Supplemental Budget, Resolution 2025-18, makes the following final adjustments to the City's Adopted Budget for the Fiscal Year (FY) 2024-25:

GENERAL FUND

Unanticipated Departmental Expenditures *$ 125,000*

Engineering approvals for Mariposa Village required extensive third-party engineering resources for review and completion. Additionally, with no staff engineer for the current fiscal year, these third-party providers are effective but also a more costly substitute. With the engineering position staffed for the coming fiscal year, this expense is not deemed to be recurring.

Contingency *$(125,000)*

General Fund contingency is adjusted downward to account for the increase in engineering expenses. While the Mariposa Village permits generated additional revenue for the department, contingency is non-the-less utilized during this Q4 adjustment to account for the expenditure.

INTERNAL SERVICES FUND

Administrative Legal Expense *$75,000*

Administrative legal expenses exceeded budget during the current fiscal year because of larger legal undertakings, both settled and pending. In particular, labor attorney costs and the continuing Panabaker lawsuit, regarding the City's short-term rental policy which is being litigated in the federal court system, additionally requires specialized outside counsel at significant expense.

Contingency *$(75,000)*

Contingency is adjusted downward to account for the increase in administration legal expenses.

RESERVES FUND

SB 1530 Receipts *$ 750,000*
Senate Bill 1530 enacted during the 2024 Oregon Legislative Assembly appropriated $2.4 million to the City of Hood River for the Mariposa Village development. This budget adjustment accounts for current and anticipated draws for these funds during the current fiscal year.

Mariposa Village Funding *$ 750,000*
Transfers from the Affordable Housing Reserve to the Mariposa Village development are increased to account for these SB 1530 funds received.

FIDUCIARY FUND

Water Revenue Receipts *$ 40,000*
Upward adjustment to Water Revenue receipts to account for greater than anticipated revenue collections.

Water Revenue Remittance *$40,000*
Increase in remittances to the City of Mosier for increased water revenue collections.

STAFF RECOMMENDATION: Adopt Resolution No. 2025-18, a Supplemental Budget, to make appropriations and adjust the adopted budget for Fiscal Year 2024-25.

SUGGESTED MOTION: "I move that City Council approve Resolution 2025-18, to make appropriations and adjust the adopted budget for Fiscal Year 2024-25."

ALTERNATIVES: Do not approve the Supplemental Budget Resolution 2025-18 and provide other direction to staff.

FISCAL IMPACT: The attached resolution outlines the adjusted budget allocations and the changes to any Unappropriated or Reserved Fund Balances.

ATTACHMENTS:
Resolution 2025-18

RESOLUTION 2025-18

A Resolution Adopting a Supplemental Budget for Fiscal Year 2024-25 for the City of Hood River

WHEREAS, ORS 294.471(1)(a) allows the governing body of a municipal corporation to make one or more supplemental budgets if an occurrence or condition that is not ascertained when preparing the original budget or a previous supplemental budget for the current year or current budget period requires a change in financial planning;

NOW, THEREFORE, BE IT RESOLVED, by and through the City of Hood River meeting in regular session, the City of Hood River City Council hereby adopts the following supplemental budget, makes appropriations, and adjusts the Fiscal Year 2024-25 Budget as follows:

	Current Budget	Increase / Decrease	Revised Budget
GENERAL FUND			
Beginning Balance	5,732,551		5,732,551
Revenues	10,796,155		10,796,155
Transfers-In	0		0
Total Resources	16,528,706		16,528,706
City Council	109,982		109,982
Fire	4,882,559		4,882,559
Parks	806,877		806,877
Planning	649,066		649,066
Police	3,260,216		3,260,216
Engineering	330,590	125,000	455,590
Parking	767,868		767,868
Municipal Court	160,094		160,094
Non-Departmental	85,400		85,400
Debt Service	0		0
Transfers	725,000		725,000
Special Payments	0		0
Contingency	400,000	(125,000)	275,000
TOTAL - GENERAL FUND	12,177,652		12,177,652
Unappropriated/Reserved Balance	4,351,054		4,351,054
Total Requirements	16,528,706		16,528,706

Summary: Adjusts expenditures and contingency for engineering services related to the Mariposa Village affordable housing development.

INTERNAL SERVICES FUND			
Beginning Balance	5,817,630		5,817,630
Revenues	3,819,621		3,819,621
Transfers-In	0		0
Total Resources	9,637,251		9,637,251
Fleet & Equipment	1,420,052		1,420,052
Administration	1,839,620	75,000	1,914,620
Compensated Absences	114,966		114,966
Debt Service	129,700		129,700
Transfers	3,121,000		3,121,000
Special Payments	0		0
Contingency	227,000	(75,000)	152,000

TOTAL - INTERNAL SERVICE FUND	6,852,338		6,852,338
Unappropriated/Reserved Balance	2,784,913		2,784,913
Total Requirements	9,637,251		9,637,251

Summary: Adjusts Administration expenditures and contingencies for incurred legal expense over budget.

RESERVES FUND			
Beginning Balance	215,802		215,802
Revenues	356,790	750,000	1,106,790
Transfers-In	0		0
Total Resources	572,592		1,322,592
Parking in Lieu	15,000		15,000
Affordable Housing	365,640		365,640
Parks Facilities Replacement	0		0
Debt Service	0		
Transfers	0	750,000	750,000
Special Payments	0		0
Contingency	10,000		10,000
TOTAL - INTERNAL SERVICE FUND	390,640		1,140,640
Unappropriated/Reserved Balance	181,952		181,952
Total Requirements	572,592		1,322,592

Summary: Adjusts resources for proceeds received from direct legislative appropriation SB1530 and the funding to the Mariposal Village development.

FIDUCIARY FUND			
Beginning Balance	51,748		51,748
Revenues	579,000	40,000	619,000
Transfers-In	0		0
Total Resources	630,748		670,748
Mosier Sewer Billing	338,000		338,000
Mosier Water Billing	291,000	40,000	331,000
TOTAL - AGENCY FUND	629,000		669,000
Unappropriated/Reserved Balance	0		1,748
Total Requirements	629,000		670,748

Summary: Adjusts resources for greater than budgeted water usage receipts and the remittance of those funds to the City of Mosier.

Approved by the City of Hood River City Council on this 23rd day of June, 2025, to take effect immediately

Paul Blackburn, Mayor

ATTEST:

Jennifer Gray, City Recorder

CITY OF HOOD RIVER CITY COUNCIL

DATE: June 23, 2025

TO: Honorable Mayor Paul Blackburn and City Council

FROM: Dustin Nilsen, Director of Planning and Zoning
Kevin Liburdy, Senior Planner

SUBJECT: Development Code Update (Phase 2) – Module 1

CITY COUNCIL GOAL:

- ☒ Equitable and Diverse Housing Inventory
- ☒ Equitable and Inclusive Community
- ☒ Well-Maintained and Safe Community
- ☒ Efficient and Safe Transportation System for all users
- ☒ Environmentally Sustainable and Resilient Community
- ☒ Adequate Parks and Open Space
- ☒ Healthy Organization

BACKGROUND: The City Council's 2023-2024 and 2025-2026 Work Plans include an Audit & Update of the City's Development Code (Titles 16 and 17 of the Municipal Code) on the Critical Projects list. The purpose of this project is not to address policy issues but to improve the useability of the code, make the standards and objectives of the code easier to understand, and ensure consistency with state law. In September of 2023, the Department of Land Conservation and Development (DLCD) awarded the City a Housing Planning Assistance grant to support updates to the code that affect development of housing.

In 2024, a Code Audit (Phase 1) was performed to identify potential inconsistencies with state land use law and existing City Comprehensive Plan policies, identify internal conflicts as well as grammatical- and formatting errors, and include a framework to amend development code provisions that are in need improvement or clarification. In addition, a Diversity, Equity and Inclusion Assessment was prepared for use throughout the project to ensure equity is considered in decision-making processes, code analyses and in making recommendations for code amendments.

The Project Management Team (PMT), including City staff and Matt Hastie of the consulting firm MIG, presented an overview of the Code Audit to the Planning Commission and City Council in July of 2024. The overview summarized the goals, tasks, timeline, suggestions from meetings with interested parties, and initial Code Audit findings. The main suggestions for code improvements include updating definitions, middle housing standards, parking standards, landscaping standards and application review processes; adding provisions for affordable housing development and wireless communication facilities; as well as updating the formatting and organization of the code.

After discussing the Code Audit findings with the Planning Commission and Council, the PMT attended subsequent meetings with Council to discuss the community engagement plan for the Code Update (Phase 2) including objectives, interested parties and activities; and, contracting with MIG to complete portions of the Phase 2 Code Update work that will not be funded by DLCD. Community engagement activities for Phase 2 include sharing documents through the project website (https://cityofhoodriver.gov/planning/development-code-audit-and-update/); work sessions and briefings with the City Council and Planning Commission; meetings with interested parties including to Spanish speaking community members; social media communications; online surveys; and, publishing short explanatory videos. The City Council supported the Code Audit findings and approved the community engagement plan and MIG contract for the Code Update process.

The Code Update process (Phase 2) will be ongoing through Spring of 2026, prior to scheduling public hearings to consider adoption of code amendments. The consultant will draft code amendments in four

batches, or modules. The modules will be organized to follow the structure of the State of Oregon's Model Development Code for Small Cities, which will represent the base outline for the City's reorganized Code. The attached materials describe this organizational structure, including how the proposed modules relate to sections of the City's existing code and the state Model Code. The Model Code, developed by Oregon's Transportation and Growth Management Program (TGM), addresses a wide variety of necessary code elements, and it also is being updated to ensure consistency with state law.

DISCUSSION: The purpose of tonight's meeting is to discuss organizing the Development Code based on Oregon's Model Code for Small Cities, introduce Module 1 code amendments, and obtain feedback from the City Council. Organization of the modules is described in the attached Module Organization Memo and Module Organization Table. These materials were discussed in a work session with the Planning Commission on June 16th, 2025. The Commission's comments will be discussed with the City Council as part of the PMT's presentation.

STAFF RECOMMENDATION: Council is asked to comment on the attached materials including the format as well as seven (7) issues that are highlighted in the draft provisions for Title 17.01, Introduction and General Provisions.

FISCAL IMPACT: Phase 1 of the project was completed with approximately $58,500 in grant funds from DLCD's Housing Planning Assistance program. Phase 2 of the project is estimated to cost approximately $204,012. The City's share is $111,697, and the remaining $92,315 will be paid by DLCD. The City Planning Department budgeted $167,000 for contract services in FY24-25 (largely carried forward from previous budget cycles for this project).

ATTACHMENTS:

1. Code Update Module Organization Memo
2. Code Update Module Organization Table
3. Title 17.01 – Introduction and General Provisions

TO: Hood River Development Code Update Project Management Team

FROM: Carrie Brennecke, Katie Vickers, and Matt Hastie, MIG, Inc.

RE: Hood River Development Code Update – Module Organization Memo (Task 1.1)

DATE: June 3, 2025

Introduction

The City of Hood River is conducting a major update of its Development Code (i.e., the Zoning and Subdivision Ordinances). This memo summarizes results of the initial task in the second phase of this two-phase project. Last year, the City completed an initial review of the code, with a two-fold goal of ensuring the code is consistent with State laws and to make the Code easier to use, understand and administer. The second phase (Code Update) focuses on preparing and adopting changes to the development code to implement the Phase 1 recommendations.

The initial code update recommendations resulted in the need for a significant update to the Development Code by reorganizing and/or replacing sections, creating new sections, and making significant revision to the existing/remaining sections. MIG and City Staff reviewed and discussed best practices for development code structures and formats that address the needs of Hood River and the requirements of the Oregon statewide planning rules and legislation, and concluded that the 'TGM Model Code for Small and Medium Cities' (herein referred to as Model Code) would provide the best foundation for organizing the updates to the Hood River Development Code.

The rationale for selecting the TGM Model Code as the format of the Code Update is:

- The Model Code is easy to use and provides a consistent code format for applicants as it is used by many jurisdictions throughout the state.
- The structure of the Model Code is logical and relatively easy to administer for City staff and decision makers.
- It is designed to implement Statewide planning laws.
- It is easily amendable to incorporate city-specific regulations, zones and overlays, requirements, or programs and vision.
- The majority of the topic areas identified in the Phase 1 Code Audit to be addressed in Phase 2 are incorporated in the structure of the Model Code.
- Organizing and executing the code update in a timely, efficient and clear process is enhanced by using a tested and established development code format.
- An update to the TGM Model Code (to incorporate states laws and legislation 2012-2025) is occurring concurrently with the same consultants (MIG) as the Hood River Code Update. The update is expected to update the contents of the Model Code while keeping the format generally intact. These parallel efforts will provide synergy for the City of Hood River, Oregon Department of Land Conservation and Development (DLCD) and MIG staff.
- The code is a living document that is periodically updated to reflect changes desired by the jurisdiction or required by the State. The Model Code's format facilitates code updates efficiently.

TGM Model Code for Small and Medium Cities Structure

TGM Model Code is broken into five Articles:

- **Article 1 – Introduction and General Provisions.** Article 1 contains provisions for purpose and authority, lot of record determination, non-conforming situations, code interpretation provisions, and enforcement.
- **Article 2 – Zoning Regulations.** Article 2 contains zoning district and overlay zone regulations (or specific plan area regulations) and special use standards. The design standards for specific types of development are located in Article 3, consolidating all design standards in that article.
- **Article 3 – Community Design Standards (contains Land Division design standards).** Article 3 contains design standards that address building orientation and design, access and circulation, landscaping, street trees, fences and walls, parking and loading, outdoor lighting and public facilities. Article 3 is supported by a library of code graphics.
- **Article 4 – Application Review Procedures and Approval Criteria (contains Land Division processes)** Article 4 contains the Application review procedures and criteria used consistently throughout the state and is consistent with the Oregon statutes and administrative rules. The article addresses review procedures (Type 1-V processes), Site Design Review, Land Divisions, Conditional Use Permits, Modifications, Amendments to the Zoning Map or Code, Adjustments and Variances and Planning Unit Developments.
- **Article 5 – Definitions.** The definitions have been relocated from Article 1, updated, and consolidated to one section of the code.

Hood River Code Update Module Organization

The initial drafting and reviewing of amendments to the Hood River Development Code will be performed in four batches or 'Modules'. After reviewing the Phase 1 Audit Recommendations and topic areas and the overall structure of the Model Code, the general contents of the four Modules will be as follows.

Code Update Module Contents:

- **Module 1** - Code Update Module Organization Memo and Outline, Articles 1 and 5 (Purpose, Authority, and Definitions)
- **Module 2** - Article 4 (Application Procedures, Approval Criteria and Land Division Process)
- **Module 3** - Article 2 (Zoning Regulations and Special Use Standards)
- **Module 4** - Article 3 (Community Design Standards, Land Division Standards)
- Parking Lot – List of additional topics that require additional study – to be addressed in future Code Updates. Note these topics will not include those that are essential to meeting the goals of this development code update process.

Attached is the **'Code Update Module Organization Table'** that shows in detail topics identified in the Phase 1 Code Audit Recommendations with their location in the current Hood River Development Code and the corresponding Model Code Title and Chapter. This table will be used to ensure all the topics identified in the Code Audit are addressed in the Code Update and provides a

roadmap to each of the Modules in which the of the identified topics are located, along with the chapter in the updated code where the topic is expected to be located. Minor updates to this structure may occur during the course of the project as the team update the code and refines its new organization, if needed.

Additional Module 1 Updates

As noted above, this module also includes updates to the following elements of Hood River's code:

- **Purpose and authority**. The City's development code currently does not include a section that generally describes its purpose. This section incorporates language from the TGM Mode Code, as well as applicable provisions of other similarly sized communities in Oregon.
- **Definitions**. This section combines definitions from numerous sections of the City's existing code, eliminates duplicate definitions, ensures consistency among definitions used elsewhere in the code, includes definitions of terms used in recent state housing legislation, and addresses the need for definitions related to housing to be clear and objective. This element of Module 1 should be considered as a set of working definitions. We do not recommend detailed review or revisions of these definitions at this stage as they are likely to continue to be refined throughout the code update process. However, City staff should identify gaps in the definitions, as needed.
- **Lot of record determination**. This section establishes criteria and a process for determining when a lot of record exists for the purpose of allowing a use or development on a non-conforming lot (e.g., substandard lot that does not meet lot area, setback, or coverage regulations). A Lot of Record process or criteria is not currently in Title 16 or 17 of the City's existing code.
- **Non-conforming situations**. This section provides standards and procedures for the continuation, expansion, and alteration of uses and developments that are lawfully established but do not comply with current Code standards ("non-conforming situations"). The City's Municipal Code currently contains standards for Non-Conforming Uses and Structures (Chapter 17.05). This section will use the existing language as a base and incorporate language from the TGM Mode Code, recent legislative updates, as well as applicable provisions of other similarly sized communities in Oregon.
- **Code interpretation provisions**. This section provides a process for resolving differences in the interpretation of the Code text. The City's development Code currently has a code interpretation process. This section will use the existing language as a base and incorporate language from the TGM Mode Code, as well as applicable provisions of other similarly sized communities in Oregon.
- **Vesting (possibly non-conforming and possibly conforming)**: Approval life spans and development entitlements (PUD phasing, subdivisions) Holmes Test incorporated into Code
- **Enforcement**. This chapter is a work in progress as the City works with the city attorney to codify the enforcement process into the Development Code. The City will first review any enforcement procedures already existing in other city ordinances, and then either

incorporate those provisions into the Development Code by reference, and work with the city attorney to draft provisions specific to the Development Code.

What's Next for Module 1

- Planning Commission briefing
- City Council work session
- Interested Parties and Community Groups meetings
- Revised Code Update Recommendations Report – Module 1
- Code Graphics
- Short Video #1
- Online Survey/Comments (series of mini-surveys as we work on or complete each code update module)
- Legal Counsel Review

Hood River Code Update Module Organization Table						
Proposed Code Update Module	**Identified Code Topic**	**Hood River Code Section(s)**	**TGM Model Code Article**	**TGM Model Code Chapter**	**Assumed Model Code Article (if topic not in Model Code)**	**Phase 1 Code Audit Cross Report Reference**
1	Introduction		1	1.1		
1	Title Purpose and Authoirty		1	1.2		
1	Definitions	16.04.020, 17.01.060 and 17.25.010	5	5.1-Definitions		Staff Notes
1	Non-Conforming Structures and Uses	17.05	1	1.4 Non-Conforming Situations		
1	Lot of Record		1	1.3		Audit Finding and Model Code
1	Severability/Penalties	17.10.020	1	1.6		
1	Intepretrations (General)	17.01	1	1.5		
1	Occupancy Limits (familial relationships)	17.01.060	5	5.1 -Definitions		
1	Enforcment	17.10	1	1.6		
2	Annexations	17.15	Not addressed	Not addressed	4.9	
2	Conditional Use Decision Criteria	17.06.030	4	4.4 Conditional Use Permits		
2	Expedited Land Divisions	16.08	4	4.3 Land Divisions		
2	Planned Unit Developments	17.07	4	4.8 Master Planning Developments		*Must be the elective dicretionary route form ORS
2	Application Review Procedures/Process and Criteria	17.09 and 16.08.010	4	4.1 General Review Procedures		including addressing condos
2	Land Division Review Procedures and Criteria	16.08.020.C.1.a, 16.08.010, 16.12.020.J.1, 16.12.050, 16.12.060.B.6.a)	4	4.3 Land Division and Property Line Adjustments		
2	Property Line Adjustment	16.08.070	4	4.3.120		*When allowed (not on lot or parcel created by a partition or subdivision)
2	Expedited Land Division and Middle Housing Land Division	16.08.010(A.2.c)				
2	Site Plan Decision Criteria	17.16.040, 17.16.050, 17.16.053	4	4.2 Site Plan Review		
2	Variances and Adjustments	17.18	4	4.7 Adjustments and Variances		address procedure and criteria
2	Zone Changes	17.08	4	4.6 Amendments to Zoning Map or Code		
3	Affordable Housing	Not addressed	Not addressed	Not addressed	2.3 Special Use Standards	Affordable Housing Ordinance
3	Building Height and Measurement	17.04.040, 17.01.060, 17.		2.208		
3	Lot Coverage	17.04.120	2	2.2.070		
3	Childcare Facilities	17.010.060 and 17.04.100	2 and 5	2.3 Special Use Standards, Chapter 5.1 Definitions		address definitions, update home occ or idenify other permitting process
3	Consolidation of Land Uses into Table - all zones	Not addressed	2	2.2.030 Allowed Uses		

Hood River Code Update Module Organization Table						
Proposed Code Update Module	**Identified Code Topic**	**Hood River Code Section(s)**	**TGM Model Code Article**	**TGM Model Code Chapter**	**Assumed Model Code Article (if topic not in Model Code)**	**Phase 1 Code Audit Cross Report Reference**
3	Home Based Occupations Criteria	17.04.100	2	2.3.120		
3	Bed and Breakfast Facilities	17.04.110	2	2.3.180		
3	Accessory Dwelling Units	17.23	2	2.3.170		
3	Manufactured Home and Mobile Home Park Provisions	17.12	2	2.3 - Special Use Standards		
3	Multi-family housing use in the R-3 and C-1 zones	17.03.030 and 17.03 17.16.050	2	2.2 Zoning District Regulations		
3	Residential density calculation	17.03, 17.07.020(C)	2	2.2.060 Residential Density Standards		
3	Setbacks and Permitted Obstructions	16.04.020 , need consistency with 17.01.060 and 17.25.010	2	2.2.080		per Code Audit; setbacks and exceptions are in 17.03 and 17.07
3	Historic Preservation	17.14.100(C) and (D)	4 (2?)	4 (2.4?)		Likely involves policy decisions beyond the scope of this update, amending when needed for consitancy with revised code
3	Natural Resource Overlay	17.22.010, 17.22.020, 17.22.030	2	2.4		
3	Consolidated Development Standards for Residential Development	Not addressed	2	2.2		
3	Shelters	Not addressed	2 and 5	2.3 and 5.1		
3	Single Room Occupancy Units	Not addressed	2 and 5	2.3 and 5.1		
3	Wireless Communication Facilities	Not addressed	2	2.3 Special Use Standards		
3	Townhomes	17.19	2	2.3.070		* address with middle housing
3	Temporary Uses	Not addressed	2	2.3.160		
3 and 4	Middle Housing Development and Design Standards	17.25 (city specific version)	2 and 3		*Medium Cities Middle Housing Model Code	*Use DLCD Middle Housing Model Codes for guidance and graphics
4	Fencing and Retaining Walls	17.040.050 and 17.04.060	3	3.4.040		
4	Landscaping Standards and Street Trees	17.17.010, 17.17.020, 17.17.030, 17.17.040, 17.17.050, 16.12.050	3	3.4		
4	Tree Preservation	16.12.040 and 17.17	3	3.4.040		
4	Transportation Circulation and Access Management	17.20, 17.20.030, 17.20.040	3	3.6.020		
4	Parking, Access, and Circulation	16.04.020, 17.03, 17.04.020, 16.12.020	3	3.3 Access and Circulation and 3.5 Parking and Loading		
4	Building Orientation and Design	17.16.040, 17.16.050, 17.16.050	3	3.2		

Hood River Code Update Module Organization Table						
Proposed Code Update Module	**Identified Code Topic**	**Hood River Code Section(s)**	**TGM Model Code Article**	**TGM Model Code Chapter**	**Assumed Model Code Article (if topic not in Model Code)**	**Phase 1 Code Audit Cross Report Reference**
4	Consolidated Design Standards for the Development of Housing	Not addressed outside development standards of underlying zoning districts, 17.07.090(A.4), 17.16.053, 17.19.020, 17.25.070	3	3.2		
4	Outdoor Lighting	17.03.040(H), 17.03.050(I), 17.03.060(H), 17.03.080(H), 17.03.130(I)	3	3.4.050 Outdoor Lighting		
4	Public Facility Improvements	16.12, 17.06.030(1 & 6), 17.16.040(D), 17.16.050(C)	3	3.6 Public Facilities		

TITLE 17.01 — INTRODUCTION AND GENERAL PROVISIONS

SECTIONS:

17.01 — Introduction **1-2**

17.01.000 — Title, Purpose, and Authority **3**
17.01.010 Title 3
17.01.020 Purpose 3
17.01.030 Compliance and Scope 3
17.01.040 Rules of Code Construction 3
17.01.050 Development Code Consistency with Comprehensive Plan and Laws 4
17.01.060 Development Code and Zoning Map Implementation 5
17.01.070 *[Zoning Checklists and]* Coordination of Building Permits 5
17.01.080 Official Action 6

17.01.100 — Lot of Record and Legal Lot Determination **7**
17.01.110 Purpose and Intent 7
17.01.120 Criteria 7
17.01.130 Legal Lot Determination Procedure 7

17.01.200 — Non-Conforming Situations **8**
17.01.210 Purpose and Applicability 8
17.01.220 Non-conforming Use 8
17.01.230 Non-conforming Development 9
17.01.204 Non-conforming Lot 12

17.01.300 — Code Interpretations **13**
17.501.310 Code Interpretations 13

17.01.400 — Enforcement **15**
17.01.410 Violations 15
17.01.420 Other Remedies 17

Introduction and General Provisions

17.01 — Introduction

The City of Hood River Development Code ("Code") is administered by the Planning Director or their designee. The Code regulates land use and development within the City of Hood River ("City"), and is organized as follows:

Article 1. Article 1 describes the title, purpose, authority, organization, and general administration of the Code. Article 1 also explains how City officials interpret and enforce code requirements.

Article 2. Article 2 contains the zoning regulations. Zones are designated by the City of Hood River Zoning Map, consistent with the City of Hood River Comprehensive Plan. The zoning regulations specify allowed land uses, and lot and development standards that are specific to particular land uses or zones. Before commencing a new use or development, changing an existing use or development, or applying for a building permit, the property owner should verify the City's zoning requirements.

Article 3. Article 3 contains the City's development design standards, including requirements for street access; pedestrian and vehicle circulation; parking; landscaping, screening, fences, and walls; outdoor lighting; adequate transportation, water, sanitary sewer, and storm drainage facilities; and utility requirements. Article 3 applies to all development, including land divisions and projects for which no land use application or review is required. Article 3 is supported by the more detailed engineering design standards in the City of Hood River Engineering Standards which are maintained by the City of Hood River Public Works Department.

Article 4. Article 4 contains the City's application requirements and review procedures for land use and development decisions, including, but not limited to, procedures for land divisions, property line adjustments, conditional use permits, site design review, master planned developments, adjustments and variances.

Article 5. Article 5 contains definitions and other exhibits that the City uses in interpreting and administering the Code. For example, where Article 2 contains a general list of land uses allowed in each zone, Article 5 provides examples of uses that are consistent with each general category.

17.01 — Title, Purpose, and Authority

17.01.010 Title

The official name of the Hood River Municipal Code Title 17 is "The City of Hood River Development Code." It may also be referred to as "Development Code" and "Code."

17.01.020 Purpose

This Code is enacted to promote the public health, safety, and welfare; and to encourage the orderly and efficient development and use of land within the City of Hood River, consistent with the City of Hood River Comprehensive Plan and the following principles:

A.

B.

C.

D.

> Note to Decision Makers: Principles specific and unique to Hood River should be inserted here. Use the Comprehensive Plan and other city visioning documents as guides.

17.01.030 Compliance and Scope

A. Compliance with the Development Code. No structure or lot shall hereinafter be used, developed, or occupied, and no structure or part thereof shall be erected, moved, reconstructed, extended, enlarged, or otherwise altered except as permitted by this Code. 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. Furthermore, annexations and amendments to the Zoning Map, and amendments Development Code shall conform to applicable provisions of this Code.

B. Obligation by Successor. The requirements of this Code apply to the owner(s) of record, persons undertaking the development or the use of land, and to those persons' successors in interest.

C. Transfer of Development Standards Prohibited. Except as otherwise specifically authorized by this Code, no lot area, yard, landscaping, or open space that is used to satisfy a requirement of this Code for one use shall be used to satisfy the same requirement for another use.

17.01.040 Rules of Code Construction

A. Provisions of this Code Declared to be Minimum Requirements. The provisions of this Code, in their interpretation and application, are minimum requirements, adopted for the protection of the public health, safety, and general welfare.

B. Highest standard or requirement applies. Where one or more requirements of this Code varies from

another provision of this Code or with other applicable regulations, the highest standard or regulation shall govern. The Planning Director or Planning Commission, as applicable, shall determine which Code provision sets the highest standard. Where the applicability of a Code provision is unclear, the Planning Director or Planning Commission [or upon referral the City Council], may issue a formal interpretation pursuant to Chapter 1.4 Interpretation.

C. Tenses. Words used in the present tense include the future; the singular form includes the plural; and the plural includes the singular.

D. Requirements versus Guidelines. *The use of the word "shall," "must," "required," or similar directive terms, means the Code provision is a requirement. The use of the word "should," "encouraged," "recommended," or similar terms, means the provision is a guideline, which may be imposed as a requirement but only where the applicable code criteria allow the applicable decision-making body to exercise such discretion.*

E. **Interpreting Illustrations.** This Code contains illustrations and photographs, i.e., code "graphics," which are intended to serve as examples of development design that either meet or do not meet particular Code standards. Except where a graphic contains a specific numerical standard or uses the word "shall," "must," "required," or "prohibited," strict adherence to the graphic is not required.

F. Severability. The provisions of this Code are severable. If any section, sentence, clause, or phrase is judged to be invalid by a court of competent jurisdiction, that decision shall not affect the validity of the remaining portion of the Code.

17.01.050 Development Code Consistency with Comprehensive Plan and Laws

A. City of Hood River Comprehensive Plan. This Code implements the City of Hood River Comprehensive Plan. Except as otherwise required by applicable state or federal law, all provisions of this Code shall be construed in conformity with the Comprehensive Plan, including any Comprehensive Plan elements or public facility master plans, adopted pursuant to the Comprehensive Plan.

B. Compliance with Other Laws Required. In addition to the requirements of this Code, all uses and development must comply with all other applicable City, County, State of Oregon, and federal rules and regulations.

C. References to Other Regulations. All references to other City, state, and federal rules and regulations are for informational purposes only and do not constitute a complete list of such requirements. The references do not imply any responsibility by the City for enforcement of state or federal regulations. Where a proposal, permit, or approval is subject to both City of Hood River requirements and state or federal requirements, the property owner is responsible for contacting the applicable agencies and complying with their rules and regulations.

D. Current Versions and Citations. All references to the regulations of other jurisdictions refer to the most current version and citation for those regulations, except where this Code, City Council policy, or applicable law require otherwise. Where a referenced regulation has been amended or repealed, the City Planning Official, Planning Commission or, upon referral, the City Council, shall interpret this Code and, based on adopted City policy, determine whether an equivalent standard applies. Such determinations,

unless made through a legislative process, may be appealed to the City Council.

17.01.060 Development Code and Zoning Map Implementation

A. Zoning of Areas to be Annexed. Concurrent with annexation of land to the City of Hood River, the City Councilupon considering the recommendation of the Planning Commission, shall enact an ordinance applying applicable zoning designation(s) to the subject land, pursuant to Chapter 4.6. The Comprehensive Plan shall guide the designation of zoning for annexed areas.

B. Land Use Consistent with Development Code. Land and structures in the City of Hood River may be used or developed only in accordance with this Code, including all amendments thereto. A lawful use of land ("use") is one that is permitted in accordance with this Code, or is allowed as a legal non-conforming use, pursuant to Chapter 1.4, provided state or federal law does not prohibit the use.

C. Development Code and Zoning Map. The City's Official Zoning Map ("Zoning Map"), which may be published, amended, and filed separately from this Code, is part of this code. The zoning districts depicted on the Zoning Map correspond to the zoning districts in this code. In addition, this Code may contain zoning regulations for special areas (i.e., overlay zones), and for certain uses or structures that do not appear on the Zoning Map but which have been established and defined by the City and maybe mapped within the City's mapping system).

D. Interpreting the Zoning Map. Except as otherwise specified by this Code, the City's zoning boundaries are as designated on the Official Zoning Map, which is kept on file at City Hall. The City may adopt and/or publish supplemental zoning maps where it is impractical to illustrate all regulated features on one map. Examples of regulated features include, but are not limited to, historical landmarks, special street setbacks, base flood (flood plain) elevation, local wetland inventories, and specific area plans. In addition, the City may require field verification and mapping (e.g., survey) of a regulated feature as part of a development application, where the feature is thought to exist on or adjacent to the subject property but its exact location is unknown.

E. Boundary Lines. Zoning district boundaries are determined pursuant to Section 2.1.030.

F. Changes to Official Zoning Map. Proposed changes to the Official Zoning Map are subject to review and approval under Chapter 4.6 Amendments.

17.01.070 *[Zoning Checklists and]* Coordination of Building Permits

A. Land Use Approvals and Building Permits. Land use and building approvals are processed by two City officials: The Building Official administers building codes *[including floodplain regulations,]* and issues building permits; and the Planning Director administers the Development Code, processes land use approvals, and coordinates with the Building Official on development and building projects to ensure compliance with the Development Code.

B. Zoning Compliance Required for Building Permits. A building permit shall not be issued until the

Planning Director has confirmed that all applicable requirements of this Code are met, or appropriate conditions of approval are in place to ensure compliance.

*[**C. Zoning Checklist.** Where a Zoning Checklist is required prior to issuance of a building permit, pursuant to Section 4.1.020, the Planning Official through a Type I procedure shall review the project proposal. The Building Official shall not issue any building permit without an approved Zoning Checklist for the project. If in reviewing the project proposal the Planning Official determines that other permits or approvals are required before development may commence, or a building permit may be issued, the Planning Official shall advise the applicant in writing, accordingly. See Article 4 Application Requirements, Administrative Procedures, and Approval Criteria.]*

Note to Decision Makers: A Zoning Checklist is a tool used by some jurisdictions to review proposed development for compliance with the zoning ordinance/development code. The checklist is not a formal land use decision. It is intended to help property owners verify city requirements before beginning a project. It can be a tool to enhance clarity of the development approval process to the applicant, but it adds a formal step to the development process. Hood River will need to decide if it wants to codify a Type I application checklist to its development review process. Hood River planning staff commented that a zoning review is currently being conducted prior to issuance of building permits.

17.01.080 Official Action

A. Official Action. The City of Hood River [Planning Director, Planning Commission, and City Council] are vested with authority to issue permits and grant approvals in conformance with this Code, pursuant to Article 4 Application Requirements, Administrative Procedures, and Approval Criteria. City officials shall issue no permit and grant no approval for any development or use that violates or fails to comply with conditions or standards imposed to carry out this Code.

B. Void Future Actions. Any permit or approval issued or granted in conflict with the provisions of this Code shall be void, unless the City modifies it in conformance with the Code. The Planning Director shall determine when an approval is void and, as applicable, they shall refer it back to the decision body for modification to ensure Code compliance.

C. Referral to Planning Commission. In addition to those actions that require Planning Commission approval, the Planning Director may refer any question, land use application or permit request to the Planning Commission, who then shall take action on the request pursuant to the applicable provisions of this Code. See also, Chapter 1.5 Code Interpretations and Article 4 Application Requirements, Administrative Procedures, and Approval Criteria.

D. Notices, Filing, and Validity of Actions. The failure of any person to receive mailed notice or failure to post or file a notice, staff report, or form shall not invalidate any actions pursuant to this Code, provided a good faith effort was made to notify all parties entitled to such notice report, or form.

17.01.100 — Lot of Record and Legal Lot Determination

17.01.110 Purpose and Intent

The purpose of Chapter 1.3 is to establish criteria and a process for determining when a lot of record exists for the purpose of allowing a use or development on a non-conforming lot (e.g., substandard lot that does not meet lot area, setback, or coverage regulations).

17.01.120 Criteria

A lot of record is a plot of land that meets one or more of the following criteria, pursuant to ORS 92.010 through 92.190:

A. The plot of land was lawfully created through a subdivision or partition plat in Hood River County prior to annexation to the City of Hood River.

B. The plot of land was created through a deed or land sales contract recorded with Hood River County prior to DATE, before the City adopted planning, zoning, subdivision or partition regulations.

C. The plot of land was created through a deed or land sales contract recorded with Hood River County prior to January 1, 2007 and the subject plot of land would have complied with the applicable planning, zoning, subdivision, or partition regulations in effect at the time it was created (ORS 92.176).

17.01.130 Legal Lot Determination Procedure

The Planning Director through a Type I procedure, shall process requests to validate a lot of record, pursuant to ORS 92.010 to 92.190.

17.01.200 — Non-Conforming Situations

17.01.210 Purpose and Applicability

This chapter provides standards and procedures for the continuation of uses and developments that are lawfully established but do not comply with current Code standards ("non-conforming situations"). The Code is intended to protect public health, safety, and general welfare, while allowing reasonable use of private property. The chapter contains three sections, as follows:

A. Non-conforming uses (e.g., industrial use in residential zone) are subject to Section 1.4.020.

B. Non-conforming developments and structures (e.g., structure does not meet setback or height standards) are subject to Section 1.4.030.

C. Non-conforming lots (e.g., lot is smaller than minimum area standard) are subject to Section 1.4.040.

17.01.220 Non-conforming Use

Where a use of land exists that would not be permitted under the current Code, but was lawful at the time it was established, the use may continue, provided it conforms to the following requirements:

A. Expansion of Non-conforming Use Limited. Expansion of a non-conforming use shall not exceed *[20-50]* percent of the subject site or building, and not more than *[500-5,000]* square feet of building area (footprint or floor area), cumulatively, whichever is less, that existed as of *[cutoff date]*. *[Expansion of a non-conforming use requires approval of a Conditional Use Permit under Chapter 4.3.]*

Current Code: [Expansion: A nonconforming use shall not be expanded or moved to occupy a different or greater area of land, building, or structures than the use occupied at the time it became nonconforming.]

Note to Decision Makers: The Model Code allows for some expansion of non-conforming uses (% and SF determined by jurisdiction) as the current regulations does not allow expansion. Hood River will need to decide if it wants to revise this standard.

B. Location of Non-conforming Use. A non-conforming use shall not be moved in whole or in part from one lot to another lot, except as to bring the use into conformance with this Code.

C. Discontinuation or Abandonment of Non-conforming Use. Except as provided by Section 1.4.020.E, a non-conforming use that is discontinued for any reason other than fire or other catastrophe beyond the owner's control for a period of more than 12 months shall be deemed abandoned and shall no longer be an allowed use. For purposes of calculating the 12-month period, a use is discontinued when:

1. the use of land is physically vacated;

2. the use ceases to be actively involved in the sale of merchandise or the provision of services; for example, as evidenced by the removal of signs, goods, stock, or office equipment, or the disconnection of utility service;

3. any lease or contract under which the non-conforming use has occupied the land is terminated;

4. a request for final reading of water and power meters is made to the applicable utility districts;

5. the owner's utility bill or property tax bill account became delinquent; or

6. an event occurs similar to those listed in subsections 1-5, above, as determined by the Planning Commission.

D. Application of Code Criteria and Standards to Non-conforming Use. Once the City deems a use abandoned pursuant to subsection 1.4.020.C, any subsequent use of the subject lot shall conform to the current standards and criteria of this Code. After the City has deemed a non-conforming use abandoned, the use shall not be allowed to resume, in whole or in part, under the same or different ownership or management; any such activity is a violation of this Code and subject to enforcement proceedings under Chapter 1.6.

E. Extension of Non-Conforming Status for Discontinued Use. Notwithstanding the provisions of subsection 18-1.4.020.C, a non-conforming use that is discontinued shall not be considered abandoned where, through a Type III procedure, the Planning Commission approves an extension for repair, including as applicable ongoing, active renovation and efforts to lease the subject property. The owner must request the extension within the six-month period of discontinuance.

17.01.230 Non-conforming Development and Structures

Section 1.4.030 regulates non-conforming development. Non-conforming development includes situations where a development exists on the effective date of adoption or amendment of this Code that could not be built under the terms of the Code today, for example, by reason of restrictions on lot area, lot coverage, location on a lot, setbacks, height, yard, equipment, access, parking, landscaping, or other physical restriction or requirement. If the development was lawful when constructed, it may remain on the site so long as it remains otherwise lawful and complies with the following regulations:

A. Alterations. Any expansion of a non-conforming development shall not exceed *[number text (20-50)]* percent of the subject building area or development area, as applicable; for example, such area may include floor area or other surface area, paving, parking spaces, landscaping, outdoor storage, signage, lighting, or other developed areas that existed as of *[effective date of new code]*. *[Expansion of a non-conforming use requires approval of a Conditional Use Permit under Chapter 4.3.]*. A non-conforming development shall not be enlarged or altered in a way that increases its non-conformity. A development or portion thereof may be enlarged or altered in a way that satisfies the current requirements of this Code or moves in the direction of conformity.

Current Code: A nonconforming structure that was allowed when established, but is no longer permitted in the subject zone because it does not conform to the existing height, setback, coverage, area, or other requirements, may continue so long as it complies with all of the following requirements:
The structure is not enlarged, moved, or altered in a way that increases its nonconformity; however, the

structure may be altered to decrease in nonconformity.

Note to Decision Makers: The Model Code allows for some expansion or alteration (% determined by jurisdiction) of building area/development area or for the structure to be enlarged or altered (% determined by jurisdiction). The current regulations allows no expansion or alteration that decreases the non-conformity. Hood River will need to decide if it wants to revise this standard.

B. Destruction. Should a non-conforming development or non-conforming portion of a development be destroyed by any means to an extent more than *[number text (20-50)]* percent of its current value as assessed by the *Hood River* County Assessor, it shall be reconstructed only in full conformity with this Code. This does not preclude the reestablishment of a non-conforming use after fire or other catastrophe as allowed under Section 1.4.020.

Current Code: If a nonconforming structure is damaged by any means, the structure may only be reconstructed or replaced to conform to its pre-damage nonconforming state. Otherwise, the structure shall be reconstructed in accordance with the provisions of this ordinance.

Note to Decision Makers: The Model Code has threshold of to qualify destruction (% determined by jurisdiction) and does not allow rebuilding a non-conforming structure above the threshold (destruction my fire or catastrophe excluded). The current regulations state that a development is "damaged by any means" can be reconstructed to its pre-damaged non-conforming state. Hood River will need to decide if it wants to revise this standard.

C. Roadway Access. The owner of a non-conforming driveway approach or access to a public street or highway, upon receiving land use or development approval, may be required as a condition of approval to bring the non-conforming access into conformance with the standards of the applicable roadway authority.

D. Relocation or Removal. Once a non-conforming structure or a portion of a non-conforming structure or development is moved it shall thereafter conform to current Code standards.

Current Code: Exceptions.

A. Any nonconforming structure being used for a residential use before the enactment of this ordinance may be:

1. Rebuilt if damaged or destroyed for any reason, provided the reconstructed building has the same or fewer number of residential units, and serves the same use as the original structure.
2. Continued for residential use whether or not the structure is continuously occupied, provided that the residential use is not changed to some other use.
3. Modified and or enlarged provided that:
    a. The structure maintains the same or fewer number of residential units.
    b. The setback requirements for residential dwellings are met. In cases where the structure does not

meet the residential zoning setback standards, the modification or enlargement to the structure is allowed provided that any expansion does not further encroach upon the setback requirements.

c. The residential off-street parking requirement shall not be reduced.

d. The nonconforming structure is not located in an existing City right-of-way.

e. The modification or enlargement does not exceed the allowed maximum building height.

B. A nonconforming telecommunications tower that provides public emergency communications services may be moved to occupy a different area of land on the same parcel. This provision does not exempt the structure from compliance with other standards or procedures applicable to the use.

Note to Decision Makers: Current Code: Contains exceptions to the non-conforming requirements for residential uses and for telecommunications towers. How does the city wish to retain or modify these exceptions in the code update?

17.01.240 Non-conforming Lot

A legal lot or lot of record, as provided by Chapter 1.3, with an area or dimensions that do not meet the standards of the zoning district in which the property is located, may be occupied by a use permitted in the zone, subject to other requirements of the zone.

17.01.300 — Code Interpretations

17.01.310 Code Interpretations

Some terms or phrases within this Code may have two or more reasonable meanings. This section provides a process for resolving differences in the interpretation of the Code text.

A. Authorization of Similar Uses. Where a proposed use is not specifically identified by this Code, or the Code is unclear as to whether the use is allowed in a particular zone, the Planning Director, or other city official, as designated by the City Council, may find the use is similar to another use that is permitted, allowed conditionally, or prohibited in the subject zone and apply the Code accordingly. However, uses and activities that this Code specifically prohibits in the subject zone, and uses and activities that the Planning Director finds are similar to those that are prohibited, are not allowed. Similar use rulings that require discretion on the part of City officials shall be processed following the Type II procedure of Chapter 4.1.*[030 / 040]*. The Planning Director may refer a request for a similar use determination to the Planning Commission for its review and decision.

B. Code Interpretation Procedure. Requests for code interpretations, including, but not limited to similar use determinations, shall be made in writing to the Planning Director and shall be processed as follows:

1. The Planning Director, within 14 days of the inquiry, shall advise the person making the inquiry in writing as to whether the City will make a formal interpretation.

2. Where an interpretation does not involve the exercise of discretion, the Planning Director shall advise the person making the inquiry of his or her decision within 14 days and without public notice.

3. Where an interpretation requires discretion, the Planning Director shall inform the person making the request that an application for code interpretation is required and advise the applicant on how to make the request. At a minimum, an application for code interpretation shall include a letter from the applicant citing the nature and reasons for the request and, as required, a City fee. The Planning Director then shall review relevant background information, including, but not limited to other relevant Code sections and previous City land use decisions, and shall follow the Type II review decision-making procedures in Section 4.1.*[030 / 040]*.

D. Written Interpretation. Following the close of the public comment period on an application for a code interpretation application,] the Planning Director shall mail or deliver the City's decision in writing to the person requesting it, to any other person who specifically requested a copy of the decision, and to those who provided public testimony on the application. The decision shall become effective when the appeal period for the decision expires.

E. Referral to City Council. Where a code interpretation may have significant citywide policy implications, the Planning Director may bypass the procedure in subsection 17.01.310.B and refer the request directly to the City Council for its legislative review in a public hearing. Such public hearings shall be conducted

following the Type IV procedure of Chapter 4.1.050.

F. Interpretations on File. The City shall keep on file a record of its code interpretations.

17.01.400 — Enforcement

Current Code: 17.10.020 Penalty and abatement.

Violations of this title are declared civil violations and such violations may, in addition to or in lieu of other remedies or enforcement measures provided by State law or this title, be enforced under the provision of Title 1, Chapter 1.120 of the Hood River Municipal Code.

A. In case a building or other structure is being used or is proposed to be located, constructed, maintained, repaired, altered, or used, or land is or is proposed to be used in violation of this title, the building or land thus in violation shall constitute a nuisance and the City may, in addition to other remedies that are legally available for enforcing this title, institute injunction, mandamus, abatement or other appropriate proceedings to prevent, enjoin, temporarily or permanently, abate, or remove the unlawful location, construction, maintenance, repair, alteration, or use.

B. When a violation is of a continuing nature, a separate violation shall be deemed to occur on the annual anniversary date of the original violation.

Note to Decision Makers:

Above: The current code section 17.10.020 PENALTY AND ABATEMENT largely refers to Tile 1, Chapter 1.12 of the HRMC for how violations are addressed. The City will need to provide direction, with assistance of the city attorney, on any modifications. Note that HRMC Chapter 1.12 has been REPEALED and appears to be relaced by Chapter 1.10 CIVIL ENFORCEMENT

Below: Model Code language on how to address Enforcement. It can be used as a guide with the City Attorney's input on updating the code to address enforcement of the Development Code.

17.01.410 Violations

Except as provided under Subsection 1.6.020, any person violating or causing the violation of any of the provisions of this Code who fails to abate said violation has committed *[an infraction / a misdemeanor]*, which, upon conviction thereof, is punishable as prescribed in *[Section (#) of the (name) Municipal Code / Oregon Revised Statute (ORS) Chapter 161]*. Such person is guilty of a separate violation for each and every day during any portion of which a violation of this Code is committed or continued. A finding of a violation of this Code shall not relieve the responsible party of the duty to abate the violation.

A. Classification of Violation. Violations shall be identified by the City of Hood River under one of the following classifications:

1. Type I - Violations which represent a serious threat to public health, safety, and welfare, or those unapproved actions deemed potentially to create serious adverse environmental or land use

consequences as the result of continued development activity; or

2. Type II - Violations which do not pose a serious threat to public health, safety, and welfare, but do violate provisions of this code, including any conditions of approval.

B. Notice of Violation

1. Type I - After receiving a report of an alleged Type I violation, the *Planning Director* determines whether the violation requires that a citation be issued immediately or whether to provide notice of the violation prior to the issuance of a citation. Notice shall be in writing and shall be provided to the owner of record for tax purposes or to the person in charge of the property. Such a notice shall indicate:
   a. the location and nature of the violation;
   b. the provision or provisions of this Code or conditions of approval which allegedly have been violated; and
   c. whether immediate enforcement will be sought or if a specified time period will be allowed to correct or remove the violation.
2. Type II - After receiving a report of an alleged Type II violation from the *Planning Director*, the City Attorney shall, upon determining that *[probable cause]* exists, promptly give notice of the alleged violation by certified first-class mail, return receipt requested, or by personal service to the owner of record for tax purposes and to the person in charge of the property; however, a defect in the notice of violation with respect to this notice delivery provision shall not prevent enforcement of this code. Such a notice shall indicate:
   a. the location and nature of the violation;
   b. the provision or provisions of this Code or conditions of approval, which allegedly have been violated;
   c. whether immediate enforcement shall be sought or if 15 days will be allowed to correct or remove the violation; and
   d. the date when the notice was personally served or, if the notice was sent by first-class mail, the date three days after mailing if the address to which it was mailed is within this state and seven days after mailing if the address to which it was mailed is outside this state.

C. City Attorney to Pursue Enforcement. When the compliance deadline expires, the City Attorney shall proceed with any action deemed appropriate, unless:

1. the City Attorney finds that the violation has been corrected, removed, or will not be committed; or
2. a court of competent jurisdiction has halted enforcement pending the outcome of a proceeding concerning the violation.

D. Penalties. Code violations may be subject to criminal, civil, or other sanctions authorized under ordinances of the City.

1. Criminal Penalties - Unless specified otherwise, every violation of the terms of this Code is a Class A infraction, punishable by a fine of up to *[$]*. Each day such violation continues, it shall be considered a

separate offense.

2. Civil Penalties and Remedies - In addition to, or in lieu of, criminal actions, a violation of this code or a permit issued hereunder may be the subject of a civil action in the nature of a debt or of any appropriate remedy issuing from a court of competent jurisdiction, including mandatory and prohibitory injunctions and orders of abatement.

17.01.420 Other Remedies

The City, in addition to finding a Code violation is *[an infraction / a misdemeanor],* may use any of the other remedies available to it, including, but not limited to, the following:

A. Stop Work Order. The City may issue a stop work order.

B. Public Nuisance. The City may find a violation of this Code is a public nuisance and take enforcement action pursuant to City of Hood River Ordinance No. 1872.

C. Mediation. The City and property owner may agree to engage in mediation.