

IN THE CITY COUNCIL
FOR THE CITY OF HOOD RIVER, OREGON

ORDINANCE NO. 2056

An Ordinance amending Hood River Municipal Code Title 17, Chapter 03; LAND USE ZONES and Chapter 24; IN-LIEU PARKING FEE

The Hood River City Council finds as follows:

WHEREAS, the Hood River Zoning Code is organized to implement provisions of the Comprehensive Plan and which periodically require amendments to address changes in statewide legislation, policy updates, and other clarifications for readability and clear administration; and

WHEREAS, in 2019 the City of Hood River adopted a Downtown Parking Study to address parking challenges associated with growth, development, and tourism; and

WHEREAS, the Downtown Parking Study helped the City understand current parking conditions, examine specific issue areas, and hear the stakeholder input necessary to develop new parking policies and management strategies that support the community goals of maintaining the vibrancy of downtown, protecting historic buildings; and increasing housing opportunities; and

WHEREAS, the Parking Study outlined a series of strategies and Guiding Principles to implement the Downtown Parking Strategy including the amendment of the City's parking requirements for new commercial and residential development to be reflective of local demand, supportive of new growth, and supportive of a new fee-in-lieu policy/code; and

WHEREAS, as part of the strategy Council requested interim actions be considered prior to final decisions regarding the development of new parking capacity, including an amendment that made historic buildings within the Downtown Historic District (those specifically within the Zoning Code) eligible for parking waivers for the conversion of upper stories to long term residential dwelling units ; and

WHEREAS, a draft of these interim actions presented to the Council for review, and then Planning Commission for public hearing; became the basis for code amendments in accordance with HRMC 17.08.010 (Legislative Zone Changes and Plan Amendments); and

WHEREAS, the Department of Land Conservation and Development (DLCD) was notified of the proposed amendments on February 07th, 2018 and again on May 18th, 2020 prior to public hearings before the Planning Commission. The Planning Commission hearing culminated on June 15th, 2020 with a recommendation to approve the proposed changes to Title 17 to the City Council; and

WHEREAS, at its September 28th, 2020 meeting City Council initiated public hearing at which time the Council heard the Planning Commission recommendation, accepted written and oral testimony; deliberated and *(to be confirmed at hearing -tentatively voted to approve)* amendments to HRMC Title 17, Chapter 3: Land Use Zones, as set forth in Exhibit A and HRMC Title 17, Chapter 24: In Lieu Park Fee as set forth in Exhibit B.

NOW, THEREFORE, based on the foregoing findings, which are incorporated herein by this reference, the Hood River City Council Ordains as follows:

Section 1 – Amendment. The Hood River Municipal Code Title 17 (Zoning) Chapter 3 Land Use Zones shall be amended as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

Section 2 – Amendment. The Hood River Municipal Code Title 17 (Zoning) Chapter 24 In Lieu Parking Fee shall be amended as set forth in Exhibit B, attached hereto and incorporated herein by this reference.

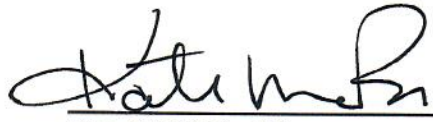
Section 3 – Savings Clause. In the event that a court of competent jurisdiction determines that any provision, clause, section, subsection or part thereof is unconstitutional or unlawful in any respect, that determination shall not affect the validity of all remaining provisions, clauses, sections, subsections or parts thereof, which shall remain in full force and effect.

Read for the First Time this 13th day of October 2020.

Read for the Second Time and adopted this 26th day of October 2020.

This Ordinance shall take effect on the 31st day following the second reading.

AYES: 7
NAYS: 0
ABSTAIN: 0
ABSENT: 0



Kate McBride, Mayor

ATTEST:



Jennifer Gray, City Recorder

Approved as to form:



Daniel Kearns, City Attorney

Exhibit A

Strikes and Underlines of existing HRMC 17.03:

17.03.040 Office/Residential Zone (C-1)

G. Parking Regulations.

1. ~~Professional Offices:~~ Commercial Development

a. Except within the Central Business District, One (1) off-street parking space shall be provided on the building site or adjacent to the site for each employee. In addition, adequate off-street parking shall be provided on or adjacent to the building site to meet the needs of anticipated clientele.

b. In no case shall there be less than two (2) off-street parking spaces.

c. The Central Business District, the Heights Business District and the Waterfront are exempt from ~~this~~ the minimum two (2) off street space parking requirement but shall pay a fee in-lieu of parking in accordance with Chapter 17.24 for the balance of parking required but not provided.

d. Within the Central Business District, one and one half (1.5) off-street parking spaces shall be provided on the building site or adjacent to the site for each 1,000 square feet of gross floor area.

~~d.~~ e. Parking in the Central Business District, Heights Business District and Waterfront may be satisfied by substituting all or some of the parking requirement at adjacent or nearby off-site off-street locations or by adjacent or nearby shared parking if the substitute parking reasonably satisfies the parking requirements of this section.

~~f. If no required off-street or off-site parking reasonably satisfies the parking is, the fee in lieu of parking shall be paid in accordance with Chapter 17.24.~~ If less than all required parking is provided, the fee in lieu of parking shall be paid in accordance with Chapter 17.24, except that a credit shall be given for the number of spaces provided.

2. Residential Development:

a. Except within the Central Business District, all individual dwelling units, duplexes, and triplexes shall be provided with two (2) parking spaces for each unit on the building site, one (1) of which may be within the required front yard setback area.

b. Except within the Central Business District, multi-family dwellings shall be required to furnish one and one-half (1½) off-street parking spaces per dwelling unit on or adjacent to the building site.

c. Unless specifically exempted under the historic building parking waiver provisions for upper story residential conversions, individual dwelling units within the Central Business District shall be required to provide one and one quarter (1.25) off-street parking on or adjacent to the building site.

~~e.~~ d. Required setback areas may be utilized for off-street parking for multi-family dwellings.

d. e. Parking spaces utilizing access from a public dedicated alley may be located within the setback areas.

f. Upper Story Residential Parking Exemption: Existing Buildings within the Downtown Historic District included on the local historic building inventory and listed within HRMC 17.14 CHART B – Cultural Resources Inventory Local Downtown District: 1994 (updated 2004), as amended are not required to provide additional parking for the conversion of upper stories to non-transient residential dwelling units. Street-level conversion of a historic building for residential use is not eligible for this exemption. The exemption is not applicable to transient lodging or hotel use

Neither historic conversion exemption nor fee in lieu of off-street parking may be utilized to satisfy parking requirements for hosted homeshares, vacation home rentals, transient or short-term rentals. Hosted homeshares, vacation home rentals, transient and short-term rental shall be required to satisfy parking requirements in compliance with the Hood River Municipal Code.

17.03.050 General Commercial Zone (C-2)

H. Parking Regulations.

~~1. Commercial Development One (1) off-street parking space shall be provided on the building site, or adjacent to the site for each employee. In addition, adequate off-street parking shall be provided on or adjacent to the building site to meet the needs of anticipated clientele.~~

a. Except within the Central Business District One, (1) off-street parking space shall be provided on the building site or adjacent to the site for each employee. In addition, adequate off-street parking shall be provided on or adjacent to the building site to meet the needs of anticipated clientele.

~~2. b. In no case shall there be less than two (2) off-street parking spaces.~~

~~3. c. The Central Business District, the Heights Business District and the Waterfront are exempt from ~~this~~ the minimum two (2) off street space parking requirement but shall pay a fee in-lieu of parking in accordance with Chapter 17.24 for the balance of parking required but not provided.~~

d. Within the Central Business District One and one half (1.5) off-street parking spaces shall be provided on the building site or adjacent to the site for each 1,000 square feet of gross floor area.

~~4. e. Parking in the Central Business District, Heights Business District and Waterfront may be satisfied by substituting all or some of the parking requirement at adjacent or nearby off-site off-street locations and/or by adjacent or nearby shared parking if the substitute parking reasonably satisfies the parking requirements of this section.~~

~~f. If no required off-street or off-site parking reasonably satisfies the parking is, the fee in-lieu of parking shall be paid in accordance with Chapter 17.24. If less than all required parking is provided, the fee in lieu of parking shall be paid in accordance with Chapter 17.24, except that a credit shall be given for the number of spaces provided.~~

~~5. All parking areas and driveways shall be hard surfaced prior to occupancy, under the following circumstances:~~

~~a. New construction~~

- b. ~~Change of use~~
- e. ~~New parking area~~

2. Residential Development:

~~6. All residential development shall comply with the off-street parking standards as follows, unless exempt above:~~

a. Except within the Central Business District, All individual dwelling units, duplexes, and triplexes shall be provided with two (2) parking spaces for each unit on the building site, one (1) of which may be within the required front yard setback area.

b. Except within the Central Business District Multi-family dwellings shall be required to furnish one and one-half (1½) off-street parking spaces per dwelling unit on or adjacent to the building site.

c. Unless specifically exempted under the Historic parking waiver provisions for upper story residential conversions, individual dwelling units within the Central Business shall be required to provide one and one quarter (1.25) off-street parking on or adjacent to the building site.

~~e.~~ d. Required setback areas may be utilized for off-street parking for multi-family dwellings.

d. e. Parking spaces utilizing access from a public dedicated alley may be located within the setback areas.

f. Upper Story Residential Parking Exemption: Existing Buildings within the Downtown Historic District included on the local historic building inventory and listed within HRMC 17.14 CHART B – Cultural Resources Inventory Local Downtown District: 1994 (updated 2004), as amended are not required to provide additional parking for the conversion of upper stories to non-transient residential dwelling units. Street-level conversion of a historic building for residential use is not eligible for this exemption. The exemption is not applicable to transient lodging or hotel use

Neither historic conversion exemption nor fee in lieu of off-street parking may be utilized to satisfy parking requirements for hosted homeshares, vacation home rentals, transient or short-term rentals. Hosted homeshares, vacation home rentals, transient and short-term rental shall be required to satisfy parking requirements in compliance with the Hood River Municipal Code.

3. All parking areas and driveways shall be hard surfaced prior to occupancy, under the following circumstances:

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

Exhibit B

Strikes and Underlines of existing HRMC 17.24:

CHAPTER 17.24 - IN-LIEU PARKING FEE

Legislative History: Ord. 1925 (2006)

SECTIONS

17.24.010 In-Lieu Parking Fee

17.24.020 Payment of Fee

17.24.010 In-Lieu Parking Fee. This chapter establishes the In-Lieu Parking Fee. The In-Lieu Parking Fee is paid to the City in lieu of providing required off-street parking when permitted in this title.

A. **Amount of Fee.** The amount of the In-Lieu Parking Fee is set by resolution of the City Council and the Council shall review the amount on at least an annual basis. The In Lieu-Fee may otherwise be adjusted by the Council as it deems necessary based on factors such as inflation, the cost of providing new parking spaces, and the market value of parking spaces. The amount of the In-Lieu Fee shall take into account the current costs of land acquisition, financing and construction.

B. **Use of Fees.** In-Lieu Parking Fees shall be deposited in a dedicated fund for the development and provision of public parking facilities. The collected Fees may be applied only to development and provision of public parking that serves the Central Business District, Heights Business District or Waterfront, or the development of City owned parking lots located in non-residential zones. Development and provision of parking to which the Fees are applied must be consistent with the City's adopted Parking Management Plan. Development and provision of parking includes, but is not limited to, paving, striping, sidewalks, acquisition of real property, payment of administrative costs, and construction.

17.24.020 Payment of Fee

A. **Parking Requirement for Calculation of Fee.** The In-Lieu Fee shall be based on the number of parking spaces required under Section 17.03, but not provided off-street or off-site ~~1.2 parking stalls or spaces per 1,000 square feet of development~~ multiplied by the amount set by Council resolution in section 17.2324.010.

B. **Condition of Approval.** Payment of the In-Lieu Fee will be included as a condition of approval of any approved development application that is subject to the fee.

C. **Limitation.** Payment of the In-Lieu Fee cannot be used to satisfy parking requirements for the issuance of short-term rental operating licenses.

~~D. C.~~ **Payment of Fee.** The In-Lieu Fee shall be paid in full prior to the issuance of a building permit.