CITY OF HOOD RIVER
LAND USE APPLICATION INSTRUCTIONS & TIMELINE

1. **Review Required:** The attached application is required by the Hood River Municipal Code ("Code") for review of your proposed development. Review is required to make sure that your proposal complies with the applicable provisions of the Code and that there are adequate capacities of public facilities to meet the needs of your development.

2. **Pre-Application Conference:** Prior to submitting your application, you may be required to attend a pre-application conference with city staff to discuss applicable standards and criteria of the Code, and submittal requirements to make your application complete. Pre-application conferences typically are scheduled approximately 4 weeks after submittal of an application and fee. You also may be required to conduct a neighborhood meeting (mandatory for subdivisions and PUDs).

3. **Application Submittal:** Applications may be mailed or submitted in person to the City of Hood River Planning Department at City Hall, 211 2nd Street, Hood River, OR 97031. The following *must* be included in your application packet:
    - Completed application form with property owner signature
    - All required materials and written analysis listed in the application packet
    - Application fee
    - Electronic copy of application materials (original .pdf, not scanned) and one (1) paper copy of application and all support materials

    It is the applicant's responsibility to demonstrate the proposal meets standards & approval criteria.

4. **Completeness Review (≤ 30 days):** Upon submittal, your application will be reviewed for completeness within 30 days. Completeness is based upon the requirements of State law (ORS 227.178) and the requirements in the Code for your development proposal. It is the applicant's responsibility to provide written findings and materials to demonstrate the application complies with the applicable approval criteria and standards.

5. **Incomplete Applications (> 30 days):** If the Planning Department determines that your application is "incomplete," you will be informed in writing and provided with a list of missing or incomplete materials and options for completing the application. Refusal to submit all or some of the missing information could limit the city's ability to approve your application. Incomplete applications become void 181 days after submittal (ORS 227.178).

6. **Complete Applications:** If the Planning Department staff determines that an application is "complete," you will be informed in writing and the review process will begin.

7. **Review Process (≤ 120 days):** Review of your application may be administrative, with no public hearing, or it may be quasi-judicial, with a public hearing. For quasi-judicial review, applicants are required to attend the public hearing. Notice of the application or public hearing will be mailed to neighboring property owners for comment.

8. **Decision:** A decision with findings and conditions of approval will be issued after a public comment period and public hearing (if applicable). All land use decisions are subject to an appeal process. A final decision is expected within 120 days after an application is deemed complete pursuant to ORS 227.178.

If you have questions about this process, please call the Planning Department at (541) 387-5210. Application forms, the City's Code and other useful information are available at the Planning Department's website: https://cityofhoodriver.gov/planning/

File No.: _____
Fee: _____
Date Submitted: _____

CITY OF HOOD RIVER
LANDMARKS REVIEW APPLICATION

Submit the completed application form with one (1) paper copy of all application materials including full- and reduced-sized plans, one electronic copy (original .pdf), and appropriate fees to the City of Hood River Planning Department, 211 2nd St., Hood River, OR 97031. Additional paper copies may be required as determined by staff. If you have any questions, please contact the Planning Department at (541) 387-5210.

APPLICANT: ***(attach a copy of title or purchase contract if applicable*)***

Name: _____

Address: _____
(physical)

_____

(mailing) _____

_____

Telephone: _____ Cell : _____ Email: _____

Signature: _____

PARCEL OWNER: (if different than applicant)

Name: _____

Address: _____
(mailing)

_____

Telephone: _____ Cell Phone: _____

Signature: _____

Authorization of parcel owner required.

NAME OF PROPERTY: (Historic) _____ (Common) _____

PROPERTY ADDRESS (or cross streets): _____

LEGAL DESCRIPTION: Township _____ Range _____ Section _____ Tax Lot(s) _____

EXISTING USE(S) OF PROPERTY: _____

PROPOSED USE(S) OF PROPERTY: _____

HISTORIC STATUS: National Register ☐ Local Landmarks Designation ☐ State ☐

Anticipated starting date of construction: _____ **Anticipated ending date**: _____

TYPE OF APPLICATION: (Check one)

New Construction ☐ Minor alteration ☐ Major alteration ☐ Sign permit ☐
Demolition ☐ List Removal ☐ Moving ☐

Please submit the following information with this application:

_____ 1. Narrative description of work to be completed
_____2. Detailed written description of the project consistency with the Secretary of Interior's Standards for Rehabilitation (these standards are adopted by City Ordinance as local review criteria; see attached)
_____ 3. Detailed written analysis explaining project consistency with city code (see below)
_____ 4. Site Plan drawing (drawn to scale)
_____ 5. Photographs of building and or site (effected facades, overall, and details)
_____ 6. Materials list and accompany product brochures
_____ 7. Construction blueprints and details (as needed)
_____ 8. Exterior elevations drawings (as needed)
_____ 9. Location, layout, size, color, and font style of sign (as applicable)
_____ 10. Awning material sample (if applicable)

In the **Downtown Historic District, Design Guidelines** have been adopted to provide guidance on exterior alterations and new construction. Please review and use them when preparing the application plans and project narrative for submittal.

Please check one and provide the required written narrative as noted:

___Removal of Historic Landmark Designation: An application for removal of a historic landmark or historic district designation must **include a detailed written analysis demonstrating conformance with each of the review criteria in HRMC 17.14.090.E.**

___Exterior Alterations: Applications for exterior alterations or additions to designated landmarks must **include a detailed written analysis demonstrating conformance with each of the review criteria in HRMC 17.14.100.G.**

___New Construction: Applications for new construction in a historic district or on the same parcel as a historic landmark must **include a detailed written analysis demonstrating conformance with each of the review criteria in HRMC 17.14.110.G.**

___Demolition or Moving a Historic Landmark: Applications for demolition or moving a historic landmark must **include a detailed written analysis demonstrating conformance with each of the review criteria in HRMC 17.14.120.F.**

I (We) the undersigned acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge, and do hereby grant permission for and consent to City of Hood River Landmarks Review Board, its offices and staff, to come upon the above described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application or preparing a staff report.

_____
PROPERTY OWNER SIGNATURE (application cannot be accepted without a signature)

_____
APPLICANT SIGNATURE

CHAPTER 17.14 - HISTORIC PRESERVATION

Legislative History: *Ord. 1697 (1994); Ord. 1774 (1999); Ord.* 1799 (2000)

17.14.090 Removal of Historic Landmark Designation.

A. **Purpose**. Periodically, it may be necessary to remove the designation of an historic landmark. Removal is an effort to reflect changing conditions, community values, or needs.

B. **Initiation**. The process of removing a historic landmark/district from the inventory may be initiated by the Planning Commission, City Council, the Landmarks Board, the property owner, or by any other interested person.

C. **Procedure**. Review of a request for removal of designation is heard by the Landmarks Board who is the final review body unless an appeal is filed. The Landmarks Board shall conduct a quasi-judicial hearing in accordance with the requirements of Chapter 17.09 of the Hood River Municipal Code taking into consideration the review criteria and public testimony.

D. **Application**. An application for removal for a historic landmark/district designation shall be prepared and filed with the Planning Department, using forms prescribed by the Planning Director. The Planning Director shall fix a date and time for a public hearing before the Landmarks Board.

E. **Review Criteria**. The Landmarks Board shall evaluate the request for removal of the historic landmark/district designation based upon findings that removal of the historic designation will not adversely impact properties in the surrounding area or integrity of the historic district or of another historic landmark on the same parcel. In order to approve an application, it must be found that at least one (1) of the following has occurred since the site was listed as a historic landmark/district:
   1. Significance of the historic landmark/district has been substantially reduced or diminished according to the review criteria established in Section 17.14.080 (5).
   2. Integrity of the historic landmark/district has been substantially reduced or diminished according the review criteria established in Section 17.14.080 (5).

F. **Exceptions**. The Planning Director shall delete any demolished or removed historic landmark/district from the official Inventory through an administrative review if the property is damaged in excess of seventy percent (70%) of its previous value due to vandalism, fire, flood, wind, earthquake, or other natural disasters.

17.14.100 Review of Exterior Alterations.

A. **Purpose**. The purpose of reviewing alterations to historic landmarks or landmark within a district is to encourage the preservation of characteristics that led to designation as a historic landmark.

B. **Initiation**. The process for applying for altering a historic landmark or landmark within a district may be initiated by the property owner or authorized agent upon submittal of a complete application.

C. **Alterations**. Review is required for all EXTERIOR alterations or additions to designated landmarks, individually or within historic districts, with the exception of alterations classified as

"minor alterations." The Planning Director, who may consult with the Landmarks Board, shall approve minor alterations through an Administrative action. The following are considered "minor" alterations:

1. Replacement of gutters and down-spouts, or the addition of gutters and down-spouts, using like materials or materials that match those that were typically used on similar style buildings.
2. Repairing or providing a new foundation that does not result in raising or lowering the building elevation providing that skirting is provided to match the existing skirting. The repair or new foundation shall not affect the appearance of the building.
3. Replacement of wood siding, when required due to deterioration of material, with wood material that matches the original siding in all materials, dimensions, and textural qualities.
4. Application of storm windows made with wood, bronze or flat finished anodized aluminum, or baked enamel frames.
5. Replacement of existing sashes with new sashes, when using material that matches the original historic material and appearance. Severe deterioration of the original sashes has to be evident.
6. Repair and/or replacement of roof material with the same kind of existing roof material or with materials that are in character with those of the original roof.
7. Replacement or construction of fencing according to the established fence design written guidelines. (Chart "A" – Secretary of Interior Standards).
8. Other minor alterations, such as awning replacement or installation, specified by the Landmarks Board.

D. **Exemptions from Review.** The general and ongoing responsibility of the property owner to care for, repair, and replace with like materials may be done without formal review by the Landmarks Board. Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature which does not involve a change in design, or appearance, of such feature of which the building official shall determine is required for public safety due to an unsafe or dangerous condition. Normal maintenance may include, but not be limited to

1. Painting and related preparation;
2. Ground care and maintenance required for the permitted use of the property; and
3. Existing materials replaced in-kind for historic landmark because of damage or decay of materials;

E. **Procedure**. Review of a request for an EXTERIOR alteration is heard by the Landmarks Board who is the final review body unless an appeal is filed. The Landmarks Board shall conduct a quasi-judicial hearing in accordance with the requirements of Chapter 17.09 of the Hood River Municipal Code taking into consideration the review criteria and public testimony.

F. **Application**. An application for alteration provided by the Planning Director shall be prepared by the property owner or authorized agent and submitted to the Planning Department for review. If the application is incomplete, the Planning Director shall notify the applicant within seven (7) days and state what information is needed to make the application complete. The applicant shall have ten (10) days in which to submit additional material. The completed application and attachments are forwarded to the Landmarks Board for review.

G. **Review Criteria**. The Landmarks Board must find that either criteria number one (1) or number two (2) below has been met in order to approve an alteration request.

1. The proposed alteration causes the historic landmark to more closely approximate the historical character, appearance, or material composition of the original structure than the existing structure. The Landmarks Board shall use the Secretary of the Interior's "Standards for the

Historic Preservation with Guidelines for Applying the Standards", and the Secretary of the Interior's "Standards for Treatment of Historic Properties" (Chart "A" - Secretary of Interior Standards).

2. The proposed alteration is compatible with the historic characteristics of the area and with the existing structure in massing, size, scale, materials, and architectural features. The Landmarks Board shall use the Secretary of the Interior's "Standards for the Historic Preservation with Guidelines for Applying the Standards" and the Secretary of the Interior's "Standards for Treatment of Historic Properties" (Chart "A" - Secretary of Interior Standards).
3. In conjunction with criteria number one (1) or number two (2) above, the Landmarks Board shall also consider
   a. The value and significance of the historic landmark, individually or within a district;
   b. The Oregon Structural Specialty Code, as adopted and amended by the State of Oregon, with particular reference to designated Historic Buildings, ADA, and historic buildings, or related sections; and
   c. Other applicable state and local codes and ordinances relating to the building, fire, health and safety.

H. **Conditions of Approval**. The Landmarks Board shall approve, conditionally approve, or deny the request. Conditions may be attached which are appropriate for the protection and/or preservation of the historic or architectural integrity of the district or historic landmark. All conditions must relate to review criteria.

I. **Decision**. A decision by the Landmarks Board under this section shall be supported by written findings and shall be forwarded within seven (7) days of the decision to the property owner.

17.14.110 Review of New Construction.

A. **Purpose**. The purpose of reviewing the EXTERIOR design of new construction is to ensure that new construction is compatible with the character of the district or designated historic landmark located on the same parcel.

B. **Initiation**. The process for applying for new construction may be initiated by the property owner or authorized agent, upon submittal of a complete application.

C. **New Construction**. Review is required for any new construction, which occurs on the same parcel as a designated historic landmark, or on any parcel in a designated district.

D. **Procedure**. A request to construct a new structure shall be referred to the Landmarks Board who is the final review body unless an appeal is filed. The Landmarks Board shall conduct a quasi-judicial hearing in accordance with the requirements of Chapter 17.09 of the Hood River Municipal Code taking into consideration the review criteria and public testimony.

E. **Application**. An application for new construction shall be prepared and filed with the Planning Department, using forms prescribed by the Planning Director. The Planning Director shall fix a date and time for a public hearing before the Landmarks Board.

F. **Relationships to Other Planning Review**. Projects, which require a historic review, may also require other land use reviews. If other reviews are required, the review procedure may be handled concurrently.

G. **Review Criteria**. In reviewing the request, the Landmarks Board shall consider the following criteria:
   1. The design of new construction is compatible with the design of the historic landmark(s) on the parcel or in the district, considering scale, style, height, and architectural detail and materials. The Landmarks Board shall use the Secretary of the Interior's "Standards for the Historic Preservation with Guidelines for Applying the Standards" and the Secretary of the Interior's "Standards for Treatment of Historic Properties" (Chart "A" - Secretary of Interior Standards);
   2. The location and orientation of the new construction on the parcel is consistent with the typical location and orientation of similar structures on the parcel or within the district considering setbacks, distances between structures, location of entrances, and similar citing considerations. The Landmarks Board shall use the Secretary of the Interior's "Standards for the Historic Preservation with Guidelines for Applying the Standards", and the Secretary of the Interior's "Standards for Treatment of Historic Properties" (Chart "A" - Secretary of Interior Standards).

H. **Conditions of Approval**. In approving applications for new construction, the Landmarks Board may attach conditions that are appropriate for the preservation of the historic or architectural integrity of the historic landmark/district. All conditions must relate to review criteria.

I. **Decision**. All decisions by the Landmarks Board under this section to approve, approve with conditions, or deny construction shall be supported by written findings and shall be forwarded to the property owner within seven (7) days of the decision.

17.14.120 Procedure for Demolition or Moving of a Historic Landmark.

A. **Purpose**. The purpose of reviewing requests for demolition or moving a historic landmark is to explore all possible alternatives for preservation. Demolition of historic landmarks is an extreme and final measure.

B. **Initiation**. Demolition or moving designated historic landmarks or demolition within a historic district may be initiated by affected property owners or their authorized agent who submit a complete application.

C. **Demolition or Moving**. A permit is required to move, demolish, or cause to be demolished any structure listed as a historic landmark or in a district.

D. **Procedure**. All requests for demolition or moving a historic landmark shall be reviewed by the Landmarks Board. The Landmarks Board shall conduct a quasi-judicial hearing in accordance with the requirements of Chapter 17.09 of the Hood River Municipal Code taking into consideration the review criteria and public testimony.

E. **Application**. An application shall be made to the Planning Department using forms prescribed by the Planning Director. The Planning Director shall fix a date for a public hearing.

F. **Review Criteria**. In considering a proposal for demolition or relocation of a historic landmark, individually or within a district, the Landmarks Board shall have the authority to allow the demolition or relocation, allow partial demolition or relocation, or delay approval for an initial period not to exceed ninety (90) days from the date of the Board's initial public hearing. If the Board acts to approve the request, in whole or in part, issuance of a permit and the commencement of the work shall be delayed for twenty (20) days after the Board's approval to allow for the filing of appeals. In determining whether a demolition or moving permit shall be issued, the Landmarks Board shall consider the following:

1. The completed application form;
2. Information presented at the public hearing held concerning the proposed development;
3. The Hood River Comprehensive Plan;
4. The purpose of this ordinance;
5. The review criteria used in the original designation of the historic landmark or district in which the property(s) under consideration is situated;
6. The historical and architectural style including the general design; arrangement; materials of the historic landmark in question or its appurtenant fixture; the relationship of such features to similar features of the other historic landmarks, individually or within the district; and the structure's position in relation to public rights-of-way and to other buildings and structures in the area;
7. The effects of the proposed application upon the protection, enhancement, perpetuation, and use of the historic landmark or district that cause it to possess a special character or special historical or aesthetic interest or value; and
8. Whether denial of the permit will involve substantial hardship to the property owner, and whether issuance of the permit would act to the substantial detriment of the public welfare and would be contrary to the intent and purpose of this Chapter.

G. **Decisions**. The Landmarks Board shall make decision within ten (10) days following the completion of the public hearing. For applications for demolition, the Landmarks Board may approve, approve with conditions, or invoke a stay of demolition. If the Landmark Board determines that a stay of demolition is appropriate, the City Council shall be promptly notified. If the City Council agrees that a stay of demolition is appropriate, the Hood River City Council shall apply to the Hood River County Circuit Court for a mandatory injunction prohibiting demolition. The length of stay shall be no more than ninety (90) days from the date of the public hearing. During the period, the Landmarks Board shall attempt to determine if public or private acquisition and preservation is feasible, or alternatives are possible that could be carried out to prevent demolition or removal of the historic landmark, individually or within a district.

1. Further stays of demolition may be imposed for a period not to exceed one hundred and twenty days (120) days from the date of the hearing, if the Landmarks Board finds:
   a. There is a program or project underway that could result in public or private acquisition of the historic landmark; and
   b. There are reasonable grounds for believing the program or project may be successful.
2. After granting a further postponement, the Landmarks Board may order the Planning Director to issue the permit if it finds:
   a. All programs or projects to save the historic landmark have been unsuccessful;
   b. The application for demolition or moving has not been withdrawn; and
   c. The application otherwise complies with city ordinances and state law.
3. During the stay of demolition, the Landmarks Board may require the property owner to:

a. List the historic landmark in local and state newspapers of general circulation for a period of not less than sixty (60) days stating that the property shall be given away to parties interested in moving the historic landmark;
b. Give public notice by posting a hearing notice on site in addition to a sign, which shall read: "Historic Landmark to be Moved or Demolished-Call City Hall for Information." The sign shall be provided by the City and be posted in a prominent and conspicuous place within ten (10) feet of a public street abutting the premises on which the structure is located. The property owner is responsible for assuring that the sign is posted for a continuous sixty (60) day period;
c. Prepare and make available any information related to the history of the historic landmark; and
d. Assure that the property owner has not rejected a bona fide offer that would lead to the preservation of the historic landmark.

4. As a condition for approval of a demolition permit, the Landmarks Board may require one or more of the following:
   a. Require photographic documentation, architectural drawings, and other graphic data or history as it deems necessary to preserve an accurate record of the resource. The historical documentation materials shall be the property of the City or other party determined appropriate by the Landmarks Board; and/or
   b. Require that the property owner document that the Historic Preservation League of Oregon or other local preservation group had been given the opportunity to salvage and record the historic landmark.

H. **Exemptions**. The Planning Department shall issue a permit for moving or demolition if any of the following conditions exist:
1. The building is not designated compatible within an historic district;
2. The historic landmark has been damaged in excess of seventy percent (70%) of its previous value due to vandalism, fire, flood, wind, or other natural disaster; or
3. The Fire Marshall, Building Official or City Engineer determines that the demolition or moving is required for the public safety due to an unsafe or dangerous condition. Prior to the emergency action, the Landmarks Board shall be notified of such action.

17.14.130 Appeals. Final decisions by the Landmarks board may be appealed to City Council, per the provisions of the *Appeal Procedure in Review Procedures* (Chapter 17.09).

17.14.140 Penalties/Enforcement. Failure to comply with any provision of this chapter shall be considered a Class A infraction and the violator shall be subject to a fine of not less than $200 per violation. In addition, this chapter may be enforced by a suit in equity for a mandatory or prohibitory injunction. The prevailing party to any such civil enforcement action by the City of Hood River shall be entitled to recover reasonable attorney's fees from the non-prevailing party at trial or upon appeal.

17.14.150 Time Limits. Landmarks Review Board permits for exterior alterations, new construction, or demolitions are valid for a period of two (2) years from the written notice of the final decision, or the decision on an appeal, whichever is later.

Chart "A" – Secretary of Interior's Standards for Rehabilitation

The following standards are to be applied to rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic material or alteration of features and spaces that characterize a property shall be avoided.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserves.

5. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

6. Deteriorated features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities, and where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7. Chemical or physical treatments, such as sand blasting that cause damage to historic material shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8. Significant archaeological resources affected by a project or development shall be protected and preserved according to Oregon Revised Statue ORS 358.905. If such resources must be disturbed, mitigation measures shall be undertaken.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.